

February 8, 2023

WHEREAS, the City Charter provides for the Park and Recreation Board to grant contracts and agreements within park facilities with such terms and conditions as it shall deem proper; and

WHEREAS, MQMF Dallas Carlisle Street LLC, a Delaware Limited Liability Company ("MQMF"), owns property located at 3215 Carlisle Street, adjacent to the Katy Trail ("adjacent property") which it desires to develop to provide public access to the Katy Trail from Bowen Street and a second point of trail access developed with a trailhead; and

WHEREAS, the City finds it is in the public's interest to encourage Katy Trail access opportunities to its residents and desires to have MQMF, at their cost, (i) develop the adjacent property and a portion of the Katy Trail with landscaping, pedestrian sidewalk, and other improvements, including drainage, and (ii) operate and maintain all the improvements on the Katy Trail area as a public trail access and connection to the adjacent property, including to a publicly dedicated paseo area also to be developed by MQMF, during the Term of the Agreement for use and enjoyment of all City of Dallas residents; and

WHEREAS, to serve the public's interest in the Katy Trail, the City of Dallas Park and Recreation Department (City) and MQMF desire to enter into and execute an agreement to provide for MQMF's development, operation, and maintenance of certain landscape and other improvements, including pedestrian sidewalk and drainage improvements, on a portion of parkland at the Katy Trail for the purpose of connecting and providing public access to the Katy Trail from the adjacent property of; and

WHEREAS, MQMF agrees to bind itself and any successors and assigns of its property located at 3215 Carlisle Street to the terms of the development, operation and maintenance agreement for so long as it serves its purpose; and

WHEREAS, the City desires to have MQMF to develop, operate, and maintain a portion of parkland at the Katy Trail adjacent to MQMF's property for use and enjoyment of all City of Dallas residents.

Now, Therefore,

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

February 8, 2023

SECTION 1. That the President of the Park and Recreation Board and the City Manager are hereby authorized a development, operation, and maintenance agreement with MQMF Dallas Carlisle Street LLC, a Delaware Limited Liability Company ("MQMF"), for certain landscape, pedestrian sidewalk and other improvements, including drainage, on a portion of the Katy Trail for the purpose of connecting and providing public access to the Katy Trail from an adjacent property located at 3215 Carlisle Street ("Adjacent Property") to that portion of the Katy Trail, that will bind MQMF, its successors, and assigns for as long as the landscape and other improvements serve the purpose for the benefit of Dallas residents, approval as to form by the City Attorney's Office.

SECTION 2. That this contract is designated as Contract No. PKR-2023-00020608.

SECTION 3. 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.