



**21-0002RW**

**TITLE:** Conduct a Public Hearing to Consider/Discuss/Act on a Right-of-Way Abandonment of a 0.086 Acre Portion of the Parkway Section of Trinity Falls Parkway Approximately 3,000 feet South of the Intersection of Trinity Falls Parkway and FM 543, and Accompanying Ordinance

**COUNCIL GOAL:** Direction for Strategic Growth

**MEETING DATE:** May 4, 2021

**DEPARTMENT:** Engineering

**CONTACT:** Michael Hebert, PE, Assistant Director of Engineering

**RECOMMENDED CITY COUNCIL ACTION:**

- Staff recommends approval of the proposed right-of-way abandonment.

**ITEM SUMMARY:**

- The construction of the 4-lane section of Trinity Falls Parkway between Laud Howell Parkway and FM 543 was recently completed by the developer of Trinity Falls.
- This roadway is on the city's master thoroughfare plan to be ultimately constructed as a 6-lane arterial.
- As part of an agreement between the city and the developer of Trinity Falls, the city agreed to use eminent domain if the developer could not acquire the parcels necessary for this construction since the developer does not have the authority to use eminent domain for roadways.
- The eminent domain process was used to acquire landrights from the subject parcel. However, this property owner contested the award, and the city has been in prolonged negotiations with the owner.
- Earlier this year, an agreement in principle was reached with the owner, and one deal point of the agreement was to abandon this small portion of unnecessary right of way to the property owner. Staff conditionally agreed to abandon the right of way subject to city council approval.
- This abandonment is the last unresolved deal point in order to finalize the acquisition of the required landrights and close out the Trinity Falls Parkway

project.

- The right-of-way consists of an area containing approximately 0.086 acres as shown in the attached exhibit.
- The right-of-way contains franchise utilities, and staff recommends retaining a utility easement in the current section to be abandoned.
- Public hearing notices were sent to all property owners within 200 feet of the requested abandonment, and a legal notice was published in the McKinney Courier-Gazette. As of April 28, 2021, staff has received no comments in support of or opposition to this request.

**BACKGROUND INFORMATION:**

- An application and supporting documentation for the requested abandonment were submitted on April 1, 2021.

**FINANCIAL SUMMARY:**

- N/A

**BOARD OR COMMISSION RECOMMENDATION:**

- N/A

**SUPPORTING MATERIALS:**

[Ordinance](#)

[ROW Abandonment](#)

[Location Map](#)