

MEMORANDUM

TO: Parks and Recreation Board Members

FROM: Prenis Williams, Acting Director

Parks and Recreation Department

DATE: January 17, 1990

SUBJECT: Mary Moore Searight Park

Circle C MUD,

Permanent Wastewater and Temporary Construction

Easement

A request has been received from the Circle C Municipal Utility District for a permanent 20 feet wide subsurface wastewater easement and a temporary access and construction easement of approximately 6.8 acres to allow the construction of Phase 2 of the Slaughter Creek Wastewater Interceptor through part of Mary Moore Searight Park.

The proposed sewer line will connect the existing sewerage system serving the Circle C development to the City's main drainage system. In addition it is designed to serve the Texas Oaks subdivision, adjacent to the park, which is currently served by two lift stations and a package treatment plant. The treatment plant discharges treated effluent into Little Slaughter Creek which runs through the middle of the park.

Through the park, approximately 590 feet, the proposed line will be in tunnel however an access shaft will be located on parkland to allow for tunnel construction. To avoid disturbance to the part of the park that is open to the public and the environmentally sensitive areas of the undeveloped parts, the alignment of the access road, approximately 2/3 mile in length, was carefully chosen.

Recommendation

Staff recommends approval of the following easements through part of Mary Moore Searight Park, subject to the conditions listed below:

- (a) Permanent Wastewater Easement, 20 feet wide x approximately 590 feet long, 0.2702 acres.
- (b) Temporary Construction Easements, 50 feet wide x approximately 3,400 feet, 6.7946 acres.

(91.40 GoA & Colo project

Conditions

- construction within the park comply with the requirements of "Construction in Parks" the specifications (August 1989 edition).
- completion of construction all required areas disturbed by the construction, are to be restored and revegetated to the specification and satisfaction of the rarks and Recreation Department. Fiscal surety to the value of \$155,363 shall be posted, by the project sponsors or their sucessors, with the City's Planning and Development Department to ensure revegetation and maintenance is completed satisfactorily.

 Revegetation shall consist of planting "intermediate" grass mix and wild flowers in accordance with Sec. 5.3 of the Construction in Parks specifications.

 Tree replacements, to compensate for those removed, shall Parks and Recreation Department. Fiscal surety to the
- Tree replacements, to compensate for those removed, shall consist of 140 2" diameter Class 1 Large trees and 186 1" diameter Class 1 Small or Class 2 trees - 1" diameter Class 1 Small or Class 2 trees.
- temporary access easements shall terminate on 4. The completion and acceptance of the restoration and revegetation by the Parks and Recreation Department.
- For construction of the access road the existing topsoil shall be removed and stockpiled on site for reuse. An all weather construction road shall be constructed with roadbase or similar material. On completion of construction, the access road shall be removed in areas designated by PARD, and the areas restored in accordance with #3 above. Roadbase material can be stockpiled on site for use by PARD.
- On completion of construction, a vandal resistant gate, to be approved by PARD, shall be provided at all construction accesses to the park to prevent unauthorized vehicular access.
- The temporary easement on bearing 62 09'05" for a distance of approximately 420 feet shall be for the provision of electric power to the shaft location only and shall not be for vehicular access to the site.

Prenis Williams, Acting Director Parks and Recreation Department

from Walland

PW:pm

CIRCLE C MUNICIPAL UTILITY DISTRICT

NQ 3

2600 ONE AMERICAN CENTER 600 CONGRESS AVENUE AUSTIN, TEXAS 78701-3286 (512) 499-3600

June 21, 1989

Mr. Charles Jordan, Director Parks & Recreation Department City of Austin P.O. Box 1088 Austin, Texas 78767

Re: Slaughter Creek Interceptor, Phase II

City of Austin Easement

Dear Mr. Jordan:

Enclosed please find the Wastewater Line Easement for the Slaughter Creek Interceptor through the 88.66 acres out of the Mary Moore Searight tract. The Interceptor alignment was approved prior to the purchase of this land by the City of Austin and easement negotiations were pending with Mrs. Searight. Subsequent review by Carol Foy and Peter Marsh of your staff necessitated a realignment of the temporary construction easement through the Park which is reflected in the enclosed documents.

It is requested herein, this easement be placed on the agenda at the next available Board meeting for discussion and approval. If you need any further assistance or additional information, please do not hesitate to call George Paxton at Murfee Engineering Company at 327-9204.

Sincerely,

Randall McEachern

President, Board of Directors

Circle C Municipal Utility District No. 3

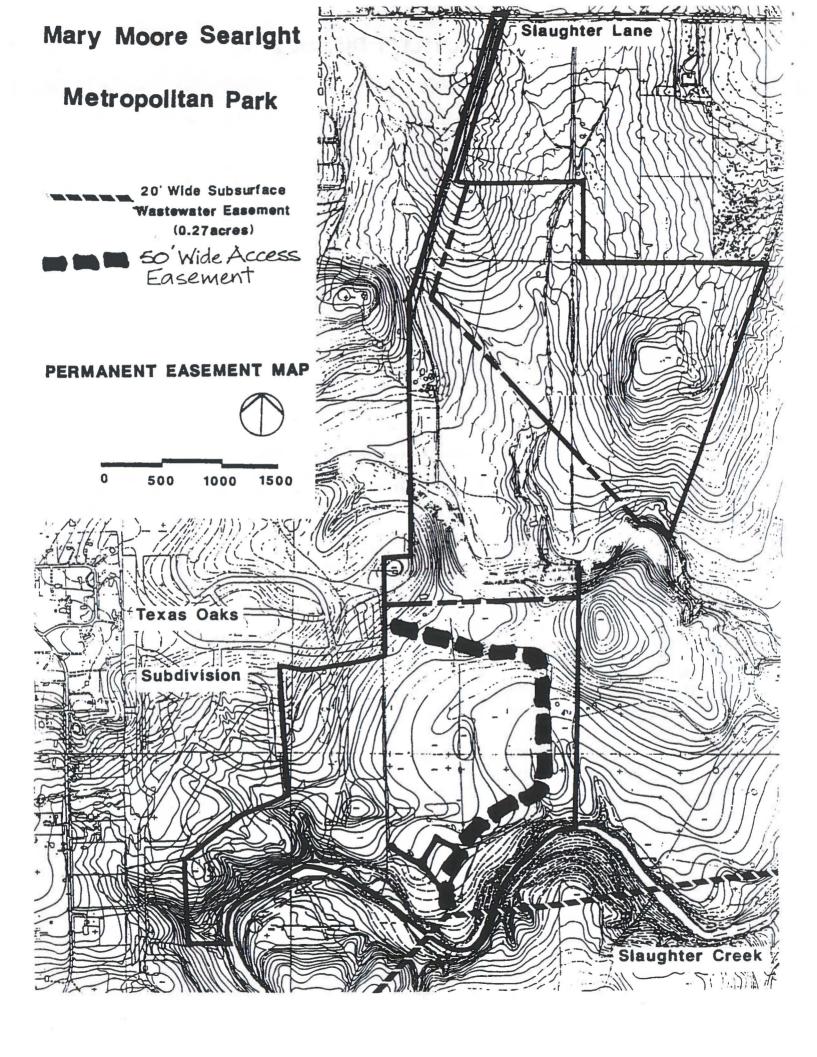
Enclosures

cc: Steve Bartlett, Bradley Development Sharlene Collins, Armbrust & Brown David Malish, Murfee Engineering

RM:GP:tlb

1315

Hank Kidwell Doug Rademaker 499-7131



STATE OF TEXAS 5 COUNTY OF TRAVIS 5

TRACT I: TWENTY (20) FOOT WIDE WASTE WATER EASEMENT, 0.2702 ACRE

FIELDNOTE DESCRIPTION of a tract or parcel of land consisting of 0.0888 acres situated in the S. F. Slaughter League No. 1, Travis County, Texas, and more particularly being a portion of that certain 88.66 acre tract of land conveyed to the City of Austin by a deed of record in Volume 10795, Page 535, Travis County Deed Records, said 0.0888 acre of land being more particularly described by metes and bounds as follows:

COMMENCING at a $\frac{1}{4}$ " iron bolt found for the northwest corner of the 88.66 acre City of Austin Tract mentioned above;

THENCE, with the west line of the 88.66 acre tract the following four (4) courses:

- S 02° 38' 31" E, 233.40 feet to an aluminum cap found on an iron rod;
- 2) S 02° 34' 20" E, 636.72 feet to an iron rod found;
- 3) S 02° 46' 58" E, 1251.36 feet to an iron rod found;
- 4) S 13° 51' 02" W, 165.80 feet to a point in the centerline of Slaughter Creek for the southwest corner of the said 88.66 acre tract;

THENCE, along the said centerline of Slaughter Creek, being the south line of the said 88.66 acre tract the following three (3) courses:

- 1) S 48° 57' 58" E, 302.34 feet to a point;
- 2) S 44° 02' 58" E, 232.74 feet to a point;
- 3) S 48° 32' 58" E, 78.02 feet to a ½" iron rod set for the POINT OF BEGINNING of the herein described 0.2702 acre tract;

THENCE, N 43° 48' 34" E, passing, at 14.94 feet the northerly line of that certain 229.899 acres of land (Tract One) conveyed to Wayne J. Riddell, et al by instrument of record in Volume 5022, Page 1068 of the said deed records, in all, a total distance of 305.99 feet to a 4" iron rod set for corner:

THENCE, N 83° 25' ll" E, at 246.91 pass on iron rod set for the northerly line of the said Riddell tract, and continuing, in all, a distance of 297.78 feet to a $\frac{1}{2}$ " iron rod set in said southerly line of the 88.66 acre tract; same being in the centerline of Slaughter Creek;

THENCE, S 31 $^{\circ}$ 02 $^{\circ}$ 02 $^{\circ}$ W, along the south line of the said 88.66 acre tract and the centerline of Slaughter Creek, 25.25 feet to an iron rod set;

THENCE, leaving the centerline of said Slaughter Creek and across the said 88.66 acre tract the following two (2) courses:

- S 83° 25' 11" W, 48.28 feet pass an iron rod set for the northerly line of the said 229.899 acre tract, in all, for a total distance of 275.16 feet to a 4" iron rod set for an angle point;
- 2) S 43° 48' 34" W, 280.68 feet pass an iron rod set for the northerly line of the said 229.899 acre tract, in all for a total distance of 297.96 feet to an iron rod set in the centerline of Slaughter Creek, same being in the south line of the said 88.66 acre tract;

Exhibit "A" 84105.10/3314 City of Austin 20' Wide Waste Water Easement 0.2702 Acre March 2, 1989

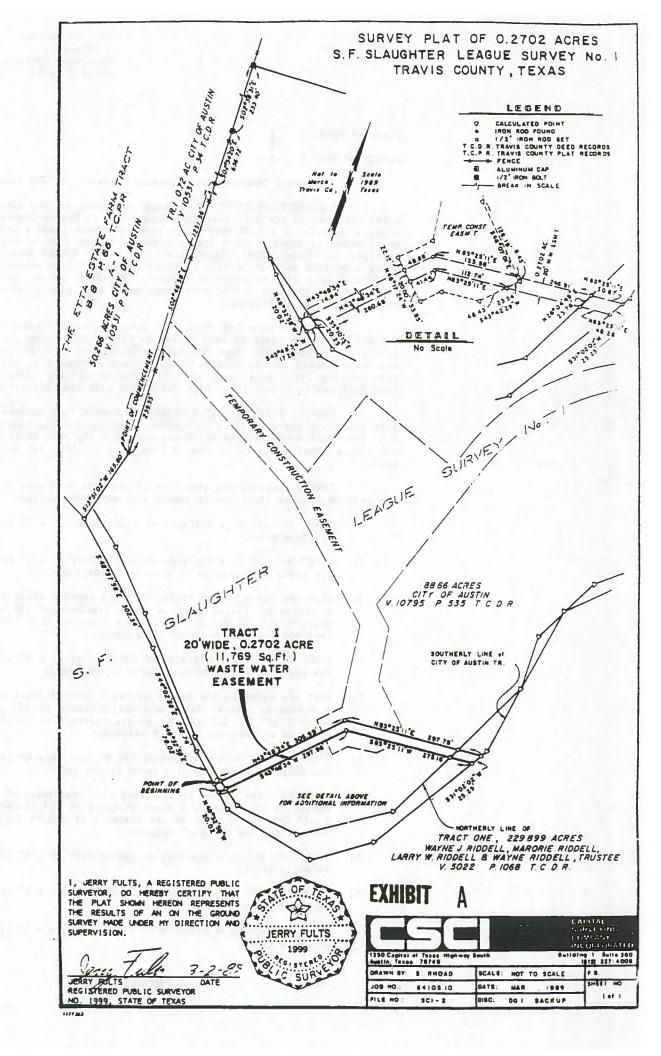
THENCE, N 48° 32′ 58" W, along the south line of the said 88.66 acre tract and the centerline of Slaughter Creek, a distance of 20.02 feet to the POINT OF BEGINNING, and CONTAINING 0.2702 acres (11,769 square feet) of land area.

This description was based on an actual survey on the ground under my direction.

REGISTERED FUBLIC SURVEYOR \$1999

Date

JERRY FULTS
1993



City of Austin 6.7058 Acre Temporary Construction Easement March 2, 1989

STATE OF TEXAS
COUNTY OF TRAVIS

Tract I Temporary Construction Easement, 6.7058 Acre

FIELDNOTE DESCRIPTION of a tract or parcel of land containing 6.7053 acres situated in the S.F. Slaughter League No. 1, Travis County, Texas; same being a portion of a 0.72 acre tract known as Tract 1 and a 5405 square foot tract known as Tract 2, both tracts conveyed to the City of Austin by a deed recorded in Volume 10531, Page 34 of the Travis County Deed Records, also being a portion of that certain 88.66 acre tract of land conveyed to the City of Austin by a deed recorded in Volume 10795, Page 535 of the Travis County Deed Records, the said 6.7058 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod found for the southeast corner of that certain 2.14 acre tract of land (known as David Moore Drive), conveyed to the Public in Volume 6762, Page 817 of the said deed records, same being the northeast corner of the said 0.72 acre tract and being in the west line of that certain 292.4 acre tract of land conveyed to Mary Moore Searight by a deed recorded in Volume 1714, Page 352 of the said deed records;

THENCE, S 02° 38' 31" E, along the common line between the said 0.72 acre tract and the said 292.4 acre tract, passing at a distance of 336.58 feet a $\frac{1}{2}$ " iron bolt found for the northwest corner of the said 88.66 acre tract, in all for a total distance of 368.34 feet to a $\frac{1}{2}$ " iron rod set for an angle point;

THENCE, leaving the east line of the said 0.72 acre tract and across the said 88.66 acre tract the following eighteen (18) courses:

- 1) S 68° 38' 19" E, a distance of 762.31 feet to a '4" iron rod set for an angle point;
- 2) S 88° 34' 34" E, a distance of 412.76 feet to a 4" fron rod set for the point of curvature of a curve to the right;
- 3) with the curve to the right, having a central angle of 84° 12' 20", a radius of 138.33 feet, a chord distance of 185.49 feet (chord bears \$ 46° 28' 24" E), for an arc distance of 203.29 feet to a ¹₂" iron rod set for the point of tangency;
- 4) S 04° 22' 14" E, a distance of 932.98 feet to a 5" iron rod set for the point of curvature of a curve to the right;
- 5) with the curve to the right, having a central angle of 70° 24' 41", a radius of 162.99 feet, a chord distance of 187.93 feet (chord bears S 30° 50' 07" W), for an arc distance of 200.30 feet to a ½" iron rod set for the point of tangency;
- 6) S 66° 02' 27" W, a distance of 196.95 feet to a 4" iron rod set for the point of curvature of a curve to the left;
- 7) with the curve to the left, having a central angle of 47° 45' 26", a radius of 436.30 feet, a chord distance of 353.23 feet (chord bears S 42° 09' 44" W), for an arc distance of 363.66 feet to a ½" iron rod set for the point of tangency;
- 8) S 18° 17' Ol" W, a distance of 365.48 feet to a 4" iron rod set for an angle point;
- S 48° 36' 15" E, a distance of 57.76 feet to a ¹/₂" iron rod set for an angle point;
- 10) S 08° 45' 07" E, a distance of 107.68 feet to a 12" iron rod set for an angle point;

- 11) S 46° 07' 01" E, a distance of 128.19 feet to a ½" iron rod set for an angle point in the proposed north line of a 20 foot wide wastewater easement;
- 12) S 83° 25' 11" W, a distance of 133.96 feet to a ¹/₂" iron rod set for an angle point in the said proposed north line of the said wastewater line easement;
- 13) S 43° 48' 34" W, a distance of 48.68 feet to a ½" from rod set for an angle point being in the said proposed north line of the said wastewater line easement;
- 14) N 46° 17' 24" W, a distance of 22.15 feet to a '2" iron rod set for an angle point;
- 15) N 43° 42' 46" E, a distance of 58.99 feet to a ½" iron rod set for an angle point;
- 16) N 08° 17' 27" W, a distance of 174.47 feet to a ½" iron rod set for an angle point;
- 17) N 48° 36' 14" W, a distance of 322.48 feet to a 's" iron rod set for an angle point;
- 18) N 62° 09' 05" W, a distance of 402.76 feet to a "1" iron rod set in the east line of the said 0.72 acre tract, same being in the west line of the said 88.66 acre tract from which an iron rod found for an angle point in the said west line bears \$ 02° 46' 58" E, 239.55 feet;

THENCE, N 02° 46' 58" W, along the common line between the said 88.66 acre tract and the 0.72 acre tract, 58.11 feet to a $^{1}2$ " iron rod set from which an iron rod found for an angle point in the said common line bears N 02° 46' 58" W, 953.70 feet;

THENCE, leaving the east line of the said 0.72 acre tract and across the said 88.66 acre tract the following eleven (11) courses:

- S 62° 09' 05" E, a distance of 438.30 feet to a ¹₂" iron rod set for an angle point;
- N 18° 17' 01" E, a distance of 200.00 feet to a '2" iron rod set for an angle point;
- 3) S 71° 42' 59" E, a distance of 230.00 feet to a ½" fron rod set for an angle point;
- 4) N 18° 17' 01" E, a distance of 45.98 feet to a ¹2" iron rod set for the point of curvature of a curve to the right;
- 5) with the said curve to the right, having a central angle of 47° 45' 26", a radius of 486.30 feet, a chord distance of 393.71 feet (chord bears N 42° 09' 44" E), for an arc distance of 405.34 feet to a 's' iron rod set for the point of tangency;
- 6) N 66° 02' 27" E, a distance of 196.95 feet to a ½" iron rod set for the point of curvature of a curve to the left;
- 7) with the said curve to the left, having a central angle of 70° 24' 41", a radius of 112.99 feet, a chord distance of 130.28 feet (chord bears N 30° 50' 07" E), for an arc distance of 138.85 feet to a '5" iron rod set for the point of tangency;
- 8) N 04° 22' 14" W, a distance of 932.98 feet to a ¹₂" iron rod set for the point of curvature of a curve to the left;
- 9) with the curve to the left, having a central angle of 84° 12' 20", a radius of 88.34 feet, a chord distance of 118.44 feet (chord bears N 46° 28' 24" W), for an arc distance of 129.81 feet to a ½" iron rod set for the point of tangency;

City of Austin 6.7058 Acre Temporary Construction Easement March 2, 1989

- 10) N 88° 34' 34" W, a distance of 421.55 feet to a '4" iron rod set for an angle point;
- 11) N 68° 38' 19" W, passing at a distance of 748.83 feet a point in the common line between the said 88.66 acre tract and the said 0.72 acre tract, and also passing at a distance of 765.02 feet a point in the common line between the said 0.72 acre tract and the 5405 square foot tract, in all for a total distance of 776.12 feet to a 1" iron rod set in the west line of the said 5405 square foot tract, same being in the west line of that certain tract of land conveyed to Bill Milburn, Inc. by a deed recorded in Volume 8375, Page 260 of the said deed records;

THENCE, N 02° 38' 31" W, along the common line between the 5405 square foot tract and the above said Bill Milburn, Inc. Tract, for a distance of 417.85 feet to a $\frac{1}{2}$ " iron rod set for the northwest corner of the said 0.72 acre and the northeast corner of the said Bill Milburn Tract, same being in the south line of the said David Moore Drive (2.14 acres) roadway tract;

THENCE, S 79° 22' 31" E, along the south right-of-way line of said David Moore Drive (60' wide), and the north line of the said 0.72 acre tract. a distance of 25.61 feet to the POINT OF BEGINNING, CONTAINING 6.7058 (292,104 square feet) of land area.

This description was based on an actual survey on the ground under my direction.

REGISTERED PUBLIC SURVEYOR #1999

Dara

City of Austin 0.0888 Acre Temporary Construction Easement March 2, 1989

STATE OF TEXAS COUNTY OF TRAVIS

Tract II, Temporary Construction Essement, 0.0888 Acre

FIELDNOTE DESCRIPTION of a tract or parcel of land consisting of 0.0888 acres situated in the S. F. Slaughter League No. 1, Travis County, Texas, and more particularly being a portion of that certain 88.66 acre tract of land conveyed to the City of Austin by deed of record in Volume 10795, Page 535. Travis County Deed Records, said 0.0888 acre of land being more particularly described by metes and bounds as follows:

COMMENCING at an iron rod found for an angle point in the west line of the said 88.66 acre tract, same being in the east line of that certain 50.266 acre tract of land as conveyed to the City of Austin by deed recorded in Volume 10531, Page 27 of the said deed records;

THENCE, S 13° 51' 02" W, with the common line between the said 50.266 acre tract and the 88.66 acre tract, 165.80 feet to a point in the centerline of Slaughter Creek for the southwest corner of the said 88.66 acre tract, same being the southeast corner of the said 50.266 acre tract;

THENCE, along the said centerline of Slaughter Creek, being the south line of the said 88.66 acre tract the following three (3) courses:

- S 48° 57' 58" E, a distance of 302.34 feet to an angle point;
- S 44° 02' 58" E, a distance of 232.74 feet to an angle point;
- S 48° 32' 58" E, 98.04 feet to a point in the southerly line of a 20 foot wide Public Utility Easement;

THENCE, along the said southerly line of a 20 foot wide Public Utility Easement and across said 88.66 acre tract, N 43° 48' 34" E, 256.52 feet to a '4" iron rod set for the POINT OF BEGINNING of the herein described 0.0888 acre tract of land;

THENCE, continuing along the said southerly line of a 20 foot wide Public Utility Easement and across said 88.66 acre tract the following two (2) courses:

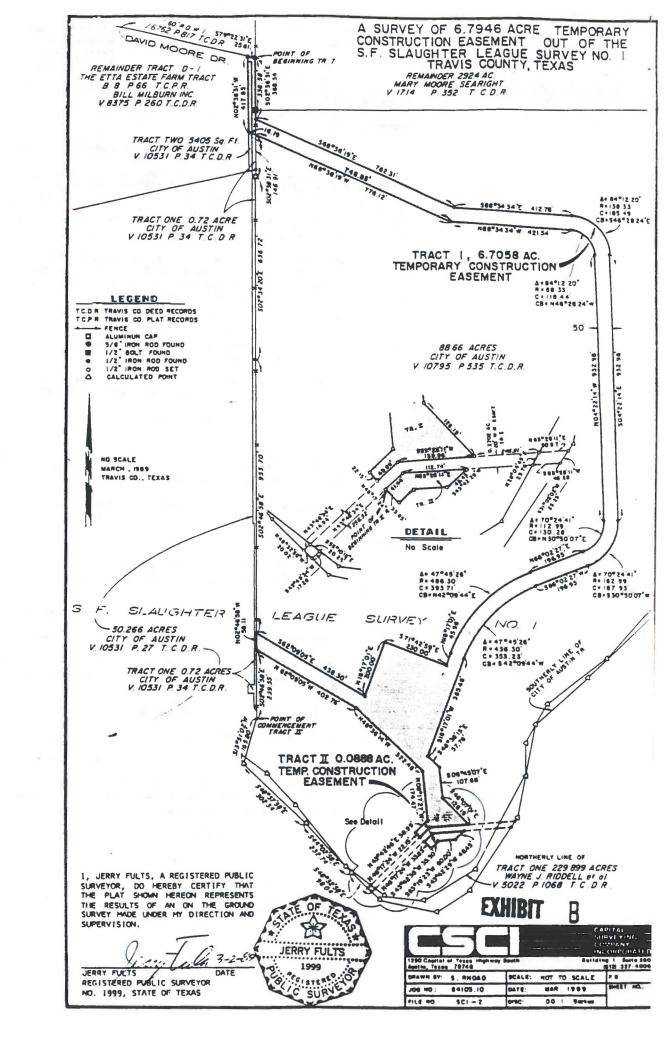
- N 43° 48' 34" E, 41.44 feet to a 3" iron rod set for a corner;
- N 83° 25' 11" E, 112.74 feet to a '2" iron rod set for a corner;

THENCE, departing the said southerly line of the 20 foot wide Public Utility Easement and continuing across said 88.66 acre tract the following four (4) courses:

- S 43° 42' 29" W, 46.45 feet to a 15" iron rod set for a corner; 1)
- S 83° 19' 23" W, 60.00 feet to a 4" iron rod set for a corner; 2)
- S 43° 42' 35" W, 35.50 feet to a 2" iron rod set for a corner; 3)
- N 46° 17' 23" W, 33.85 feet to a 4" iron rod set for the POINT OF BEGINNING and CONTAINING 0.0888 acre (3,868 square feet), of land within these metes and bounds.

This description was based on an actual survey on the ground under my direction.

Date





TO: Parks Board Members

FROM: Prenis Williams, Acting Director

Parks and Recreation Department

DATE: January 18, 1990

SUBJECT: Financial "State of the Department"

At the request of the Chair, I am providing information on the financial status of the Department.

The Parks and Recreation FY 88-89 amended General Fund budget of \$16,151,816 was proposed for FY 89-90 at a 4.2% decrease of \$15,467,969. Included in the proposed decrease was 23.75 full-time equivalents (FTE's) and the transfer of one (1) FTE to the Golf Enterprise Fund. Also included in the proposed reduction was: the Community Education program by \$90,000, equipment rental in the Operations Division, supervisory site inspections, gym rentals for basketball, closing the store at the Austin Nature Center, road repairs at Emma Long Metropolitan Park by 90%, grounds maintenance Citywide, litter pick-up on trails from biweekly to monthly, exhibits and exhibit-related events at the Carver Museum from 65 to 30, irrigation services, restroom cleaning from 3 times a day to 2 times a day and reducing litter pickup from daily to every other day at the Austin Nature Center and horticulture services Citywide.

Additions to the Parks and Recreation General Fund budget were funds for "one-time" expenditures. Those include: replacement of seven mowers (\$44,500), repairs to the parking lots and road surfaces at the Zilker Clubhouse and Bartholomew Park, (\$35,000), corrections for backflow plumbing code violations at 97 facilities and parks (\$84,250), and corrections for safety violations at 31 playgrounds (\$84,500).

The Parks and Recreation FY 89-90 approved General Fund budget of \$15,688,653 was derived by:

- 1. Reinstating Preserves position back (adds .25 FTE) to 40 hours/week (\$6,000)
- 2. Increasing maintenance funding (\$42,000)
- 3. Reducing utilities for Town & Country and Manchaca youth sports (\$42,000)
- 4. Reinstating proposed Horticulture reduction, including 5 FTE's (\$155,000)
- 5. Forestry addition, including 2 FTE's (\$26,000)
- 6. Eliminate Zilker Park shuttle service (\$25,000)
- 7. Adding a .5 FTE for Nueces Senior Activity Center (\$7,000)
- 8. Adding funding for Discovery Hall (\$6,000)

- 9. Adding forestry maintenance, including 2 FTE's (\$101,000)
- 10. Eliminating the newspaper subscription (\$110)
- 11. Postponing the proposed implementation of classification study (\$124,591)
- 12. Eliminating the 3% mid-year General Wage Increase (\$93,946)
- 13. Adding General Wage Increase of 3.5%/\$750 minimum effective December 17, 1989 \$304,724
- 14. Adding General Wage Increase to backcharge to CIP (\$17,889)
- 15. Reducing vacancy savings (\$166,211)
- 16. Adding Budget incentive plan (\$12,707)

The Parks and Recreation General Fund revenue increase associated with fee changes is \$68,280. The total proposed revenue for PARD is \$2,578,583, 18% less than the \$3,171,002 approved in 1988-89 and is .61% more than the 1988-89 amended revenue budget of \$2,562,977. Revenues of \$64,586 from the Cemeteries Perpetual Care Fund to pay for a portion of cemetery maintenance City-wide are included in the approved budget.

If you need additional information, please let me know.

Prenis Williams, Acting Director Parks and Recreation Department

PW:LS:ajb



MEMORANDUM

TO: All Staff Liaisons to Council Appointed Boards and Commissions

FROM: Amy J. Blackstone, Management Services Representative, PARD

DATE: December 13, 1989

SUBJECT: Board and Commission Reports to Council

The Mayor's Office has established some guidelines for Boards and Commissions to follow when making reports to Council. In order to be scheduled on the agenda, the Board/Commission Chair must submit a written request to the Mayor's Office through staff. This will allow the Mayor and Council an opportunity to be better prepared to receive information from the Boards/Commissions. Please ensure that your Board/Commission Chairs are familiar with this new guideline. If you have any questions or need assistance in scheduling a Board/Commission report, please let me know.

Amy J. Blackstone, Management Services Representative Parks and Recreation Department

AJB:DGB:dgb

cc: Gloria Pennington, Acting Division Manager, Cultural Affairs Randy Russell, Acting Division Manager, Programs David Mascorro, Division Manager, Operations Carolyn D. Nelson, Acting Deputy Director



MEMORANDUM

TO: Parks Board Members

FROM: Prenis Williams, Acting Director

Parks and Recreation Department

DATE: January 19, 1990

SUBJECT: Status of Park Grants

In response to your question regarding grant applications to the Texas Parks and Wildlife Department (TPWD), I have the following information.

Veloway

After the Veloway grant was awarded by the Texas Parks and Wildlife Commission in August 1989, the City was notified of three additional submissions required before a contract will be signed for the grant.

First, a blanket utility easement was retained by the owner when the Circle C parkland was given to the City. The Texas Parks and Wildlife Department (TPWD) wants the easement released so the parkland is no longer encumbered. Bradley Development, which committed to releasing the easement, has stated they will supply a deed removing the blanket by the end of January.

Second, the Veloway is planned to pass through the property of the adjoining owner and a trail easement is necessary to permit that alignment. Bradley Development has also committed to providing the trail easement by the end of January.

Third, an archaeological survey is required to demonstrate that the Veloway will not damage any significant cultural resources. The City has contracted with the Texas Archaeological Research Laboratory, which will complete a survey by the third week of January.

The three submissions will be forwarded to TPWD by the end of January, after which the City will be sent a contract for the grant. The City will amend the 1989-90 Capital Budget to appropriate the State funds.

The grant application included commitments by Bradley Development to give 51 acres of parkland to match the State's \$500,000 grant and to donate \$173,470 in in-kind contributions. The Parks and Recreation Department (PARD) will recommend that the City enter into a Community Facilities Agreement with Bradley Development to built the park improvements in order to ensure the above contributions and to protect the City from further financial liability to the construction costs.

As a companion agreement, PARD will recommend the City enter into a Use and Maintenance Agreement to ensure the stated commitment of Bradley Development to assume the maintenance responsibility for the Veloway.

Searight Park

The Searight Park grant application was submitted to TPWD in July 1989. A decision on the application is expected at the next meeting of the Texas Parks and Wildlife Commission. The next meeting has not been scheduled but should occur in late January or February.

Dick Nichols Park

At City Council instruction, the Dick Nichols Park application is to follow the two previous applications. The timing of the submission of the Dick Nichols Park application has always been dependent upon construction of a public road permitting access to the park. The TPWD will not recommend in favor of a grant award if a public road is not built to the park.

Beckett Road, which is the boundary road on the west side of the park, will be the entry road to Dick Nichols Park. Beckett Road is not constructed but is to be built by the developer of the adjoining subdivision, the Village at Western Oaks. For the past year, the absence of of Beckett Road has been the single obstacle to submitting the Dick Nichols application.

The Village at Western Oaks is owned by Lumberman's Investment Corporation (LIC). Bill Milburn Company is attempting to form a joint venture with LIC in order to buy lots for a homebuilding program. LIC and the Milburn Company have affirmed their responsibility to build Beckett Road if the joint venture is formed. The impediment is they do not want to invest in the road until the housing market expands.

In the past two weeks, the Parks and Recreation Department has been in contact with TPWD to determine when, at the latest, they require an access road to avoid disqualification of the application. TPWD wants construction under way, including a road with base material, at the time of the award to assure themselves that the City will definitely provide public access. If the grant application is submitted in January 1990, the nearly completed road would have to be in place by July 1990. Milburn Company representatives have said that schedule is impossible to meet. In addition, LIC/Milburn appreciate the value of a nearby park in selling homes but do not wish to invest in the road if the park grant may not be awarded; neither the City nor the State can give prior assurance the grant will be awarded.

If LIC/Milburn agree to build the road without prior assurance, the roadbuilding schedule appears to be the major factor determining the grant application schedule. It is best not to submit the application if there is substantial uncertainty about public access. It would be possible to submit, hope for the best, and plan to resubmit later if the road is not finished. Since TPWD allows only two reviews of the same application, it is prudent not to waste one of the two possible attempts.

The current strategy is to press LIC/Milburn to commit to the most accelerated roadbuilding schedule. If they will not guarantee a road under construction by July 1990 to the standards demanded by TPWD, PARD feels it is best not to submit application in January 1990. If LIC/Milburn offers a reasonable guarantee that the road will be under construction this Spring, the application will be submitted in July 1990.

If I can provide additional information, contact me or Stuart Strong at 499-6766.

Prenis Williams, Acting Director Parks and Recreation Department

PW:SS:ajb