



# City of Killeen

## Legislation Details (With Text)

**File #:** RS-16-088    **Version:** 1    **Name:** Abandonment 16-01AB  
**Type:** Resolution    **Status:** Passed  
**File created:** 7/19/2016    **In control:** City Council  
**On agenda:** 8/9/2016    **Final action:** 8/9/2016

**Title:** Consider a memorandum/resolution approving the abandonment of a .136 acre water main utility easement affecting the property currently approved as The Landing at Clear Creek Phase Four subdivision plat. The easement is located east of Clear Creek Road (S.H. 201) along the north right-of-way of Mohawk Drive, north of Nyla Drive.

**Sponsors:** Development Services

**Indexes:**

**Code sections:**

**Attachments:** 1. Council Memorandum, 2. Application, 3. Exhibit, 4. Location map, 5. QuitClaim Deed

Date	Ver.	Action By	Action	Result
8/9/2016	1	City Council	Approved	Pass
8/2/2016	1	City Council Workshop		

Consider a memorandum/resolution approving the abandonment of a .136 acre water main utility easement affecting the property currently approved as The Landing at Clear Creek Phase Four subdivision plat. The easement is located east of Clear Creek Road (S.H. 201) along the north right-of-way of Mohawk Drive, north of Nyla Drive.

### AGENDA ITEM

**CASE #16-01AB: CONSIDER A REQUEST FOR ABANDONMENT OF A .136 ACRE WATER MAIN UTILITY EASEMENT AFFECTING THE PROPERTY CURRENTLY APPROVED AS THE LANDING AT CLEAR CREEK PHASE FOUR SUBDIVISION PLAT**

### ORIGINATING DEPARTMENT

**Planning and Development Services Department**

### BACKGROUND INFORMATION

WBW Development Group, L.L.C. -Series 018 submits this request for the abandonment of a .136 acre water main utility easement granted to the City of Killeen and recorded via a separate instrument in Document #2012-00024779, Bell County Public Records. The recorded instrument grants a 15' wide water main easement in gross and was recorded on June 19, 2012. The attached Exhibit A illustrates the location of the easement.

### DISCUSSION/CONCLUSION

The property is currently platted (but unrecorded) as The Landing at Clear Creek Phase Four. The property is located along east of The Landing at Clear Creek Phases I and II and consists of 30 residential lots. The 15' water main utility easement runs south of Lots 1 through 4, Block 3 and north within Lot 4 of the subdivision. Staff has notified other City departments and franchise utility providers and has received no objections to the applicant's abandonment request.

**FISCAL IMPACT**

None

**RECOMMENDATION**

Staff recommends that the City Council approve the water main utility easement abandonment request and authorize the City Manager to execute a quitclaim deed for the subject property and to do and perform every other act as she may deem necessary and appropriate to carry out the abandonment of the utility easement in accordance with this resolution. Planning staff will record the quitclaim deed prior to the filing of the subdivision plat.