

A Resolution of the City of Plano, Texas, approving the use or taking of a portion of City of Plano public Park Land, known as Ridgeview Ranch Golf Course, pursuant to Chapter 26 of the Texas Parks and Wildlife Code to approve using a portion of dedicated Park Land as a North Texas Municipal Water District permanent utility easement, permanent access easement and temporary construction easement for the purpose of improvements to the Ridgeview Pump Station located adjacent to the park; authorizing the City Manager, or his designee, to execute all necessary documents; and providing an effective date.

WHEREAS, The North Texas Municipal Water District (NTMWD) has requested a permanent utility easement, a permanent access easement and temporary construction easement for the purpose of improvements to the Ridgeview Pump Station (the "Project") as depicted on the drawings attached hereto as Exhibits "A", "B", and "C" (called "Easements") which requires the use or taking of a portion of City of Plano public Park Land known as Rowlett Creek Greenbelt (called the "Park Land") which is currently operated as the Ridgeview Ranch Golf Course; and

WHEREAS, Chapter 26 of the Texas Parks and Wildlife Code requires a public hearing for the use or taking of public Park Land, at which the governing body must determine whether any feasible and prudent alternative to the use or taking of public Park Land exists, and whether the proposed use or taking includes all reasonable planning to minimize the harm to the Park Land; and

WHEREAS, Notice of the Public Hearing was duly served and published in conformity with Chapter 26 of the Texas Parks and Wildlife Code for the Project; and

WHEREAS, the City Council held a public hearing on October 14, 2019, regarding the Project during which all interested persons had the opportunity to testify and present relevant evidence before the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:

Section I. After hearing and review of all the testimony, evidence, and other relevant information at the Public Hearing, the City Council hereby finds and determines that:

- 1) There is no feasible and prudent alternative to the use or taking of the portion of public Park Land at Ridgeview Ranch Golf Course as proposed by the Project; and
- 2) The Project includes all reasonable planning to minimize the harm to the Park Land resulting from the use or taking; and

Section II. The City Council further finds that the Project is in the public interest generally, and in the best interest of the citizens of the City of Plano, Texas. Accordingly, the City Council approves the use or taking of a portion of Ridgeview Ranch Golf Course through a permanent utility easement, a permanent access easement and temporary construction easement, as depicted in Exhibits "A", "B", and "C".

Section III. The City Manager, or his designee, is hereby authorized to execute all necessary documents in connection with the change in use and the Easements on behalf of the City of Plano.

Section IV. This Resolution shall become effective immediately from and after its passage.

DULY PASSED AND APPROVED this the 14th day of October, 2019.

Harry LaRosiliere, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY