

March 26, 2025

WHEREAS, the City of Dallas owns land in northeast Dallas known as L.B. Houston Nature Area (approximately 325 acres), located at 2112 and 2116 Sandy Lane, which was acquired for park purposes and has been maintained as parkland; and

WHEREAS, the Dallas Water Utilities (DWU) has identified a portion of L.B. Houston Nature Area as necessary for a wastewater easement for the public benefit, and DWU must acquire a drainage easement of approximately 7,803 square feet of land (0.18 acres) of land for wastewater utility line improvements, 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, the DWU 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 this conveyance by easement, DWU will construct a guardrail along the south side (parkland side) of Sandy Lane to prevent parking in the parkland. Vehicular parking encroachment has been an ongoing problem along Sandy Lane which has resulted in erosion and destruction of vegetation in the park nature area; 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 Drainage Easement, by form instrument as approved by the City Attorney, to DWU for the purpose of wastewater improvements for the public benefit, and DWU must acquire a public wastewater easement of approximately 7,803 square feet of land (0.18 acres) of land said easement area more fully described in Exhibit A attached hereto and made a part hereof.

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SECTION 3. That the City Manager or designee, upon approval as to form by the City Attorney, is hereby authorized to execute Easement for the benefit of the public for the purposes authorized herein, and to all of the following terms and conditions:

a. DWU shall covenant to the City:

1. To observe safety regulations;
2. To not be detrimental to the park and to 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 (PKR) to minimize disruption to park operations;
3. Future construction, maintenance, and operations of the utilities within the park shall be coordinated with the Director of PKR 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 Dallas Water Utilities' (DWU) activities, shall be at the discretion of the Director of PKR, and shall be at DWU's sole cost with no cost to PKR;
4. To comply with health, safety, noise, environmental protection, waste disposal, and water and air quality regulations;
5. To keep the adjacent park area free from construction debris and waste;
6. To bear the cost of construction, operation, and maintenance of the wastewater line and improvements;
7. To do all work within the park and surrounding areas in a good a workmanlike manner under the supervision of the Director of PKR;
8. To permit future construction of any park improvements, amenities, and other improvements within the easement;
9. Construct a guardrail along the parkland side (south side) of Sandy Lane for the purpose of preventing cars from illegally parking on parkland. After acceptance of the guardrail by PKR, PKR shall be responsible for the maintenance of the guardrail;
10. Any existing DWU utilities which DWU abandons now or in the future shall revert to parkland upon abandonment at no cost to PKR.

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SECTION 4. 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.