



# City of Killeen

## Legislation Text

---

File #: RS-18-017, Version: 1

---

Consider a memorandum/resolution authorizing acceptance of 24 tracts of land from the Texas Department of Transportation for portions of FM 439 that the City currently maintains.

**DATE:** March 6, 2018

**TO:** Ronald L. Olson, City Manager

**FROM:** David Olson, Executive Director of Public Works

**SUBJECT:** Authorize the Acceptance of 24 Tracts of Land Comprising Sections of FM 439

### **BACKGROUND AND FINDINGS:**

The Texas Department of Transportation (TxDOT) Right of Way office undertook an effort to clean up some administrative transfers for sections of FM 439 from 16<sup>th</sup> Street to 38<sup>th</sup> Street and north from there along Westcliffe Road (Old FM 439) to the present FM 439 (East Rancier Avenue). The City of Killeen has been maintaining these sections of roadway for a number of years. An administrative oversight failed to offer the deeds for these properties at such time that we originally started maintaining said ROW.

### **THE ALTERNATIVES CONSIDERED:**

The City considered two alternatives for this item:

- 1) Decline to accept these portions of roadway and continue to maintain them without ownership.
- 2) Accept these tracts and eliminate possible confusion in the future.

### **Which alternative is recommended? Why?**

It is recommended that the City accept these tracts of land for the following reasons:

1. These tracts are within the city limits and not maintained by the state.
2. These tracts comprise roadways that the City currently maintains.
3. It eliminates administrative confusion and makes the record consistent.

### **CONFORMITY TO CITY POLICY:**

Acceptance of these tracts conforms to City policy.

### **FINANCIAL IMPACT:**

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

There is no additional expenditure related to this action as we already budget to maintain these tracts.

**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:**

Staff recommends that the City Council accept these tracts and authorize the City Manager to sign any documents necessary to finalize the acceptance of the tracts.

**DEPARTMENTAL CLEARANCES:**

Public Works  
Finance  
City Attorney

**ATTACHED SUPPORTING DOCUMENTS:**

TxDOT Memorandum  
FM 439 Tracks 1to11  
FM 439 Tracks 12to 24