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## City Council Regular Meeting

**DEPARTMENT:** Public Works

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

**MEETING:** August 7, 2023

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**SUBJECT:**

Hold a public hearing and consider approval of an ordinance abandoning the public alley in Block 13, 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 an adjacent landowner, and reserving a utility easement and public access easement. (First and Final Reading) (*Staff Contact: Errick Thompson, Deputy Public Works Director*)

**SUMMARY:**

On December 8, 2020, the City Council approved the Project Development Agreement for the Ellison on the Plaza Development proposed by BTX Old Town, LLC, located at 135 W. Ellison Street. The Ellison on the Plaza development includes approximately 51,000 square feet of mixed of use buildings. The site plan was approved by the City Council on March 8, 2021.

During the review of the site plan and associated construction documents, staff determined the alley is no longer needed for a public purpose and proposes to abandon the public alley releasing the City of any future costs related to maintenance. Since there are existing public water and sewer lines within the public alley, a permanent public access and utility easement is proposed as part of the abandonment. A request for alley abandonment was submitted by City staff.

Staff presented the replat to the Planning and Zoning Commission on February 14, 2023. The replat was approved with the condition a public access and utility easement is provided if the City Council approves the abandonment of the alley.

**OPTIONS:**

- 1) Approve an ordinance abandoning the public alley in Block 13, 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 deeds without warranty to an adjacent landowner, and reserving a utility easement and public access easement.
- 2) Deny an ordinance abandoning the public alley in Block 13, 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 deeds without warranty to an adjacent landowner, and reserving a utility easement and public access easement.



**RECOMMENDATION:**

Approve an ordinance abandoning the public alley in Block 13, 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 deeds without warranty to an adjacent landowner, and reserving a utility easement and public access easement.

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

None

**FISCAL IMPACT:**

None

**STAFF CONTACT:**

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