



Monthly Developer/Consultant Process Training

REAL PROPERTY SERVICES

Easement Dedication Process

Session 3

May 9, 2018

## REAL PROPERTY SERVICES

A section of the Property Management Department responsible for the management of the City's real property assets, acquisition of land and easements in support of the delivery of City-sponsored capital improvement projects & easements required under developer CFAs.

# THE PROCESS

- CFA-REQUIRED EASEMENTS ARE SUBMITTED BY CONSULTANT/DEVELOPER DIRECTLY TO IPRC PROJECT MANAGER, **NOT** TO REAL PROPERTY LAND AGENT.
- **IPRC PM DELIVERS EASEMENT PACKAGE TO REAL PROPERTY**
  - IF EASEMENT IS ALREADY EXECUTED, THE LAND AGENT CONFIRMS:
    - CITY STANDARD EASEMENT (*MOST CURRENT DOWNLOAD FROM BUZZSAW*) [https://projectpoint.buzzsaw.com/bz\\_rest/#/bz\\_rest/Web/Item/Items?folder=98407](https://projectpoint.buzzsaw.com/bz_rest/#/bz_rest/Web/Item/Items?folder=98407)
    - GRANTOR & SIGNATURE BLOCK ARE COMPLETE
    - SIGNATURE BLOCK AGREES WITH SECRETARY OF STATE FILINGS
    - VESTING DEED NAMES GRANTOR, CONVEYS SUBJECT AREA
    - SURVEY EXHIBITS ARE SEALED AND ACCURATELY DESCRIBE EASEMENT AREA
  - IF PACKAGE IS IN ORDER (OR IF ONLY MINOR ADJUSTMENTS ARE REQUIRED), THE LAND AGENT:
    - OBTAINS CITY SIGNATURES
    - E-FILES THE EASEMENT(S)
    - RETURNS A COPY TO PM
- Please submit two originals. We only execute one but keep the extra in our file.
- Generally speaking, when the City standard easements are used and all supporting documentation is provided, this is a relatively simple administrative process and total time in ***Real Property*** could be as little as 7 days! (Our target is 5, we're currently at 9 (on average). This time does NOT include time in other departments before or after Real Property review.

# WHAT WE LOOK FOR

- STANDARD EASEMENT FORM (FROM BUZZSAW)
  - MODIFICATIONS ON SEPARATE ADDENDUM
- GRANTOR DETAILS
  - NAME MATCHES VESTING DEED
  - ADDRESS
- SIGNATURE AUTHORITY MATCHES SECRETARY OF STATE FILINGS
  - OR CORPORATE RESOLUTION OR PARTNERSHIP AGREEMENT
  - OR TRUST DOCUMENTS
- SURVEY EXHIBITS
  - SEALED/DATED BY LICENSED SURVEYOR
  - DESCRIBE SUBJECT PROPERTY; CLOSURE REPORT
  - IDENTIFY ANY EXISTING EASEMENTS/ENCROACHMENTS

# SUBMITTAL ISSUES THAT CAUSE DELAYS: *THE INSTRUMENT*

- AMENDMENTS OR CHANGES TO CITY STANDARD (ESP. ADDING INDEMNITY CLAUSE)
- ATTEMPTING TO DEDICATE TEMPORARY CONSTRUCTION EASEMENTS
- UNDOCUMENTED CONFLICTS AND/OR AUTHORITY TO ENCROACH (INCL B/T CITY UTILITIES)
- INCORRECT COUNTY/STATE (SPECIFY COUNTY WHERE LAND IS LOCATED)
- INCORRECT REFERENCE TO EXHIBITS (“A”, “A&B” ON PGS 1&2) (EXAMPLE, REDACTED) (DESCRIPTION NO LONGER REQUIRED ON FIRST PAGE)
- USING THROCKMORTON vs. TEXAS ST. ADDRESS (CITY HALL ADDRESS RECENTLY CHANGED)
- NOTARY ACKNOWLEDGMENT MISSING, EXPIRED, ILLEGIBLE, LACKS STAMP, SMUDGED, etc.

## **SUBMITTAL ISSUES THAT CAUSE DELAYS: *SIGNATURE AUTHORITY/DEED/SURVEY***

### **INCOMPLETE SIGNATURE BLOCK (EXAMPLE)**

- NO SUPPORTING DOCUMENTATION FOR PERSON WHO SIGNED(CORP. RESOLUTION)
- ENTITY NOT REGISTERED OR DOESN'T MATCH SECRETARY OF STATE
- NOT AN ACTIVE ENTITY

### **OWNERSHIP DEED IS INCONSISTENT WITH EASEMENT**

- GRANTOR NAME MUST MATCH GRANTEE NAMED IN VESTING DEED EXACTLY
- MUST COVER THE SUBJECT PROPERTY

### **ERRORS ON SURVEY-**

- LACK OF CLOSURE REPORT,
- INCONSISTENT WITH EASEMENT TYPE (EX: WATER EASEMENT WITH EXHIBIT LABELED SEWER EASEMENT)
- UNSEALED

# EASEMENT ABANDONMENTS

Real Property also processes PUBLIC (not PRIVATE) utility easement abandonments. Forms are also located on Buzzsaw and may also be obtained directly from Real Property

## REQUIRED FOR SUBMITTAL

A complete application includes:

- \* The Application
- \* Metes and Bounds Survey\*
- \* Original Dedication (Plat or Instrument)
- \* Consent Forms:  
Appropriate Utility Companies  
Adjacent owners (if any)
- \* \$300 Application fee (Cashier's Check)

APPLICATION



PROPERTY MANAGEMENT DEPARTMENT  
REAL PROPERTY DIVISION

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APPLICATION FOR VACATION OR ABANDONMENT  
Drainage and/or Utility Easement - Water Main and/or Sewer Main Easement  
Public Open Space Easement By Separate Instrument\*\*

Easement Abandonment # \_\_\_\_\_

\*\*Vacation by plat requires application through the City of Fort Worth Planning and Development Department

1. Vacation -- Petitions for abandoning an easement requires approval by the various City departments and/or public utility companies having a vested interest in said easement. The City Manager or the City Manager's designee, upon review of the case, approves the vacation by signature. No re-plat by the applicant is required. The easement abandoned is then filed in the courthouse records by the Property Management Department, Real Property Division.

Submittal of the application to the City of Fort Worth Property Management Department, Real Property Division (or Project Manager), must include the following:

- A non-refundable fee of \$300.00 made payable by cashier's check or money order
- Metes & bounds description sealed by a Registered Professional Land Surveyor
- Exhibit map of a convenient size, sealed by a Registered Professional Land Surveyor (The easement proposed for abandonment must be clearly labeled on the exhibit map)
- Notarized concurrence letters from adjacent owners or all parties served by the easement (Note: the form contains space for adjacent owners' signatures. You may use this form to obtain the signatures from all interested parties; however, the signatures must be notarized. You may attach additional sheets for notarization purposes.) If an adjacent owner holds the property in a Trust, and is signed by the Trustee, or owner has designated a Power of Attorney, or Attorney in Fact, then a copy of the Trust Document or Durable Power of Attorney must accompany the form. The consent forms and exhibits must be signed and notarized by ALL of the following:
  - City of Fort Worth Water Department
  - City of Fort Worth Transportation and Public Works Department
  - City of Fort Worth Environmental Management Department
  - Oncor Electric Delivery Company
  - Atmos Energy (Notary not required for Atmos Energy only)
  - AT&T
  - the local cable company
  - Tarrant County Health Department ETJ and Tarrant County Engineering ETJ if the property is located in the extrajurisdictional jurisdiction
  - any others listed on the exhibit

**ONLY THE CONSENT FORMS ARE TO BE SUBMITTED TO CITY DEPARTMENTS AND UTILITIES LISTED ON THE CONTACT PAGE. APPLICATIONS AND ALL OTHER MATERIALS AND EXHIBITS ARE TO BE HELD BY THE APPLICANT UNTIL ALL INFORMATION IS COMPLETE, THEN TURNED IN TO THE PROPERTY MANAGEMENT DEPARTMENT, REAL PROPERTY DIVISION.**

# **IN THE SPIRIT OF TRANSPARENCY**



# WHAT WE'VE DONE & WHERE WE ARE

<b>PARCELS CLOSED-YEAR TO DATE COMPARISON</b>			
<b>ACTIVITY</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
CAPITAL ACQUISITIONS	59	61	97
DEVELOPER EASEMENTS	389	214	199
ABANDONMENTS	39	11	18
MISCELLANEOUS	2	-	14
NON-CFA	11	4	16
<b>AVERAGE PROCESSING TIMES</b>	<b>FY 16-AVG TIME TO COMPLETE</b>	<b>FY 17-AVG TIME TO COMPLETE</b>	<b>FY 18-AVG TIME TO COMPLETE</b>
CAPITAL DAYS TO CLOSE	363	165	162
DEVELOPER DAYS TO CLOSE	44	32	9

**ALSO IN THE SPIRIT OF TRANSPARENCY**

## WE NEED YOUR HELP

- THE CITY STANDARD EASEMENTS- DOWNLOADED FROM BUZZSAW- are your friends! Using them makes for a much faster review and acceptance period.
- PROVIDE THE VESTING DEED, SEALED SURVEYS AND COMPLETE SIGNATURE AUTHORITY WITH YOUR SUBMITTAL TO THE PM
- REMEMBER that the Property Management Department (REAL PROPERTY) is NOT the only department that has to review the easements. At times there are as many as 4 different departments involved (PMD, TPW, WATER, LAW). Staff in each of the departments are also reviewing other projects and need sufficient time to review them all.
- FINALLY (I THINK)-SUBMIT EASEMENTS EARLY enough to allow for corrections, just in case any are needed- especially if an attorney has gotten hold of the city standard and “red-lined” it.

## OUR COMMITMENT TO YOU

- CONTINUE OUR EFFORTS TO ACCEPT AND RECORD YOUR EASEMENTS AS EXPEDIENTLY AS POSSIBLE
- STREAMLINE THE PROCESS (as much as a governmental entity can)
- COMMUNICATE WITH YOU THROUGHOUT THE PROCESS
- WALK YOU THROUGH THE PROCESS WHEN NECESSARY
- GENTLY REMIND YOU OF THE PROCESS UNTIL YOU KNOW IT LIKE THE BACK OF YOUR HAND

This Concludes the Easement Dedication Process

Q & A