



ENGINEERING SERVICES

To: Mayor and Town Council

From: Hulon T. Webb, Jr., P.E., Director of Engineering Services

Through: Mario Canizares, Town Manager
Chuck Ewings, Assistant Town Manager

Re: Thoroughfare Impact Fees Reimbursement Agreement
(Legacy Gardens Phases 3 and 4)

Town Council Meeting – February 10, 2026

Strategic Visioning Priority: 1. Acceleration of Infrastructure

Agenda Item:

Consider and act upon authorizing the Town Manager to execute a Thoroughfare Impact Fees Reimbursement Agreement between Toll Southwest LLC, and the Town of Prosper, Texas, related to the construction of Frontier Parkway to serve the Legacy Gardens Phases 3 and 4 developments.

Description of Agenda Item:

Toll Southwest LLC, is developing Legacy Gardens Phases 3 and 4 on the west side of Shawnee Trail south of Frontier Parkway. To facilitate the development, they have agreed to construct two (2) lanes of Frontier Parkway from the western limit of the development to the eastern limit of the development adjacent to Shawnee Trail, as shown on Exhibit B in the agreement.

Since the proposed thoroughfare is depicted on the Town of Prosper Thoroughfare Plan, the actual costs for the design and construction of the improvements are eligible for reimbursement of thoroughfare impact fees collected by the development. The purpose of the Thoroughfare Impact Fees Reimbursement Agreement is to outline the obligations of the Town of Prosper, and Toll Southwest LLC, related to the design, construction, credit and reimbursement of collected thoroughfare impact fees to fund the project.

Under the Legacy Garden at Prosper Trail Roadway Impact Fee Agreement, dated May 3, 2018, Toll Southwest LLC, will also be required to construct two (2) lanes of Shawnee Trail from Frontier Parkway to the southern limit of the development. The construction of the two (2) lanes of Shawnee Trail will provide improved access to the neighborhood and Thomson Elementary School.

Budget Impact:

The estimated cost for the design and construction of the extension of approximately 2,850 feet of two (2) lanes of Frontier Parkway is \$2,697,127. The current anticipated thoroughfare impact fees owed by the Legacy Gardens Phases 3 and 4 development is \$1,634,310. In the event that full reimbursement has not been made to Toll Southwest LLC, by the Town after the expiration of ten (10) years from the date of the Town's acceptance of the thoroughfare, the Town will reimburse Toll Southwest LLC, any shortfall.

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has reviewed the agreement as to form and legality. Toll Southwest LLC, will contribute up to \$2,000 towards the legal preparation fees.

Attached Documents:

1. Town of Prosper Thoroughfare Plan
2. Thoroughfare Impact Fees Reimbursement Agreement

Town Staff Recommendation:

Town staff recommend the Town Council authorize the Town Manager to execute a Thoroughfare Impact Fees Reimbursement Agreement between Toll Southwest LLC, and the Town of Prosper, Texas, related to the construction of Frontier Parkway to serve the Legacy Gardens Phases 3 and 4 developments.

Proposed Motion:

I move to approve authorizing the Town Manager to execute a Thoroughfare Impact Fees Reimbursement Agreement between Toll Southwest LLC, and the Town of Prosper, Texas, related to the construction of Frontier Parkway to serve the Legacy Gardens Phases 3 and 4 developments.