



## Legislation Text

---

**File #:** R2016-121, **Version:** 1

---

**Consider approving Resolution No. 2016-121 abandoning a utility easement located on property both within the City limits of Farmers Branch and the City of Dallas; and take appropriate action.**

**BACKGROUND:**

MCI2 Land, Ltd. and Mercer Crossing Industrial Land, Ltd. are the owners of a 20.026 acre tract of land on the south side of Morgan Parkway, between IH35E and the BNSF railroad right of way. The property is presently part of Block B, Westside Addition, Section 2, platted in 2006 in Farmers Branch, and is also part of land under the same ownership within the city limits of Dallas.

**DISCUSSION:**

The owners desire to plat the property lying in both cities as Mercer Business Park East No.3. The proposed plat will be dedicated to and approved by both the City of Farmers Branch and the City of Dallas. The building improvements proposed for construction on the property will also be located in both cities.

In order to develop the property, it is necessary for the City of Farmers Branch to abandon a utility easement that was granted to Farmers Branch in 1987 for a sanitary sewer line. Sewer improvements were never constructed and there is no present or future need for the easement.

Since the easement was granted to Farmers Branch as a utility easement, it was necessary to obtain abandonment permission from AT&T, Time Warner, Oncor, and Atmos. Those utilities have given permission to abandon the easement. Resolution No. 2016-121 provides for the full abandonment of the of the easement.

The abandonment of the easement is consistent with the Texas Local Government Code and the City's platting requirements and also consistent with the City's Guiding Principles; to provide strong, thriving commercial and residential neighborhoods through planning, land use, development, code enforcement, revitalization activities and programs.

**RECOMMENDATION:**

City Administration recommends approval of Resolution No. 2016-121 abandoning the utility easement located on property both within the city limits of Farmers Branch and the City of Dallas.

**POSSIBLE COUNCIL ACTION:**

1. I move to approve Resolution No. 2016-121 abandoning a utility easement on property located in Farmers Branch and Dallas.
2. I move to approve Resolution No. 2016-121 abandoning a utility easement on property located in Farmers Branch and Dallas, with modifications.
3. I move to table the issue for further study or take no action.

**ATTACHMENTS:**

1. Information Memorandum
2. Location Map
3. Resolution No. 2016-121