



Legislation Text

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Agenda Information Sheet

DEPARTMENT: Engineering Services

CM/ ACM: Jon Fortune

Date: March 7, 2017

SUBJECT

Consider adoption of an ordinance of the City of Denton, a Texas home rule municipal corporation ("City"), approving the exchange of a 4.936 acre tract owned by the City located in the David Hough Survey, Abstract, No. 646, Denton, Denton County, Texas ("City Property"), to Kevin Nelms and Richard Greb and wife, Nancy Greb ("Nelms-Greb"), for a 3.457 acre tract owned by Nelms-Greb, also located in the David Hough Survey (Nelms-Greb Property), both tracts having comparable values of \$537,530 (City Property) and \$527,054 (Nelms-Greb Property); authorizing the City Manager in accordance with Texas Local Government Code § 272.001(b)(3) to execute a real estate exchange agreement with Nelms-Greb together with any other documents necessary to exchange the City Property for Nelms-Greb Property; and, providing 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, a portion of the land purchased from Nelms-Greb is no longer needed for the project, and now leaves the landowner with an ill configured remainder tract in respect to Mayhill Road frontage.

At the time the policy decision was made to rework the road alignment in February, 2016, staff reached out to Nelms-Greb, to let them know of the City's intent in that regard. The remainder of the landowner's property tract was being actively marketed for sale and the alignment shift of the road to the east would be significant to any future sale of their property. An exchange of property tracts is an equitable remedy to mitigate the consequences to the Nelms-Greb property regarding the road alignment change. The City will use the contemplated 3.457 acre acquisition tract for contractor staging and material storage for the duration of the construction of the road project. Post project, the 3.457 acre tract can either be a candidate for a future municipal use or sold as excess property, having a marketable shape.

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

The exchange tracts are comparable in value, based on the findings of an independent appraisal report commissioned on behalf of the City.

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. Ordinance

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