

## **MEMORANDUM**

**TO:** Donna Barron, City Manager

**FROM:** Jason Moore, Economic Development Manager

**DATE:** November 19, 2018

**SUBJECT:** **Consideration of an Ordinance Providing for the Abandonment, Vacation and Closure of Variable Width Portion of the Northern Side of Walters Street East of Leonard Street; Providing for the Terms and Conditions of the Abandonment, Vacation and Closure; and Declaring an Emergency.**

### **BACKGROUND**

On June 25, 2018, the City Council agreed to allow a developer to put City property in Old Town under contract for purchase. Since that meeting, staff has worked with the developer on site plan, preliminary engineering, and other development plan requirements.

The existing right-of-way of Walters Street, east of Leonard, is approximately 60' wide and 267' long, comprising of about 16,000 square feet of unused right-of-way. No pavement exists in this section today and is not required for the City's thoroughfare plan. Furthermore, the developer would utilize approximately 7,400 square feet of that unused right-of-way as highlighted in yellow in the attached Exhibit "A" for their project.

As discussed in the October 1, 2018 executive session with the City Council, the provision to abandon this section of right-of-way for the purposes of selling it, along with the tracts currently under contract, to a developer was agreeable.

### **ANALYSIS**

The City of Lewisville currently owns 3.65 acres of property bounded by College Street on the north, Leonard Street on the west, DART property along Railroad Street on the east, and Walters Street right-of-way on the south. More specifically, the parcels are identified by the Denton Appraisal District as R12477, R12478, R12479, R12481, and R84522. The existing Walters Street right-of-way, a 16,000 square foot unpaved area, is located east of Leonard Street and at the southern boundary of parcel R84522, in which approximately 7,400 square feet is not needed for public use as a right-of-way. With efforts pursuant to Chapter 311.007 of the Texas Transportation Code, the City deems it advisable to abandon, vacate and close this portion of right-of-way.

To formally abandon public right-of-way, the City Council must consider and approve an ordinance, as attached, containing exhibits with a legal description of the portion to be abandoned, any terms and conditions of the abandonment, and a section declaring an emergency.

The attachments can be summarized as follows:

1. Ordinance – legal document used for the abandonment; &
2. Exhibit “A” – legal survey of the variable width portion of right-of-way being considered for abandonment, vacation and closure.

**RECOMMENDATION**

That the City Council approve the ordinance as set forth in the caption above.