



## AGENDA ITEM SUMMARY FORM

**PROPOSED MEETING DATE:** January 3, 2024  
**PREPARED BY:** Scott Moore, City Manager  
**DEPARTMENT:** Administration

### AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action on the confirmation, ratification and approval of a letter agreement with Greenview Development 973, LP for the conveyance of a Waterline and Temporary Construction Easement and acceptance of the Easements; authorizing the City Manager to take all actions necessary to accept conveyance of the Easements.

### BACKGROUND/SUMMARY:

The City is acquiring easements for the construction of the 290/973 Waterline Project. The City and landowner reached an agreement on terms of the conveyance. The landowner is donating the easements in exchange for the City agreeing to complete the waterline by a date certain. The conveyance agreement needed to be signed and easement recorded last week on 12/28/2023 prior to final plat recordation to avoid delays and added costs to the City to resurvey the easements. The conveyance agreement and easement were signed at the recommendation of the City Attorney and the City's eminent domain attorney. The easements are needed for the completion of the waterline project. The FM973 waterline project was included in the 2021 Bond issuance and will complete a loop in our water distribution system that will improve our service delivery along the 973 corridor. When we receive cooperation from landowners and developers to donate utility easements for our projects, these are savings that we can report and highlight once the projects have been completed.

**LEGAL REVIEW:** Yes, Paige Saenz, City Attorney, and Kent Sick, eminent domain attorney  
**FISCAL IMPACT:** The easements are being donated.  
**PRESENTATION:** No  
**ATTACHMENTS:** Yes

- Agreement addressing conveyance of the waterline and temporary construction easements
- Waterline easement and temporary construction easement

### STAFF RECOMMENDATION:

It is the city staff's recommendation that Council authorize, confirm and ratify the approval of a letter agreement with Greenview Development, LP for the for the conveyance of a Waterline and Temporary Construction Easement and acceptance of the Easements and the City Manager to take all actions necessary to accept conveyance of the Easements.

Motion language: "I move that the Council authorize, confirm and ratify the approval of a letter agreement with Greenview Development, LP for the for the conveyance of a Waterline and Temporary Construction Easement and acceptance of the Easements and the City Manager to take all actions necessary to accept conveyance of the Easements."