



## **CITY COUNCIL COMMUNICATION**

March 25, 2014

**SUBJECT:** Authorize Mayor to Negotiate and Execute Conveyance Documents for the Sale of City Owned Property

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

**REFERENCE NO:** 14-03-CC

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### **ACTION REQUESTED:**

Consider authorizing the Mayor to negotiate and execute conveyance documents for the sale of approximately 49,333 square feet of City owned property situated in the A. Bradford Survey, Abstract No. 152, Tarrant County, Texas, and being a portion of the tract of land designated as Tract III, Parcel H, in the deed to Bear Creek Associates III, recorded in Volume 11228, page 1600 of the Deed Records of Tarrant County, Texas

### **ALTERNATIVES:**

- Approve the request with modifications
- Deny the request

### **SUMMARY OF SUBJECT:**

A Special Warranty Deed (DOC #158616) was filed in December of 1997 conveying to the City of Euless a 20 foot wide strip of land on the east side of Bear Creek Parkway extending approximately 1,900 feet south of Midway Drive and extending approximately 665 feet east from Bear Creek Parkway to Minters Chapel Road on the south side of Midway Drive. The total square footage of this area conveyed by this deed is 49,333 square feet, as depicted on the attached exhibit. The deed specifically provides that the property was conveyed "for certain traffic improvements, including right-of-way and the widening of certain streets to accommodate increased traffic to a project that would have been known as the Bear Creek Fashion Mall.

Over the years, and prior to learning of this Special Warranty Deed, numerous easements were granted to different entities, including: Oncor, Lennar Homes, the City of Euless (reclaimed water line), and to the Bear Creek Property Owners Association. All of these easements provide benefit to the City and the private property owners. All of the necessary filings with Tarrant County would be made to keep these easements in place.

There is approximately 30,736 square feet of this encumbered by these various easements and approximately 18,597 square feet unencumbered.

Staff recommends that the form of compensation from Eules Riverwalk JV, L.P. to the City for the conveyance of this property be the following: granting to the city of an additional 10' municipal utility easement on the south side of Midway Drive between Bear Creek Parkway and Minter's Chapel Road; and, construction of various capital improvements to the area, including intersection and pedestrian crossing improvements and enhanced streetscape and landscaping to the intersections of Bear Creek Parkway and Midway Drive, and Bear Creek Parkway and Grange Hall Drive. The cost to complete these improvements would likely exceed the fair market value of the 49,333 square feet of property.

Consistent with Chapter 272 (b) of the Texas Local Government Code, the city may sell: "a narrow strips of land, or land that because of its shape, lack of access to public roads, or small area cannot be used independently under its current zoning or under applicable subdivision or other development control ordinances. The notice and bidding requirements contained in Subsection (a) do not apply. The City may sell this property based on its' fair market value. Such a value may be determined by a staff member with development experience and knowledge of the local real estate market.

**SUPPORTING DOCUMENTS:**

- Exhibit

**APPROVED BY:**

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

City Manager's Office

\_\_\_\_\_ **HH** \_\_\_\_\_

City Secretary's Office