



# City of Killeen

## Legislation Details (With Text)

**File #:** RS-18-069    **Version:** 1    **Name:** Authorize Acquisition of Tracts of Land  
**Type:** Resolution    **Status:** Passed  
**File created:** 6/4/2018    **In control:** City Council  
**On agenda:** 8/28/2018    **Final action:** 8/28/2018  
**Title:** Consider a memorandum/resolution authorizing the acquisition of multiple tracts of land to be used for public purposes.  
**Sponsors:** Environmental Services  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Staff Report, 2. Tract 1, 3. Tract 2, 4. Tract 3, 5. Tract 4, 6. Presentation

Date	Ver.	Action By	Action	Result
8/28/2018	1	City Council	Approved	Pass
8/21/2018	1	City Council Workshop		

Consider a memorandum/resolution authorizing the acquisition of multiple tracts of land to be used for public purposes.

**DATE:** August 21, 2018  
**TO:** Ronald L. Olson, City Manager  
**VIA:** David Olson, Executive Director of Public Works  
**FROM:** Kristina Ramirez, P.E. and Director of Environmental Services  
**SUBJECT:** Authorize the acquisition of multiple tracts of land to be used for public purposes

### **BACKGROUND AND FINDINGS:**

City staff received multiple requests to accept donations of various tracts of real property. Staff has been working with Gary Purser, Jr. since February 8, 2018 with regard to a number of properties to be donated to the City. On May 8, 2018, staff received the gifts for real estate packets from Gary Purser, Jr. identifying the tracts of land within Killeen city limits offered to be donated for the benefit of the City and its citizens.

City staff reviewed the list of properties identified to determine whether each tract could serve a legitimate public purpose. Several of the tracts were identified for potential drainage purposes, while others were identified as capable of being used for parks purposes.

Once staff identified the tracts which could be used for a public purpose, each tract was checked for liens and delinquent taxes, as well as being assessed for environmental hazards.

There are no liens, fees, and accrued interest on the following properties:

**Water Course / Property Address**

**North Reece Creek Tributary 1A**

3010 John Helen Dr.  
(Purser Crossing Phase 5, Drainage Tract A1, Block 1)  
3011 John Helen Dr.  
(Purser Crossing Phase 1 Amended, Drainage Tract B, Block 1)

**Little Nolan Creek**

Trimmier Road  
(Trimmier Estates Phase 1, Tract B, Block 1)  
5500 Trimmier Road  
(Trimmier Estates, Phase 1, Tract A, Block 2)

**THE ALTERNATIVES CONSIDERED:**

The City may accept the parcels as donations or decline to accept the parcels.

**Which alternative is recommended? Why?**

Staff recommends accepting the parcels for the following reasons: There is not an HOA for these parcels and therefore the maintenance of the normal wetted perimeter of the drainage infrastructure on the parcels is the responsibility of the City due to the drainage easements that exist on these parcels and their drainage tract designations. In fact, the City already maintains three of the four parcels. The fourth parcel is a regional detention pond with a large maintenance bench that could double in the future as a walking trail. City maintenance of each of these lots also allows for consistent maintenance of the fire break along the property line. Acceptance of the properties in fee simple allows for future park amenities to be incorporated into these drainage areas, and allows the City to accept the property while it is still in good condition. Accepting the property in good condition will reduce repair expenses and allow the structure to not adversely impact the adjacent parcels.

**CONFORMITY TO CITY POLICY:**

This item conforms with state and local policies. Three of these four parcels are already on the City's drainage maintenance rotation. As a result, acceptance of these parcels will not add expenditures to the annual operations budget. The fourth parcel will add approximately 16.4 acres to the annual mowing & maintenance work load.

**FINANCIAL IMPACT:**

Based on the amount of accepted drainage easements in FY18, the current workloads and current budgets, this amount of increase in maintenance will not result in need for additional staff or funding.

**What is the amount of the expenditure in the current fiscal year? For future years?**

N/A

**Is this expenditure budgeted? If not, where will the money come from?**

N/A

**Is there a sufficient amount in the budgeted line-item for this expenditure?**

N/A

**RECOMMENDATION:**

City staff recommends that the City Council accept the donation of the properties described herein and that the City Manager be authorized and empowered to act in the name and on behalf of the City of Killeen in all lawful ways to execute and deliver all contracts, notes, deeds of trust, deeds, consents of sale, assignments, consent, notices, filings, certificates, acknowledgements, closing statements, affidavits, and other documents, and to do and perform every other act as he may deem necessary and appropriate to carry out the acceptance of the above-described properties in accordance with this resolution.

**DEPARTMENTAL CLEARANCES:**

Public Works

Finance

City Attorney

**ATTACHED SUPPORTING DOCUMENTS:**

Property Tract 1

Property Tract 2

Property Tract 3

Property Tract 4