
City Council Regular Meeting

DEPARTMENT: Public Works

FROM: Errick Thompson, P.E., Deputy Public Works Director

MEETING: September 18, 2023

SUBJECT:

Hold a public hearing and consider approval of an ordinance abandoning the public right-of-way known as Pearl Street in the Original Town of Burleson, according to the plat recorded in Volume 59, Page 638, Deed Records, Johnson County, Texas, authorizing the City Manager to execute a Deed Without Warranty to the adjacent landowners. (First and Final Reading) (*Staff Presenter: Errick Thompson, Deputy Public Works Director*)

SUMMARY:

Adele Parker and Jesse Becton IV, who reside at 336 S. Dobson Street, have submitted an application for abandonment of Pearl Street right of way, which borders their property to the south. The City owns Pearl Street right-of-way shown on the plat for the Original Town of Burleson recorded in Volume 59, Page 638. Pearl Street is an unimproved right-of-way from S. Warren Street to S. Dobson St. and the railroad bisects the right-of-way.

The portion of Pearl Street under consideration for abandonment is between the railroad right-of-way and S. Dobson Street. Ms. Parker purchased the property in July 2022. Staff was contacted by Ms. Parker regarding high grass within the right-of-way and requested the area be mowed and the underbrush removed. At that time, Ms. Parker inquired if the City would consider abandoning the right-of-way if there were no plan to improve the area and construct a roadway.

Staff reviewed the request and determined there were no future plans to construct and extend the roadway due to the existing railroad and floodplain. It was also noted there were no plans to construct a trail through this area shown in the adopted trail masterplan.

Staff contacted the two adjacent property owners to the south since the right-of-way would be abandoned in equal parts to either side of the right-of-way. Both property owners were interested in accepting a portion of the right-of-way if abandoned and had no objections.

The existing right-of-way serves no purpose for vehicular connectivity and, if abandoned, would reduce maintenance costs in the future. The City will retain a 30 foot wide utility easement for the purpose of installing utilities if needed in the future. Once abandoned and the property conveyed, a replat will be filed with the county incorporating the abandoned right-of-way into the adjacent

property. The application for abandonment has been sent to all required franchise utilities who have reviewed and signed off on the request.

OPTIONS:

- 1) Approve an ordinance abandoning the public right-of-way known as Pearl Street in the Original Town of Burleson, according to the plat recorded in Volume 59, Page 638, Deed Records, Johnson County, Texas, authorizing the City Manager to execute a Deed Without Warranty to the adjacent landowners.
- 2) Deny an ordinance abandoning the public right-of-way known as Pearl Street in the Original Town of Burleson, according to the plat recorded in Volume 59, Page 638, Deed Records, Johnson County, Texas, authorizing the City Manager to execute a Deed Without Warranty to the adjacent landowners.

RECOMMENDATION:

Approve an ordinance abandoning the public right-of-way known as Pearl Street in the Original Town of Burleson, according to the plat recorded in Volume 59, Page 638, Deed Records, Johnson County, Texas, authorizing the City Manager to execute a Deed Without Warranty to the adjacent landowners.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

None

FISCAL IMPACT:

None

STAFF CONTACT:

Errick Thompson, P.E.
Deputy Public Works Director
ethompson@burlesontx.com
817-426-9610