



City of Benbrook

CITY COUNCIL COMMUNICATION

DATE: 05/16/19	REFERENCE NUMBER: G-2409	SUBJECT: Conveyance of a 6.04-acre tract of land, situated in the T.&N.O. R.R. CO. Survey, Abstract No. 1645, erroneously dedicated to the City as parkland as part of the Whitestone Heights Preliminary Plat	PAGE: 1 of 1
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On April 12, 2001, the Benbrook Planning and Zoning Commission approved the 167-lot Whitestone Heights preliminary plat, which included a 6.04-acre parkland dedication. On May 14, 2003, a conveyance deed from Whitestone Ranch, LTD., to the City of Benbrook of the 6.04-acre tract was recorded with the Deed of Records, Tarrant County, Texas. Unfortunately, the parkland dedication conveyance did not conform to adopted City regulations.

Section 16.04.045.B.2 of the Benbrook Municipal Code, codified by Ordinance No. 1026 on July 2, 1998, stipulates in part, "if fewer than two hundred units (lots) are proposed by a plat filed for approval, the developer shall be required to pay the applicable cash in lieu of land amount unless the dedication will increase the size of an existing park." There are no other parks in this area.

The execution of the attached deeds will convey the 6.04-acre tract from the City of Benbrook to Whitestone Ranch, LTD, the entity that had conveyed the tract to the City in 2003, and then from Whitestone Ranch, LTD to Steve Hawkins, the developer of Whitestone Heights.

Mr. Hawkins will be required to pay the cash in lieu of land dedication for all platted lots in the Whitestone Heights Addition.

RECOMMENDATION

Staff recommends that City Council approve the attached quitclaim deeds transferring the 6.04-acre tract of land, situated in the T.&N.O. R.R. CO Survey, Abstract No. 1645, back to the developer of Whitestone Heights.

SUBMITTED BY:	DISPOSITION BY COUNCIL: <input type="checkbox"/> APPROVED <input type="checkbox"/> OTHER (DESCRIBE)	PROCESSED BY:
CITY MANAGER		CITY SECRETARY
		DATE: