



# City of Pflugerville

## Legislation Text

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**File #:** RES-1076, **Version:** 1

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Approving a resolution with a caption reading: A Resolution of the City of Pflugerville, Texas authorizing the vacation, abandonment and release of a portion of an existing drainage and public utility easement located north of Wells Branch Parkway and west of Immanuel Road, originally granted to the City by easement recorded in Travis County Real Property Records Document No. 1999062525.

A parcel of land at the northwest corner of Immanuel Road and Wells Branch Parkway is proposed for development as a mixed-use project. The project is under separate review by the City's Planning and Development Services Department. The development is required to dedicate right-of-way along the Olympic Drive alignment adjacent to their site. The right-of-way to be dedicated coincides with a portion of an existing drainage and public utility easement that exists along the same alignment. Since the right-of-way dedication gives the City comparable rights and more control than the existing easement and since easements coincident with right-of-way can create ambiguity as to uses allowed and permitting processes required, the City desires to abandon the portion of the drainage and public utility easement that is coincident with the right-of-way dedication. Exhibit "A" attached hereto shows the existing drainage and public utility easement along with the area to be abandoned and the area to be retained.

Council approval of this Resolution will authorize the City Manager to execute the documents needed to vacate, abandon and release a portion of the drainage and public utility easement. If Council approves this abandonment; the vacation, abandonment, and release agreement will be executed by the City and recorded in Travis County Real Property Records once the public infrastructure plans related to Olympic Drive have been approved and the final plat for Immanuel Road Mixed Use which establishes the right of way, has been recorded.

### **Prior City Council Action**

None.

### **Deadline for City Council Action**

None.

**Funding Expected:** Revenue      Expenditure N/A X

**Budgeted Item:** Yes    No    N/A X

**Amount:** N/A

**1295 Form Required?** Yes    No X

**Legal Review Required:** N/A    Required X Date Completed: 2/17/2023

### **Supporting documents attached:**

1. General Location
2. Resolution
3. Abandonment Agreement

**Recommended Action**

Staff recommends approval of this resolution as requested.