



AGENDA ITEM SUMMARY FORM

PROPOSED MEETING DATE: June 18, 2024
PREPARED BY: Scott Dunlop, Director
DEPARTMENT: Development Services

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on a Letter Agreement between the City of Manor, Forestar (USA) Real Estate Group Inc., and Kirk and Cathy Jonse.

BACKGROUND/SUMMARY:

As part of the Manor Heights (Carillon) development, the developer is widening and extending Old Kimbro Road to a 4-lane divided roadway. This required right-of-way acquisitions from adjacent landowners. The city entered into a purchase contract with John and Rita Jonse in November 2020. As part of this purchase contract, certain work was to be completed by the developer, Forestar, on the property. That work included:

1. Removing and replacing existing fencing and removing trees along the fence line
2. Construction of an asphalt driveway
3. Remove and replace Owner's light pole and underground electric conduit
4. Remove and replace Owner's mailbox

The above work was completed but was not approved by the property owner due to the quality of the improvements and damages caused. Forestar corrected and modified the improvements a couple of times but the work has not been approved by the property owner.

This letter agreement provides the final improvements that will be conducted on the property to the satisfaction of the property owner and release Forestar from future improvements. The improvements within this letter agreement are:

1. Fence needs to be reinstalled and gates hung with "H" braces
2. Fill and reseed trench created in connection with electric improvements

This agreement has been approved by the property owners, Forestar, and city staff and is presented to the City Council for consideration and approval on the consent agenda.

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

- Letter Agreement
- 2020 Purchase Agreement

STAFF RECOMMENDATION:

It is the City Staff's recommendation that the City Council on consent a Letter Agreement between the City of Manor, Forestar (USA) Real Estate Group Inc., and Kirk and Cathy Jonse.

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