



Legislation Details (With Text)

File #: ID 17-331 **Version:** 1 **Name:**
Type: Ordinance
File created: 2/28/2017 **In control:** City Council
On agenda: 3/7/2017 **Final action:**
Title: Consider adoption of an ordinance releasing, abandoning and vacating 0.037 acre and 0.159 acre of drainage easement granted to the City of Denton, Texas by Kevin Nelms, Richard Greb and wife, Nancy Greb recorded as Instrument No. 2014-26437, Real Property Records, Denton County, Texas, situated in the David Hough Survey, Abstract No. 646, Denton County, Texas, and generally located within the 2100 Block of South Mayhill Road; and declaring an effective date. [Mayhill Road Widening - Nelms/Greb Parcel M137_M138 disposition]

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Location Map, 2. Exhibit 2 - Site Map, 3. Exhibit 3 - Drainage Easemt, 4. Exhibit 4 - Ordinance

| Date | Ver. | Action By | Action | Result |
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Agenda Information Sheet

DEPARTMENT: Engineering Services

CM/ ACM: Jon Fortune

Date: March 7, 2017

SUBJECT

Consider adoption of an ordinance releasing, abandoning and vacating 0.037 acre and 0.159 acre of drainage easement granted to the City of Denton, Texas by Kevin Nelms, Richard Greb and wife, Nancy Greb recorded as Instrument No. 2014-26437, Real Property Records, Denton County, Texas, situated in the David Hough Survey, Abstract No. 646, Denton County, Texas, and generally located within the 2100 Block of South Mayhill Road; and declaring an effective date. [Mayhill Road Widening - Nelms/Greb Parcel M137_M138 disposition]

BACKGROUND

On March 27, 2014, the City closed a settlement transaction with Kevin Nelms, Richard Greb and wife, Nancy Greb regarding several fee tracts and easements necessary for the Mayhill Road Widening and Improvements project. After that date, it was determined that the planned design alignment of Mayhill Road was to be reworked to follow along the existing road corridor, to utilize the established Denton County Transportation Authority (DCTA) railroad grade crossing rather than construct a bridge over the DCTA railroad operations (being accommodated in the corridor owned by Dallas Rapid Transit Authority.) The expense of construction of a bridge would have been prohibitive in respect to the level of funding available to build the overall road project.

As a result of that change in the planned road alignment, the subject 0.037 acre and 0.159 acre drainage easement tracts are no longer needed for the road project and will be stranded in place should the City Council endorse the contemplated Real Estate Exchange Agreement with Nelms-Greb, being concurrently considered under Consent Agenda Item ID 17-294.

The intent of the subject drainage easement abandonment initiative is considered a companion house-keeping matter to the Real Estate Exchange undertaking with Nelms-Greb, so as to remove the drainage easement tracts as a legacy encumbrance upon their remainder property tract.

OPTIONS

1. Approve the proposed Ordinance.
2. Not approve the proposed Ordinance.
3. Table for future consideration.

RECOMMENDATION

Staff recommends approval of the ordinance.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

City Council 12-06-2016: Executive session briefing

City Council 02-16-2016: Executive session briefing

FISCAL INFORMATION

Abandonment of drainage easement within the described tracts will have no financial impact to the City of Denton, going forward.

STRATEGIC PLAN RELATIONSHIP

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

Related Key Focus Area: Public Infrastructure

Related Goal: 2.1 Optimize resources to improve quality of City Roadways

EXHIBITS

1. Location map
2. Site map
3. Drainage easement
4. Ordinance

Respectfully submitted:
John Davis
Director of Engineering Services

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Real Estate Manager