

# Mayor and Council Communication

**DATE:** 04/07/20

**M&C FILE NUMBER:** M&C 20-0211

**LOG NAME:** 06VA-19-010 PUBLIC ACCESS EASEMENT SENDERA RANCH EAST

## **SUBJECT**

Adopt Ordinance Vacating a Public Access Easement within Block 103 and 116 Sendera Ranch East Addition to Remove it as an Encumbrance on the Existing Platted Lots and Dedicated Right-of-Way for John Day Road and Authorize Execution of Conveyance Instruments (COUNCIL DISTRICT 7)

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## **RECOMMENDATION:**

It is recommended that the City Council:

1. Adopt the attached ordinance vacating a public access easement within Block 103 and 116 Sendera Ranch East Addition to remove it as an encumbrance on the existing platted lots and dedicated right-of-way for John Day Road;
  2. Authorize the execution and recording of the appropriate instruments covering the property to complete the vacation of the public access easements; and
  3. Accept payment in the amount of \$7,438.00 for the portion of the public access easements that were acquired by the City in fee.
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## **DISCUSSION:**

Survey Consultants, Inc., on behalf of QuikTrip Corporation, has requested vacation of this public access easement to remove the encumbrance from the existing final platted residential lots and dedicated right-of-way for John Day Road. The City Plan Commission recommended approval of this request at its meeting on October 24, 2018. Existing final plats (FP-16-083 and FP-16-106) have previously been recorded.

The City of Fort Worth (City) originally obtained the above mentioned public access easement by separate instrument dedicated in 2013-65817 Real Property Records Denton County Texas. The City Plan Commission granted a waiver to the requirement to replat the public access easement with the adjoining property since the underlying land has already been platted.

Upon approval of the vacation of the public access easement, a deed without warranty will be executed to release all rights and interests, with the exception of the utility easements (if any), in the public access easement (see attached vicinity map). The applicant will pay \$7,438.00 in fair market value for the vacated public access easement that was acquired by the City in fee.

This project is located in COUNCIL DISTRICT 7.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

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## **FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that the Property Management Department will be responsible for the collection and deposit of funds due to the City.

**Submitted for City Manager's Office by:** Dana Burghdoff 8018

**Originating Business Unit Head:** D.J. Harrell 8032

**Additional Information Contact:** Alex Parks 2638