



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: April 3, 2024
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on an Assignment of Easement Rights between the City of Manor and the Texas Department of Transportation, on behalf of the State of Texas.

BACKGROUND/SUMMARY:

This easement was originally established as part of the Wildhorse Creek Commercial plat in August 2005. The lot on which the easement is located was replated in May 2023, and the drainage easement was removed from the plat and dedicated by a separate instrument. The separate drainage easement was approved by the City Council on May 3, 2023. It is that separate drainage easement that is being assigned to TxDOT.

The drainage easement contemplated assignment to a political subdivision of the State of Texas, such as TxDOT, in provision #4 of the easement. TxDOT has requested from the Grantor that this easement be assigned to them, but the City, as the Grantee, has to approve the assignment. TxDOT has requested assignment be granted to them because the easement is adjacent to their right-of-way and existing drainage. The Grantor, under section #2 of the easement, is responsible for the maintenance, repair, replacement, and restoration of the easement.

LEGAL REVIEW: Yes, Veronica Rivera, Assistant City Attorney
FISCAL IMPACT: No
PRESENTATION: No
ATTACHMENTS: Yes

- Assignment of Easement Rights

STAFF RECOMMENDATION:

The City Staff recommends that the City Council approve an Assignment of Easement Rights between the City of Manor and the Texas Department of Transportation, on behalf of the State of Texas.

PLANNING & ZONING COMMISSION: **Recommend Approval** **Disapproval** **None**