



# City of Denton

City Hall  
215 E. McKinney Street  
Denton, Texas  
www.cityofdenton.com

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## AGENDA INFORMATION SHEET

**DEPARTMENT:** Development Services, Real Estate

**ACM:** Cassandra Ogden

**DATE:** May 6, 2024

### **SUBJECT**

Consider recommending adoption of an ordinance of the City of Denton determining the public use, need, and necessity for the acquisition of (I) permanent electric easement, generally located at 3833 Airport Road, Denton, Texas 76207, A 0.408-acre easement tract (526551), Fastenal Addition, Block A, Lot 1 for the Denton West to RD Wells Project, Parcel No. 1A, situated in William Neil Survey Abstract No. 970, all in the City and County of Denton, Texas, and more particularly described in the attached Exhibit "A" (collectively, the "property interest"); authorizing the City Manager and City Attorney, to acquire the Property Interests by agreement if possible, including making all offers required by law; authorizing the use of the power of eminent domain to condemn the property interests if agreement cannot be reached; authorizing the City Attorney, to file eminent domain proceedings if necessary; authorizing the expenditure of funding; making findings; providing a savings clause; and providing an effective date.

### **BACKGROUND**

The TxDOT project to expand FM1515 (Airport Road) necessitates the relocation of existing Denton Municipal Electric infrastructure from their current locations. The Denton West to RD Wells transmission will be relocated further from FM1515 Right of Way under Capital Improvement Plan Project 604933500 and requires new electric easement from Fastenal Company. Cost to acquire new easement and to relocate the facilities are eligible for State reimbursement.

7 Arrows Land Staff, LLC, has been contracted to provide easement acquisition and other services in support of the project. In the event negotiation efforts fail and an impasse is reached, in order to avoid project delay, the approval of this ordinance will authorize the City Attorney's Office to acquire the necessary Property Interests via the exercise of eminent domain, with the landowners being compensated in accordance with state law.

### **OPTIONS**

1. Recommend approval
2. Do not recommend approval

### **RECOMMENDATION**

Staff recommend approval of the ordinance.

### **ESTIMATED SCHEDULE OF PROJECT**

Construction is scheduled to commence October 2024.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

N/A

**FISCAL INFORMATION**

The purchase of the Property Interests will be funded from Denton Municipal Electric account 604933500.

**EXHIBITS**

- 1 – Agenda Information Sheet
- 2 – Ordinance
- 3 – Recommended Motion
- 4 – Location Map

Respectfully submitted:  
Captoria Brown, Senior Real Estate Specialist