



AGENDA INFORMATION SHEET

DEPARTMENT: Development Services, Real Estate

ACM: Cassandra Ogden

DATE: October 21, 2025

SUBJECT

Consider adoption of an ordinance of the City of Denton providing for the abandonment, relinquishment, and quitclaim a public utility and slope easement being approximately 0.151-acre, situated in the M.E.P. & P.R.R. Survey, Abstract number 1469, recorded by County Clerk document number 2014-128542, Real Property Records, Denton County, Texas granted to the City of Denton by Habib Pyarali Arab; providing for the quitclaim thereof to Velocis Denton South JV, LP, a Delaware limited partnership; providing for the terms and conditions of the abandonment, relinquishment, and quitclaim made herein; providing for the conveyance of a easement and/or facilities to the City of Denton; providing for the indemnification of the City of Denton against damages arising out of the abandonment herein; providing for consideration to be paid to the City of Denton and providing for a severability and an effective date. (Mayhill 380 Business Park-Slope and Utility Easement Abandonments)

BACKGROUND

Velocis Denton South JV, LP, a Delaware limited partnership, ("Owner"), is the record owner of Mayhill 380 Business Park Addition and has requested the City of Denton to abandon and release a 0.151-acre Slope and Utility Easement ("Subject Easement") that is encumbering its Addition. Said addition is a Light Industrial 19.508-acre development located south of U.S. 380 "aka University", and west of and adjacent to Mayhill Road. The Additions new public improvements has made the subject Slope and Utility Easement area to not be needed.

The subject 0.151-acre Slope and Utility Easement was conveyed to the City of Denton in 2014 for the benefit of the City of Denton, Mayhill Road Project, to address the grading of the road supporting area and to address the public utilities located within the Owners Addition. As a negotiated settlement the Easement was purchased from Arab Habib Pyarali by the City of Denton for \$19,493.00 to be used for the Mayhill Road Project.

The Slope interests of the Easement was designed as a temporary solution until the land of subject Addition was developed, and the Utility interests are not needed as the Owner dedicated a 20-foot Public Utility Easement by Plat, that goes beyond and overlaps the utility interests of the subject Easement requested for abandonment. The abandonment request of the slated Slope and Utility Easement is a housecleaning measure of the Owner to clarify the title and interests of the Addition.

The establishment of the Addition along with its required public improvements, has rendered the Subject Easement no longer necessary for the benefit of Public and is obsolete. The Owner has constructed Staff approved, public drainage improvements valued at \$573,986, public road improvements valued at \$210,027.30, public sanitary sewer improvements valued at \$211,136.00, and public water improvements valued at \$519,387.00, a total value of \$1,514,536.30. Additionally, the Owner has dedicated by Plat, new Public Easements for the additions Public Improvements. A 20-foot Public Utility Easement was dedicated



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by Plat that overlays, is currently being utilized, and its utility interests extend further than the same area of the Subject Easement requested for abandonment.

In accordance with Texas Local Government Code, section 272 an independent appraisal of the slated Abandonment Area was provided by the Owner. The fair market value of the abandonment area was appraised at Nineteen Thousand Eighty-two Dollars and No Cents (\$19,082.00).

Staff recommends abandoning and releasing the Abandonment Area to the Owner with the payment of \$19,493.00 of which the Subject Easement was originally purchased by the City of Denton. The Easement was acquired by the City of Denton using public funds and has no identified current or future use for the Subject Easement.

Staff performs an analysis on the request for abandonments as follows:

- Is the easement tract requested for abandonment considered “excess easement”?
- Does the easement tract requested for abandonment have a continued public use?
- Is it the best interests of the general public to abandon the government’s rights in the subject abandonment tract?
- Would the granting of this request establish a precedent for future abandonment requests?

Staff findings on this analysis are as follows:

1. The requested Slope and Utility easement known as the abandonment tract, does fit the criteria of “excess easement.” Excess easement is defined as: Property rights acquired or used by the City for easement subsequently declared excess (not needed for any public slope and utility project, the continuation of operation and maintenance of public slope and utility, and/or no foreseeable public slope and utility improvement applications in the future).
2. No, the abandonment tract is not slated for utilization for any future public slope and utility facilities.
3. The abandonment of abandonment tract is in the public’s best interests, because the area of the subject abandonments is no longer needed for public slope and utility, and the area encumbered can be freed up for other uses.
4. This abandonment will not set a precedent, because the above three standards have been met.

If a Council member determines that he or she has a conflict of interest pursuant to the Ethics Ordinance, he or she may contact the City Attorney’s Office to have a Recusal Form prepared prior to consideration of this agenda item.

OPTIONS

1. Approve proposed ordinance.
2. Decline to approve proposed ordinance.
3. Table for future consideration.

RECOMMENDATION

Staff recommends approval of the ordinance with the payment of \$19,493.00 of which the Subject Easement was originally purchased by the City of Denton for the Mayhill Road Project.

ESTIMATED SCHEDULE OF PROJECT

Summer of 2025



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PRIOR ACTION/REVIEW (Council, Boards, Commissions)

N/A

FISCAL INFORMATION

All costs associated with the processing of the abandonment request are being borne by the Applicant.

EXHIBITS

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Location Map

Exhibit 3 - Site Map

Exhibit 4 - Subject Easement

Exhibit 5 - Secretary of State Corporation members list

Exhibit 6 - Ordinance

Respectfully submitted:
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Prepared by:
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