



BOARD OF SCHOOL TRUSTEES

KELLER INDEPENDENT SCHOOL DISTRICT

4F. Action

Date: August 14, 2006

SUBJECT: **SITE DEVELOPMENT AGREEMENT PERTAINING TO
FLOODPLAIN EASEMENTS AT KELLER-HICKS ROAD
SCHOOL SITES**

BOARD GOAL: **All systems in the Keller Independent School District will be effective, efficient, and accountable in support of the district's mission.**

FISCAL NOTE: **No Expenditure of District Funds Required**

Background Information:

- In May, the administration discussed with the Board the fact that, as part of the site drainage requirements for the new schools on Keller-Hicks Road, the district is required by the City of Fort Worth to obtain a permanent drainage easement from an adjoining property owner to the south of the district's property
- The adjoining property owner, Realty Capital Golden Beach, Ltd. ("RCC") initially offered to grant the required easement in exchange for the district transferring ownership of a portion of district property that is situated in the floodplain
 - Both parties have since determined that the best course of action is to exchange the necessary easements for both parties in lieu of an actual transfer of ownership of district property

Administrative Considerations:

- RCC has put together a Site Development Agreement that effectuates the exchange of easements required by both parties to fulfill their respective drainage and floodplain requirements. These easements are as follows:
 - RCC grants to the City of Fort Worth, for the benefit of the district, a perpetual easement across its property for a permanent drainage facility, and a temporary construction easement in connection with the construction of the permanent facility
 - The district grants to RCC a temporary access and construction easement to KISD property for the purposes of performing the necessary site development work in the floodplain

- The site improvement work to be done by RCC is work that is required pursuant to its application for a Corp of Engineers permit.
 - This work will be fully paid by RCC, and no district funds are or will be obligated for any of the site improvement work that is to be undertaken by RCC
 - An end result of the site improvement work that is to be performed by RCC, which is of benefit to the district, is that land owned by the district that is situated in the floodplain will be improved at no expense to the district (approximately 3.18 acres)
- Tom Rutledge of Teague Nall and Perkins Engineers will be present at the meeting to address any questions relating to this item.
- This is a time-critical item that is necessary in order for the district to fulfill all permitting requirements of the City of Fort Worth.

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The administration recommends the Board approve the Site Development Agreement as presented.

Respectfully submitted,

Bill Stone, Asst. Supt.
Business Operations