

September 24, 2025

WHEREAS, the City of Dallas owns land in northwest Dallas known as LB Houston Nature Area located at 10401 Wildwood Drive, which was acquired for park purposes and has been maintained as dedicated municipal parkland; and

WHEREAS, Trinity River Authority (TRA) has identified a portion of LB Houston Nature Area as necessary for the construction of a 30-inch Reuse Water line for the public benefit, and TRA must acquire a public utility easement of approximately 64,749 square feet (1.49 acres) of land and temporary use of approximately 82,692 square feet (1.90 acres) of land, by TRA for the construction of a 30-inch Reuse Water line for the DCURD 30-Inch Reuse Water Line Project, for such improvements, as shown on **Exhibit A**, and the Park and Recreation Board is agreeable to providing the property for this use; and

WHEREAS, TRA is agreeable to designing and constructing its improvements such that the City's ability to make future improvements to the park shall not be impaired; and

WHEREAS, in consideration for the grant of the Public Utility easement and temporary use easement, TRA will pay the fair market value of these easements (\$40,345.00), as determined by an independent appraisal; and

WHEREAS, a public hearing was held, as required by the Texas Parks and Wildlife Code (Chapter 26, Section 26.001 through 26.004), to determine that there is no feasible and prudent alternative to this use of this parkland and that all reasonable planning to minimize harm to West Trinity Heights Park has been taken.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That as a result of the public hearing held today, it is hereby determined that there is no feasible and prudent alternative to the use of parkland for the purpose stated in this resolution and that all reasonable planning to minimize harm to the park has been taken.

SECTION 2. That the City of Dallas hereby approves and authorizes the grant of a Water Reuse Easement, by form instrument as approved by the City Attorney, to TRA for the purpose of Reuse Water Line improvements for the public benefit, and TRA must acquire a public Reuse Water Line easement of approximately 64,749 square feet (1.49 acres) of land and a public temporary use easements of approximately 82,692 square feet (1.90 acres) of land said easement areas more fully described in Exhibit A attached hereto and made a part hereof.

September 24, 2025

SECTION 3. That, upon receipt of Forty THOUSAND Three HUNDRED and forty-five DOLLARS AND NO/100 (\$40,345.00) from TRA, the City Manager or designee, upon approval as to form by the City Attorney, is hereby authorized to execute Easements for the benefit of the public for the purposes authorized herein, and to all of the following terms and conditions:

a. TRA shall covenant to the City that it will:

1. Observe safety regulations;
2. Not cause detriment to the park and will coordinate work with City staff to provide for the least disruption of City services and coordinate relocation of existing park amenities and construction of new amenities with the Director of Park and Recreation to minimize disruption to park operations;
3. Coordinate design and construction with the City of Irving who is so authorized by the City to construct a portion of the Campion Trail within the LB Houston Nature Area by Interlocal Agreement, Res. #24-0189, to not unreasonably impair the construction, operation, and maintenance of the trail. TRA shall be responsible for the repair and replacement of any portion of the trail and appurtenances so damaged by TRA and its contractor for any reason at any time, at no cost to the City of Dallas or the City of Irving.
4. Coordinate future construction, maintenance, and operations of the utilities within the park with the Director of the Park and Recreation Department to minimize disruption of use and operation of the park, and the repair or replacement of park improvements or vegetation damaged or damage to terrain as the result of TRA activities, shall be at the discretion of the Director of the Park and Recreation Department, and shall be at TRA's sole cost with no cost to the Park and Recreation Department;
5. Comply with health, safety, noise, environmental protection, waste disposal, and water and air quality regulations;
6. Keep adjacent park areas free from construction debris and waste;
7. Bear the cost of construction, operation, and maintenance of water, sewer, stormwater lines, and improvements;
8. Complete work within the park and surrounding areas in a good a workmanlike manner under the supervision of the Director of the Park and Recreation Department;

September 24, 2025

SECTION 3. (continued)

9. Permit future construction of any park improvements, amenities, and other improvements within the easement;
10. Acknowledge that any existing TRA utilities which TRA abandons in the future revert to parkland upon abandonment and existing TRA reservations and easements of such areas shall be abandoned; and
11. Ensure any damage to or removal of any park improvements by TRA or its contractors, regardless of the reason, shall be repaired or replaced at TRA's sole cost with no cost consideration to the the Park and Recreation Department.

SECTION 4. That the Chief Financial Officer is hereby authorized to receive and deposit funds paid by TRA for the fair market value of the easement into Capital Gifts Match Donations and Development Fund, Fund 0552; Department PKR; Unit 919A; Revenue Code 8428, in an amount not to exceed \$40,345.00.

SECTION 5. 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.