

August 26, 2020

**WHEREAS**, the State of Texas and the City of Dallas entered into a Multiple Use Agreement, effective December 15, 1992, as amended by that certain Supplement<sup>a</sup> No. 1 (collectively hereinafter the “Interstate Highway (IH) 45/345 MUA”), concerning the City’s use of certain highway right-of-way areas of IH 45 and IH 345 in Dallas County located near Martin Luther King Jr. Boulevard (Blvd.) to Good Latimer Expressway, and from Corinth Street to Spur 366; and

**WHEREAS**, the IH 45/345 MUA provides for the City’s construction, maintenance and operation of parking lots and public parks within the subject right of way areas (said right of way areas hereinafter the “State Property”); and

**WHEREAS**, the City operates and maintains John W. Carpenter Park (“Carpenter Park”) located on Live Oak Street on City owned land and on a portion of the State Property; said area being more particularly depicted in Exhibit A: Carpenter Park Site; and

**WHEREAS**, the City desires to redevelop Carpenter Park in its entirety, both the portion owned by the City and the portion located on the State Property; and

**WHEREAS**, the City desires to include the additional State property bordered by South Boulevard, Harwood Street, Pennsylvania Avenue, and the southbound frontage road to the Julius Schepps Freeway for public parking and public park land; said area being more particularly depicted in Exhibit B: Martin Luther King Jr. Blvd. Site; and

**WHEREAS**, the State desires to recapture a portion of the State property located under IH 345 bordered by Henry, Taylor, and Canton Street for other uses, said recapture area being more particularly depicted in Exhibit C: Canton Street Site; and

**WHEREAS**, the City has no objection to the State’s recapture; provided that in the event the recapture area is not utilized for State purposes, including but not limited to the State’s action to license or lease the recapture area to an unrelated third party, the recapture area shall revert as part of the State Property subject to the IH 45/345 MUA.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute Supplement<sup>a</sup> Agreement No. 2 to the IH 45/345 MUA with TxDOT for adding additional right-of-way adjacent to IH 345 and Carpenter Park and adjacent to IH 45 and Martin Luther King Jr. Blvd. and remove right-of-way adjacent to IH 345 and Canton Street from the original agreement, approved as to form by the City Attorney.

**SECTION 2.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.