



CITY COUNCIL COMMUNICATION

December 9, 2008

SUBJECT: CONVEYANCE OF RIGHT OF WAY KNOWN AS TALL TIMBERS DRIVE

SUBMITTED BY: Mike Collins, Director of Planning and Development

REFERENCE NO: Resolution No. 08-1302

ACTION REQUESTED:

Motion to approve Resolution No. 08-1302 accepting the conveyance and donation of right of way known as Tall Timbers Drive, out of the Forest Pointe Addition, Euless, Tarrant County, Texas.

ALTERNATIVES:

- Approve the request – *simple majority*
- Approve the request with modifications – *simple majority*
- Deny the request – *simple majority*

SUMMARY OF SUBJECT:

Forest Pointe Estates Owners Association and the Tarrant County Housing Partnership, Inc. have taken formal actions necessary to convey Tall Timbers Drive to the City of Euless as public right of way, for no consideration. Documentation of these actions for filing with Tarrant County has been prepared. Based on the unique circumstances regarding how responsibility for maintaining Tall Timbers Drive as a private street was established, the City Council made a policy decision for the City of Euless to accept the conveyance of Tall Timbers Drive, to be maintained as a public right of way. A recent inspection indicates that the pavement is in fair condition, with no repair work required.

The following information is provided as background. Tall Timbers Drive, between Fuller Wiser Road and Ash Lane, was originally constructed in 1985 to serve as the ingress/egress for the rear entry garage zero lot line homes that front onto Ash Lane. Tall Timbers Drive is also used for trash pick up as well. Then in 1997, as part of the creation of the Forest Pointe development, Tall Timbers Drive was replatted as a private drive to serve as secondary emergency access for the new subdivision. The Forest Pointe Owners Association was established as the responsible party for the maintenance of the private drive. Therefore, the owners of the homes located on Ash Lane had no legal obligation to assume any maintenance of Tall Timbers Drive.

FINANCIAL CONSIDERATIONS:

Revenue Sources:

Expenditure Accounts:

Budgeted Fiscal Year(s):

Estimated Expenditure:

Total Expenditure:

Over/Under Projection By:

Other Comments:

SUPPORTING DOCUMENTS:

- Resolution No. 08-1302

APPROVED BY:

_____ **LG** _____

City Manager's Office

_____ **SC** _____

City Secretary's Office