



City of Denton

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

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 various (I) permanent water easements (II) permanent wastewater easements, and (III) temporary access and construction easements, generally located along Interstate 35 North, Loop 288 to Ganzer Road, situated in the BBB & C RR Co Survey, Abstract No. 141, Ignacio Del-Los-Santos Coy Survey, Abstract No. 212, S. Johnson Survey Abstract No. 683, Alexander White Survey, Abstract No. 1406, Nathan Wade Survey, Abstract No. 1407, all in the 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 Interest 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 along Interstate 35 north, Loop 288 to Ganzer Road necessitates the relocation of existing City infrastructure from their current locations. The Miliam Creek Basin water and wastewater utility relocation adjacent to I35N right of way under Capital Improvement Plan Project 640468545 and requires various easement permanent water, permanent wastewater, and temporary access and construction easements to relocate existing City infrastructure from their current locations along the I35N frontage road into new easements. Cost to acquire new easement and to relocate the facilities are eligible for State reimbursement.

Cobb, Fendley & Associates Inc., 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 Capital Projects account 640468545_30200.

EXHIBITS

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

Respectfully submitted:
Captoria Brown, Senior Real Estate Specialist