



## **CITY COUNCIL COMMUNICATION**

November 10, 2009

**SUBJECT:** AUTHORIZE MAYOR TO EXECUTE AN PIPELINE RIGHT OF WAY AND EASEMENT AGREEMENT WITH BARNETT GATHERING, INC. OUT OF A PORTION OF THE KITTY HOUSE SURVEY, ABSTRACT 678, TEXAS, TARRANT COUNTY

**SUBMITTED BY:** Mike Collins, Director of Economic Development and Administrative Services

**REFERENCE NO:** 09-14-CC

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### **ACTION REQUESTED:**

Motion to approve authorization for the Mayor to execute a Pipeline Right of Way and Easement Agreement with Barnett Gathering, L.P. on a city owned parcel out of a portion of the Kitty House Survey, Abstract 678, Fort Worth, Texas, Tarrant County and rescinding previous authorization granted pursuant to Reference No. 09-13-CC at the request of Barnett Gathering, L.P. due to the proposed realignment.

### **ALTERNATIVES:**

1. Approve the request – *simple majority*
2. Approve the request with modifications – *simple majority*
3. Deny the request – *simple majority*

### **SUMMARY OF SUBJECT:**

The City of Euless owns a 10.4 acre tract of land out of the Kitty House Survey, Abstract No, 678. While the City of Euless controls the surface rights, the seller reserved the subsurface mineral rights. The subject property is located immediately adjacent to the Texas Star Golf Course, west of hole #15.

The City of Euless entered into a Surface Use Agreement with XTO Energy, Inc. to utilize approximately 2.4 acres of this 10.4 acre tract of land for a gas drilling pad site. Barnett Gathering, L.P., a subsidiary of XTO Energy, proposes to create a 403.76 long, 20' wide permanent easement and 30' wide temporary workspace easement during pipeline installation, abutting the eastern edge of the gas pad site. There is fifty feet (50') between the eastern boundary of the XTO pad site and the western property line of the golf course to accommodate the pipeline easement.

Barnett Gathering, L.P. would pay the City of Euless a \$46.00 per linear foot fee, for a total of approximately \$18,572.96.

Staff recommends that the City Council authorize the Mayor to execute a Pipeline Right of Way and Easement Agreement with Barnett Gathering, L.P.

**FINANCIAL CONSIDERATIONS:**

Revenue Sources:

Expenditure Accounts:

Budgeted Fiscal Year(s):

Estimated Expenditure:

Over/Under Projection By:

Other Comments:

**SUPPORTING DOCUMENTS:**

- Pipeline Easement Agreement
- Exhibit "A"
- Exhibit "B"

**APPROVED BY:**

\_\_\_\_\_ **LG** \_\_\_\_\_

City Manager's Office

\_\_\_\_\_ **SC** \_\_\_\_\_

City Secretary's Office