

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, APPROVING A SIDEWALK POLICY FOR A PORTION OF WILSHIRE BLVD (STATE HIGHWAY 174) FROM WICKER HILL ROAD TO ELK DRIVE.

WHEREAS, the City of Burleson, Texas (“City”), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City is working with the Texas Department of Transportation (TxDOT) to widen Wilshire Blvd (State Highway 174); and

WHEREAS, TxDOT requires the construction of a sidewalk with the project or the adoption of a policy that requires developers to install a sidewalk with future development in accordance with TxDOT standards; and

WHEREAS, currently, the widening project does not include the construction of a sidewalk, so the City desires to adopt a policy that requires developers to install a sidewalk with future development in accordance with TxDOT standards; and

WHEREAS, after reviewing the proposed sidewalk policy, the City finds that enacting the policy is in the best interest of the City and its citizens, and is for the good government, peace, and order of the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

Section 1.

The City hereby adopts the sidewalk policy attached hereto as Exhibit “1”.

Section 2.

The foregoing recitals are adopted and incorporated herein for all purposes.

Section 3.

This resolution shall take effect immediately from and after its passage.

PASSED, APPROVED, AND SO RESOLVED by the City Council of the City of Burleson, Texas, on the _____ day of _____, 20_____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

APPROVED AS TO LEGAL FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

EXHIBIT “1”

SH 174 (Wicker Hill Road to Elk Drive) Sidewalk Development Policy



BACKGROUND INFORMATION

The City of Burleson and TxDOT are partnering to widen SH 174 from Wicker Hill Road to Elk Drive. Currently, SH 174 is a four-lane divided state highway with outside shoulders. The proposed project will widen SH 174 to six lanes and provide wider shoulders. The corridor has several areas of undeveloped land and/or areas for redevelopment where the sidewalk will not be installed as part of the project. This policy is intended to establish the guidelines for the construction of a 6-foot-wide sidewalk adjacent to undeveloped areas as development is proposed or redevelopment occurs. Exhibit A is a graphical depiction of the properties subject to this policy.

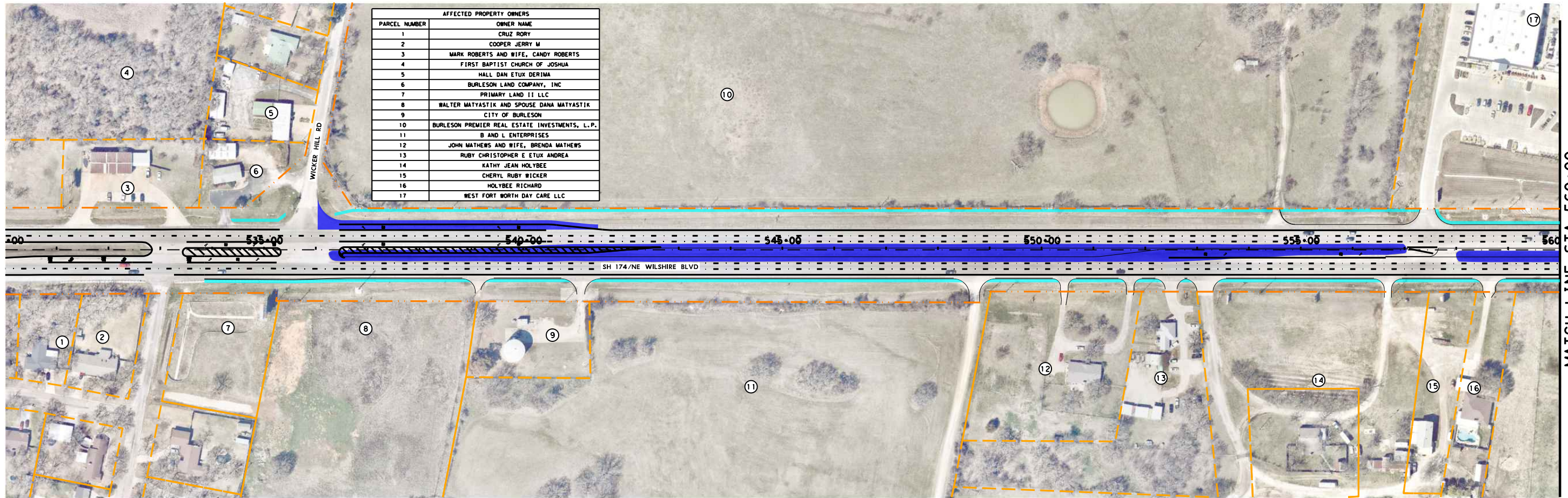
SIDEWALK DEVELOPMENT POLICY

The City of Burleson Subdivision Ordinance Section 5.6 requires sidewalks to be installed along the frontage of the property adjacent to a public street. Exhibit A identifies the properties along SH 174 from Wicker Hill Road to Elk Drive, where a sidewalk shall be installed with future development or redevelopment. Escrow will not be accepted in lieu of construction of the sidewalk. In the identified locations shown on Exhibit A and noted as proposed sidewalks subject to the sidewalk policy, a minimum 6-foot-wide sidewalk shall be constructed along the frontage of the property as outlined below.

- Option 1 – Construct a sidewalk within the TxDOT right-of-way. This option may require replacing the existing ditch with a storm drain and the installation of a curb and gutter to maintain drainage within the TxDOT right-of-way.
- Option 2 – Install the sidewalk adjacent to the TxDOT right-of-way within a 15-foot-wide pedestrian and landscape easement dedicated by separate instrument or by plat.

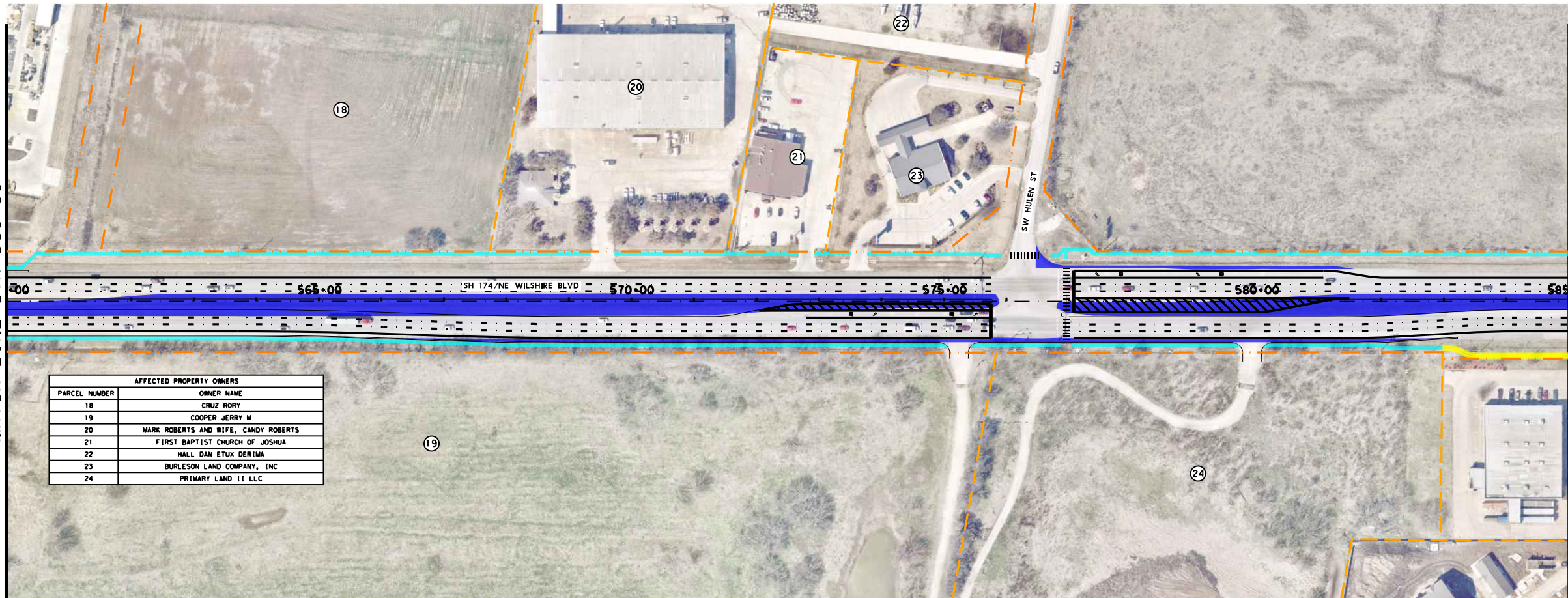
Civil construction plans shall be prepared by a Licensed Professional Engineer in the State of Texas and submitted to the City for review. If a TxDOT permit is required, the property owner or developer shall provide all required documents to the City. The City will submit for a permit on behalf of the property owner or developer. City of Burleson fees shall apply for engineering design review and construction inspection of sidewalks and any associated paving and drainage.

EXHIBIT “A”



| AFFECTED PROPERTY OWNERS | |
|--------------------------|--|
| PARCEL NUMBER | OWNER NAME |
| 1 | CRUZ RORY |
| 2 | COOPER JERRY M |
| 3 | MARK ROBERTS AND WIFE, CANDY ROBERTS |
| 4 | FIRST BAPTIST CHURCH OF JOSHUA |
| 5 | HALL DAN ETUX DERIMA |
| 6 | BURLESON LAND COMPANY, INC |
| 7 | PRIMARY LAND II LLC |
| 8 | WALTER MATYASTIK AND SPOUSE DANA MATYASTIK |
| 9 | CITY OF BURLESON |
| 10 | BURLESON PREMIER REAL ESTATE INVESTMENTS, L.P. |
| 11 | B AND L ENTERPRISES |
| 12 | JOHN MATHEWS AND WIFE, BRENDA MATHEWS |
| 13 | RUBY CHRISTOPHER E ETUX ANDREA |
| 14 | KATHY JEAN HOLYBEE |
| 15 | CHERYL RUBY WICKER |
| 16 | HOLYBEE RICHARD |
| 17 | WEST FORT WORTH DAY CARE LLC |

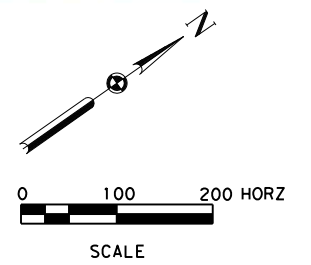
MATCH LINE STA 560+00



| AFFECTED PROPERTY OWNERS | |
|--------------------------|--------------------------------------|
| PARCEL NUMBER | OWNER NAME |
| 18 | CRUZ RORY |
| 19 | COOPER JERRY M |
| 20 | MARK ROBERTS AND WIFE, CANDY ROBERTS |
| 21 | FIRST BAPTIST CHURCH OF JOSHUA |
| 22 | HALL DAN ETUX DERIMA |
| 23 | BURLESON LAND COMPANY, INC |
| 24 | PRIMARY LAND II LLC |

MATCH LINE STA 560+00

MATCH LINE STA 585+00



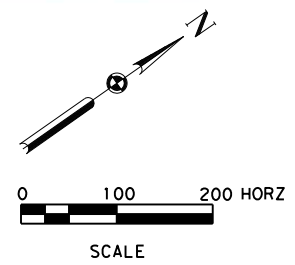
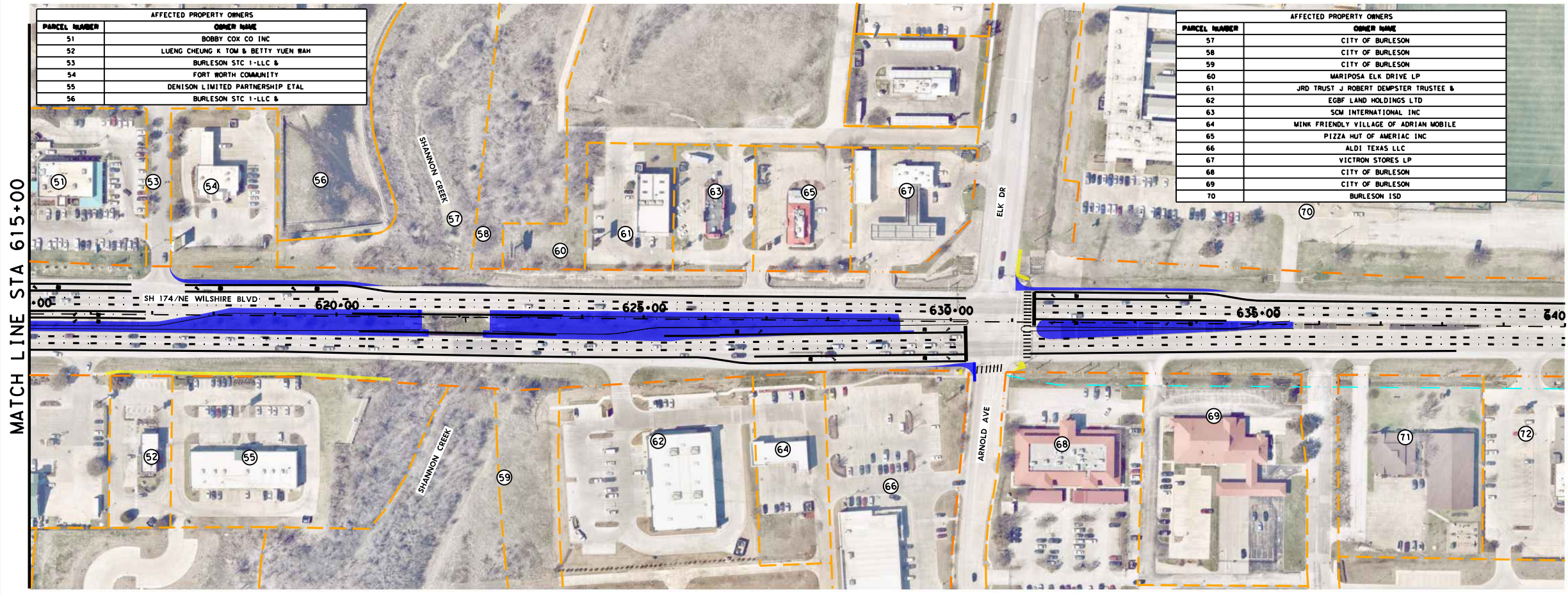
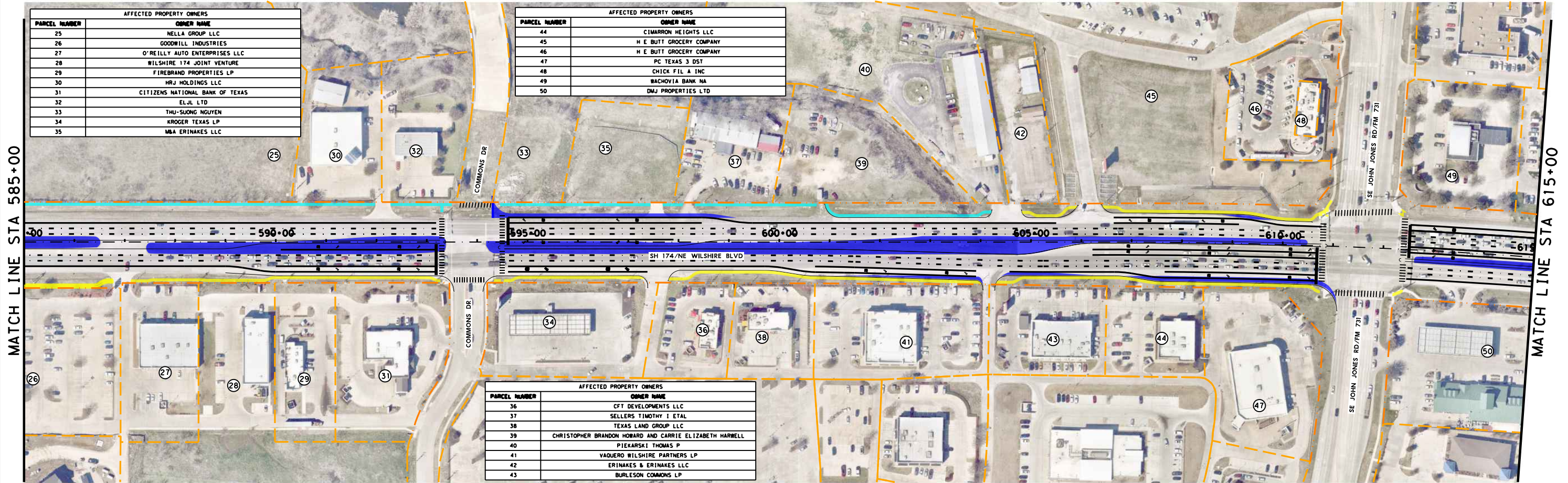
LEGEND

| | |
|--|--|
| PROPOSED PAVEMENT WIDENING | |
| PROPOSED SIDEWALK SUBJECT TO SIDEWALK POLICY | |
| PROPOSED SIDEWALK WIDENING PROJECT | |
| EXISTING R.O.W. | |
| EXISTING ESMT | |

SH174 FROM NORTH ELK DR TO WICKER HILL RD

EXHIBIT A
SH 174 SIDEWALK POLICY
WICKER HILL ROAD TO ELK DRIVE

| | | |
|-------------------|-------------|-------------|
| FED. RD. DIV. NO. | PROJECT NO. | HIGHWAY NO. |
| 6 | | SH 174 |
| STATE | DIST. | COUNTY |
| TEXAS | FT. WORTH | JOHNSON |
| CONT. | SECT. | JOB |
| | | 1 OF 2 |



- LEGEND**
- PROPOSED PAVEMENT WIDENING ———
 - PROPOSED SIDEWALK SUBJECT TO SIDEWALK POLICY ———
 - PROPOSED SIDEWALK WIDENING PROJECT ———
 - EXISTING R.O.W. - - - - -
 - EXISTING ESMT - - - - -

SH174 FROM NORTH ELK DR TO WICKER HILL RD

EXHIBIT A
SH 174 SIDEWALK POLICY
WICKER HILL ROAD TO ELK DRIVE

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| CONT. | SECT. | JOB |
| | | 2 OF 2 |