

RESOLUTION NO. 4143

A RESOLUTION AUTHORIZING THE INTERIM CITY MANAGER TO NEGOTIATE AND EXECUTE RIGHT OF WAY AGREEMENTS WITH THE OWNERS OF PROPERTIES LISTED IN EXHIBIT “A” FOR THE NORTHWEST DENISON DEVELOPMENT UTILITIES PROJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Denison, Texas (the “City”) is authorized by section 273.001 of the Texas Local Government Code and Sec. 1.02 of its Code of Ordinances to acquire easements for a public purpose; and

WHEREAS, the property owners listed in Exhibit “A”, attached hereto and incorporated herein for all purposes (collectively, the “Property Owners”) own property within the City; and

WHEREAS, the City is currently working with and intends to work with Property Owners to enter into right of way agreements whereby the City may acquire easements to install water and sewer utilities to serve Denison’s FM 84 corridor under the multi-phase Northwest Denison Development Utilities Project (the “Project”); and

WHEREAS, the City Council of the City of Denison has determined that it is necessary to authorize the Interim City Manager to execute the documents required to obtain the rights of ways, in order to construct, relocate, repair, replace, maintain, and/or reconstruct items that may be needed for the Project.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, THAT:

SECTION 1: Recitals Incorporated. The findings recited above are incorporated as if fully set forth in the body of this Resolution.

SECTION 2: Authorization to Execute. The Interim City Manager of the City is hereby authorized and directed, on behalf of the City Council of the City of Denison, Texas, to negotiate and execute all the easement agreements, and other documents reasonably required and necessary to acquire the right from the Property Owners to construct the Project. The right of way agreements shall be executed, and as finally approved by the Interim City Manager and City Attorney.

SECTION 3: Effective Date. This Resolution shall take effect immediately upon its passage.

On motion by Mayor Pro Tem Crawley, seconded by Council Member Courtright, the above and foregoing Resolution was passed and approved at a Regular Meeting of the City Council of the City of Denison, Texas, on this the 16th day of October 2023.

Ayes: Hander, Courtright, Thorne, Gott, Crawley and Thomas

Nays:

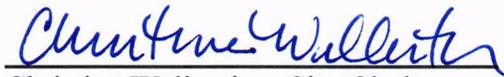
Abstentions:

Absent: Massey



JANET GOTT, Mayor

ATTEST:



Christine Wallentine, City Clerk



EXHIBIT "A"
Property Owners

CAD ACCOUNT NO(s):	Owner Name
<u>North Waterline and Interceptor</u>	
109102	United States of America
109127	United States of America
109084	Eisenhower Ranches LLC
109056	Eisenhower Ranches LLC
109034	AGAM Venture Ltd and D and M Denison LLC
109012	Pickens Financial Group LLC
109032	James M Gardner
109015	Pickens Resource Corp
109029	Pickens Resource Corp
109029	James and Ima Syler
105548	Preston Harbour LP
<u>South Waterline</u>	
109914	Business and Industrial Corp of Denison
109934	Business and Industrial Corp of Denison
109922	Business and Industrial Corp of Denison
109927	Kye and Wendy Rollins
109920	Benjamin Albritton
109932	Benjamin Albritton and Elizabeth Tucker
109847	Yvette Robinson and Mark Etvir
109852	Lola Farmer
224110	Ronnie and Judith Embry
109845	Dunn RV and Storage LLC
109838	Donald Giasson
109834	Glenn Whitehead
219891	Aziz Hassan and Akhter Mehfooz
219892	Dianne Foster
219893	Mark Turner
219894	Mark Turner
219895	Forrest and Gina Dusek
219896	Cavin and Carrie Boettger
219897	Jason and Shannon West
109828	ARCP Investment Group LLC
109886	ARCP Investment Group LLC
109884	Brady Robinson
109883	AGAM Venture Ltd and D and M Denison LLC
385905	HOR Properties LLC