



NORTH
TEXAS
MUNICIPAL
WATER
DISTRICT

REAL ESTATE COMMITTEE MEETING DECEMBER 17, 2025



Agenda

- I. CALL TO ORDER
- II. PUBLIC COMMENTS
- III. OPENING REMARKS
- IV. ACTION ITEMS
- V. DISCUSSION ITEMS
- VI. ADJOURNMENT



Agenda

IV. ACTION ITEMS

- A. Consider approval of Real Estate Committee meeting minutes – October 22, 2025
- B. Tickey Creek Lift Station; Project Number 501-0638-24; Resolution No. 25-62; Land Acquisition Program
- C. Interlocal Cooperation Agreement between the North Texas Municipal Water District and the City of Mesquite, Texas, for Use of Mesquite Bridge Crossing the East Fork of the Trinity River; Resolution No. 25-64
- D. Settlement Agreement Between North Texas Municipal Water District, New West Developers LLC and New West Land LLC

V. DISCUSSION ITEMS

- A. Bois d'Arc Lake Shoreline Monitoring
- B. Opportunity for Committee members to provide feedback on Real Estate Committee meeting or request potential future agenda items



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Mark Simon, Director of Engineering

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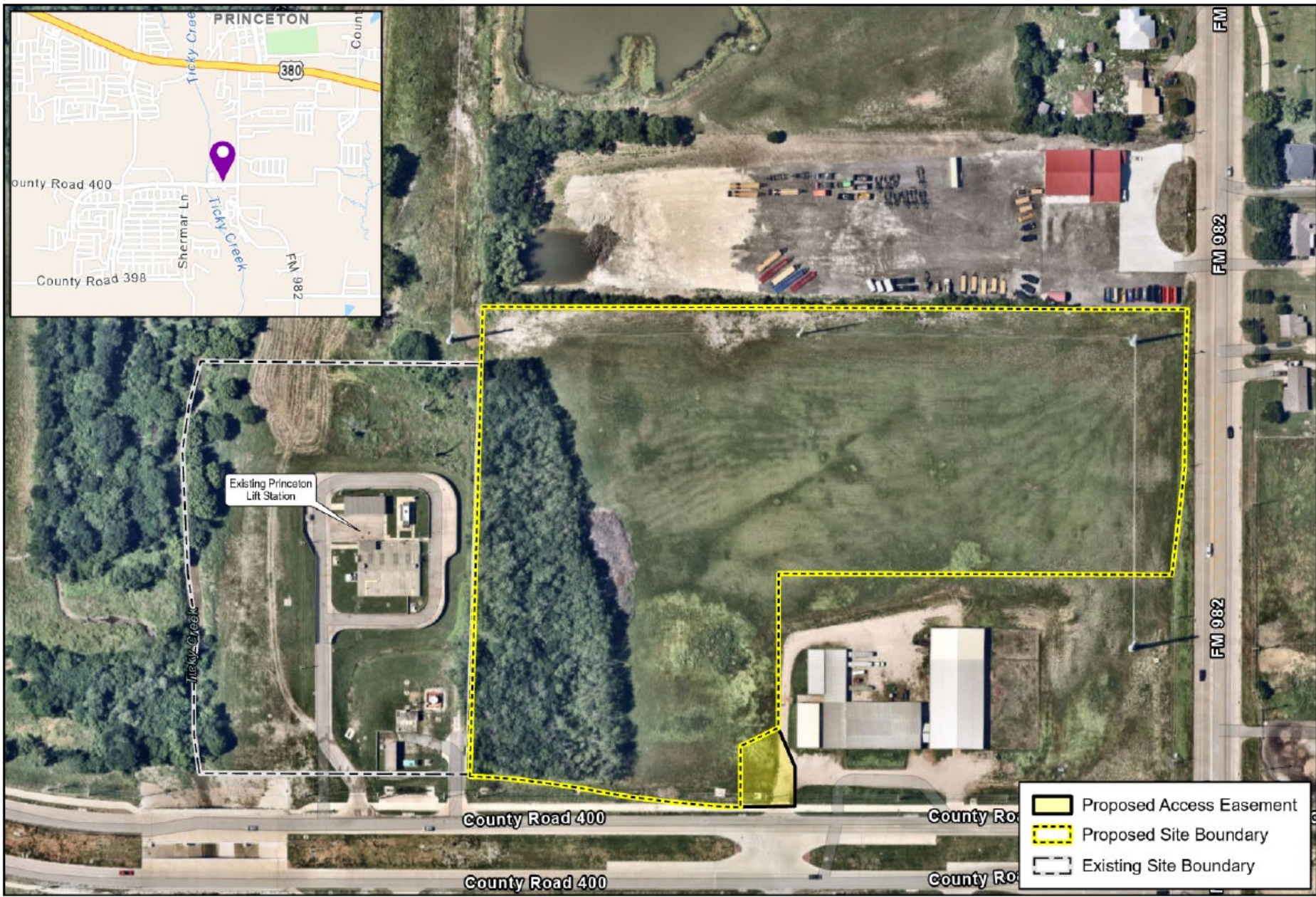
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Tickey Creek Lift Station

- Tickey Creek Force Main and Lift Station (LS) planned and designed to address current and future growth in Princeton
- Force Main ROW Acquisition approved at October 2025 Board
- Proposed LS site abuts existing site of Princeton Lift Station No. 1 and No. 2
- Princeton Independent School District (PISD) owns proposed LS site
- PISD's only site improvement is an Agriculture (Ag) Barn
- NTMWD designed the LS to avoid disrupting Ag Barn
- NTMWD to offer market value as determined by appraisal





Committee Consideration

The Executive Director and NTMWD staff recommend the Board of Directors:

- 1) Authorize the Executive Director to execute a property acquisition program for the Tickey Creek Lift Station, Project No. 501-0638-24, with a budget of \$2,000,000; and,
- 2) Adopt Resolution No. 25-62, "A Resolution Authorizing the Use of Eminent Domain to Acquire Property for the Tickey Creek Lift Station, Project No. 501-0638-24, and Delegating Authority to Initiate Condemnation Proceedings to the NTMWD Executive Director."

Scope: Land acquisition and the necessary support services to facilitate purchasing of fee simple property and easements for the project

Project: No. 501-0638-24, Tickey Creek Lift Station

Amount: \$2,000,000

Drivers: Regulatory Compliance, Capacity

Funding: Upper East Fork Interceptor System Construction Funds



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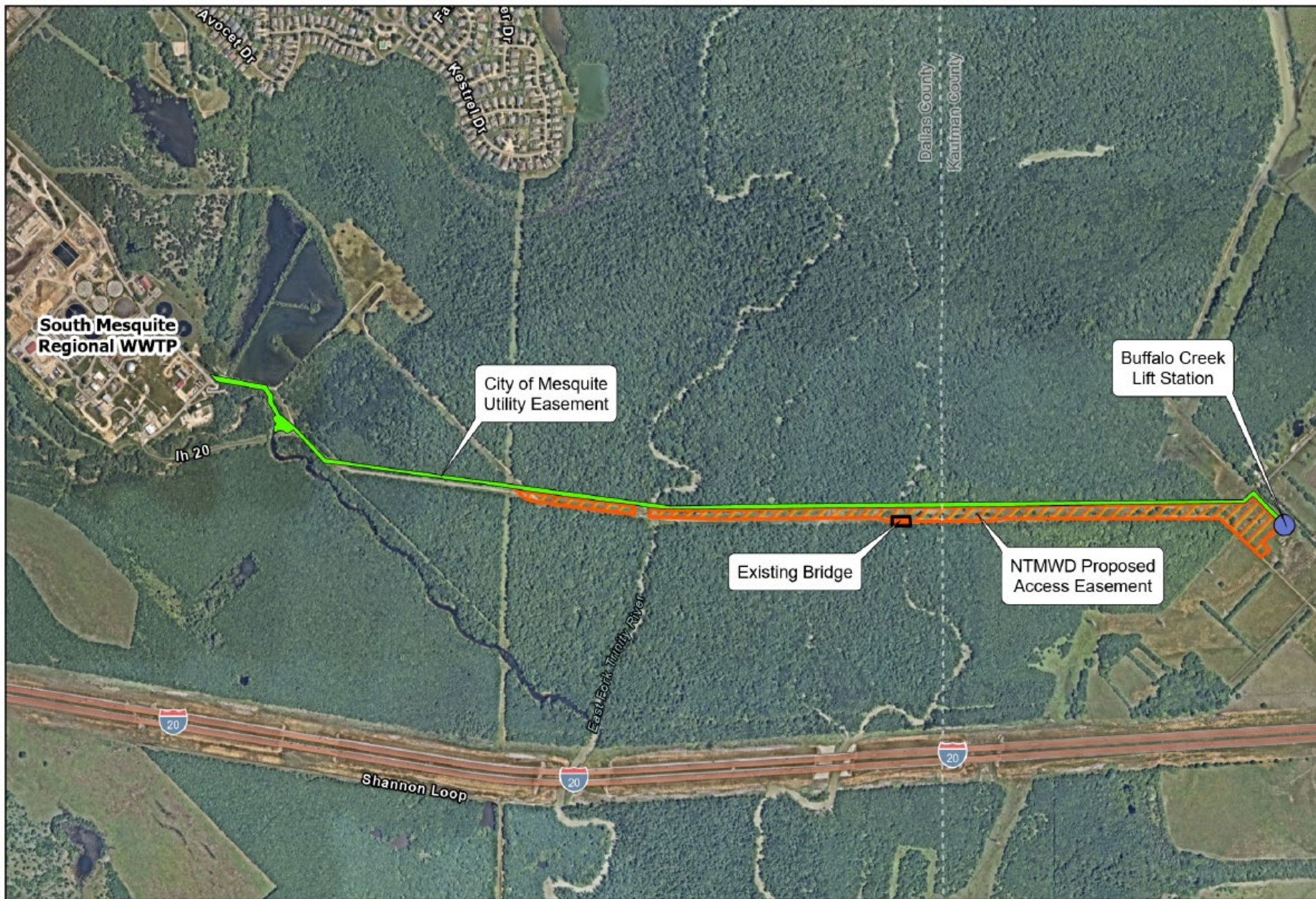
ILA – City of Mesquite – Bridge, Access Road

- City of Mesquite (Mesquite) owns 50' utility easement on private property abutting the South Mesquite Regional Wastewater Treatment Plant
- Mesquite installed an access road and a bridge, located over the East Fork of the Trinity River, within the utility easement
- NTMWD will install its Buffalo Creek Parallel Force Main (BCPFM) on the same private property
- NTMWD needs to use the road and bridge to construct the BCPFM
- NTMWD Board approved ROW Acquisition Program for Buffalo Creek Parallel Force Main (BCPFM) in October 2024 – Ad. Memo. No. 24-6074, Resolution No. 24-45
- NTMWD has made an offer for a Permanent Easement, Temporary Construction Easement, and Access Easement to the private property owner
- Mesquite has conveyed Permanent, Temporary Construction, and Access easements to NTMWD



ILA – City of Mesquite – Bridge, Access Road

- NTMWD needs permission from Mesquite to use the road and bridge
- On October 20, 2025, Mesquite City Council passed a Resolution authorizing an Interlocal Agreement with NTMWD containing the following terms for the road and bridge:
 - NTMWD to adhere to specific load ratings
 - NTMWD responsible for all damages caused by NTMWD, its contractors, subcontractors
 - NTMWD to obtain an access easement from Property Owner
 - ILA terminates on December 31, 2026, or upon project completion, whichever is earlier
- Mesquite has signed the ILA





Committee Consideration

The Executive Director and NTMWD staff recommend the Board of Directors:

- 1) Authorize the Executive Director to execute an Interlocal Cooperation Agreement with the City of Mesquite; and,
- 2) Adopt Resolution 25-64, " A Resolution Authorizing an Interlocal Cooperation Agreement Between the North Texas Municipal Water District and the City of Mesquite, Texas, For Use of Mesquite Bridge Crossing the East Fork of the Trinity River"

Contracting Party: City of Mesquite, Texas

Purpose: Execution of Interlocal Cooperation Agreement

Project: No. 507-0640-24, Buffalo Creek Parallel Force Main

Drivers: Operational Efficiency

Funding: None required



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Background

- New West Land LLC and New West Developers LLC (collectively New West) are the holding entities for a residential development property on Bois d'Arc Lake known as Belle Vie
- In Summer 2024 NTMWD became aware of unauthorized trespass and vegetation removal on the shoreline adjacent to the Belle Vie development
- NTMWD staff and legal counsel issued a cease and desist letter to New West requesting development and implementation of restoration plan
- New West was unresponsive and NTMWD mobilized its own staff and contractors to perform restoration



Additional Actions Taken by NTMWD in Response

- NTMWD made clear to New West it would seek reimbursement for costs incurred, and;
- Would not consider or authorize any use of the shoreline or development agreement associated with Belle Vie until this matter was resolved
- NTMWD also filed an affidavit of non-compliance with Fannin County to memorialize the dispute in public property records
- NTMWD requested the Texas Commission on Environmental Quality investigate the Belle Vie development for non-compliance with soil and water protection measures required by state law



New West Partnership Dissolution

- The individuals managing the Belle Vie development had ownership interest in and were directing activities through New West Land and its subsidiaries – these individuals were NTMWD's point of contact for all prior communications
- Financing for the development was provided by a private investor, which NTMWD recently found to be Mr. Andrew Robbins
- In January 2025, Mr. Robbins filed suit against the managers of the Belle Vie development citing breach of fiduciary duty, personal enrichment, civil theft, fraud and other claims relating to their accounting and use of investor funds
- The suit was ultimately settled out of court and resulted in a partnership dissolution removing those managers' ownership interest and involvement in New West Land and its subsidiaries



Recent Communications with New West

- In assuming full ownership and control of New West, Mr. Robbins and his attorney discovered the affidavit NTMWD filed with Fannin County
- Mr. Robbins attorney contacted NTMWD in response, requesting more information about the matter
- NTMWD provided prior correspondence with New West managers
- Mr. Robbins and his attorney expressed a desire to resolve the matter and have agreed in principle to a settlement agreement



Settlement Agreement with New West

- Matter was briefed at October 22, 2025 Real Estate Committee and NTMWD have incorporated feedback received into a settlement agreement
- Key terms of the proposed settlement:
 - Total payment to NTMWD of \$246,067
 - \$176,067 for costs incurred, including restoration, and legal support
 - \$70,000 for consideration of long-term impacts not addressed by restoration
 - Assume monitoring of restoration area, requirements for reporting and communications to NTMWD
 - Maintain vegetation and erosion control measures until property is restored to NTMWD satisfaction
 - Monitor and maintain erosion control activities on adjacent private property to ensure no future impacts to NTMWD property or the lake
 - Grant NTMWD right of entry to inspect and monitor progress



Committee Consideration

The Executive Director, NTMWD staff and Saunders, Walsh, and Beard recommend the Board of Directors authorize the Executive Director to execute a settlement agreement with New West Developers LLC and New West Land LLC, as follows:

- Entity: New West Developers LLC and New West Land LLC
- Scope: Settlement Agreement (Reimbursement for remedial actions by NTMWD and one-time payment to NTMWD)
- Amount: (\$246,067) credit
- Drivers: Regulatory Compliance, Capacity
- Funding: Settlement Agreement will be credited to the Regional Water System 2025-26 Annual Operating Budget



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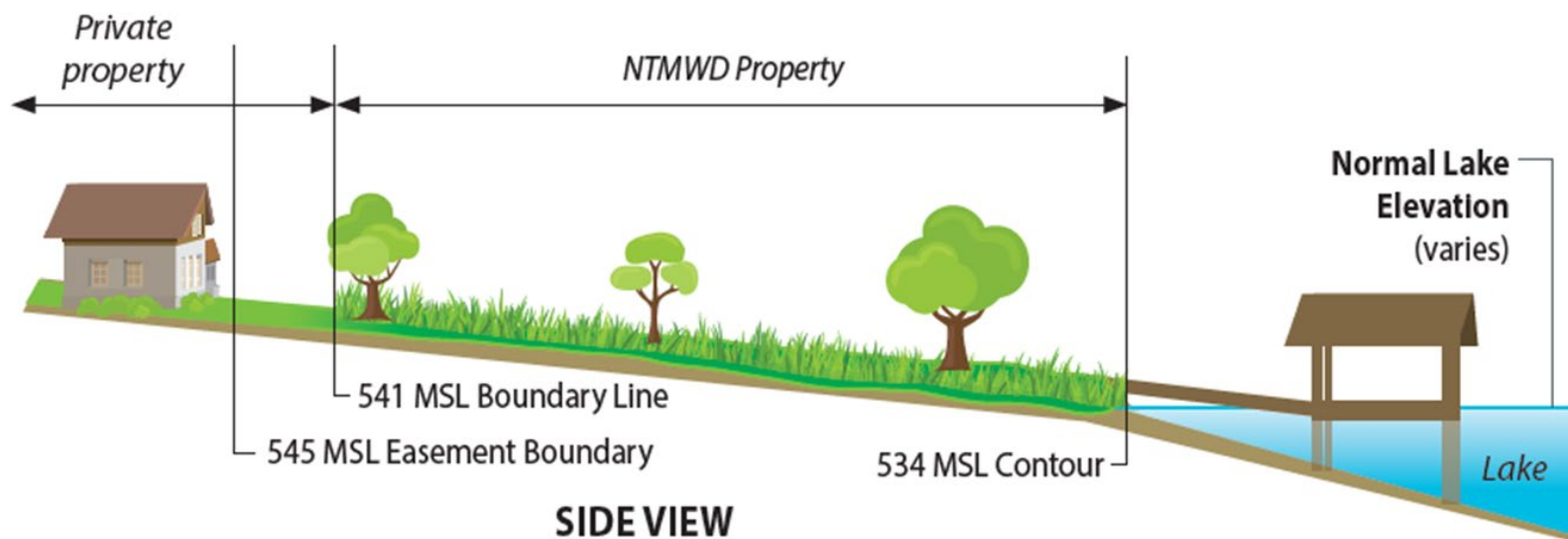
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Bois d'Arc Lake Shoreline Monitoring

- NTMWD owns the ~172 mile shoreline around Bois d'Arc Lake and manages activity on its property
- The Shoreline Management Plan (SMP) includes guidelines for use of the shoreline by adjacent landowners
- Planned residential development agreements reviewed and authorized individually by separate agreement
- As development around the lake occurs, monitoring of activities and uses around the shoreline becomes increasingly important



MSL = Mean Sea Level



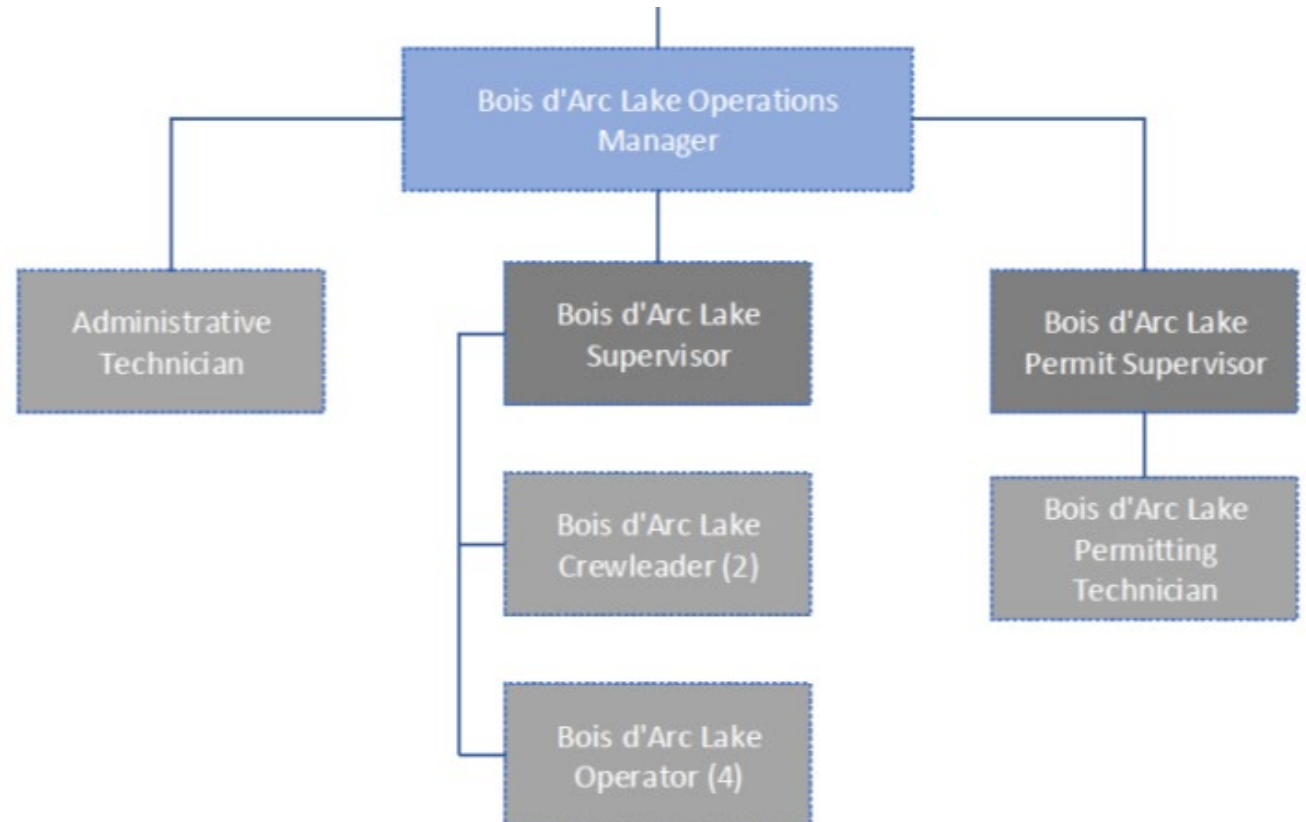
NTMWD Lake Operations

Lake Operations staff responsible for:

- Operation and maintenance of dam, spillway, intake, buoys, public boat ramps, etc.
- Shoreline management
- Mitigation monitoring & reporting
- Regulatory compliance

Two (2) staff dedicated to shoreline management

- Processing applications and renewals
- Lease and Use Agreement administration
- Shoreline monitoring and inspections





Bois d'Arc Lake Shoreline Monitoring

NTMWD staff are continually monitoring activity around the lake and shoreline

Monitoring the shoreline is a shared responsibility of all Lake Ops staff in the field

Most monitoring activities can be classified as:

- Observations in the field by NTMWD staff
- Use of technology tools to remotely monitor
- Coordination with partners
- Proactive communications



Field Observations

- Shoreline permitting staff perform routine inspections of each authorized agreement at least annually
 - Additional inspections occur during construction and on an as-needed basis
 - Lease and Use Agreements contain provisions that allow staff shoreline access through private property for inspections
 - Boundary markers required for each agreement which serve as a visual aid for monitoring
- All Lake Operations staff directed to observe the shoreline whenever they are in the field
 - Includes lake operators - have been trained on the SMP requirements
- Observations occur both from land and from the water
 - Monitoring activity is routinely targeted to known areas of activity (e.g. residential developments)
- Drone(s) available for difficult to reach areas



Remote Monitoring

- NTMWD has access to satellite imagery from two providers that can be used to remotely monitor the shoreline (to a degree)
 - Vegetation modification
 - Earth moving activities
 - Improvements
- Remote sensing elevation data collected by the Texas Water Development Board prior to lake filling has also been useful
- Remote monitoring useful for verifying unauthorized activities and proactive monitoring in high development areas



Coordination with Partners

- Fannin County Development Services
 - Routine, monthly meetings between NTMWD and Fannin County Development Services
 - Staff monitor Fannin County meeting agendas and actions related to the lake
 - NTMWD also notified by letter of certain proposed planning and zoning changes



Coordination with Partners (cont'd)

- Coordination with Law Enforcement
 - Have provided information to Fannin County Sheriff and Texas Parks and Wildlife staff about NTMWD shoreline management
 - Both agencies have communicated with NTMWD staff when they observe activity that appears unauthorized
 - Communication between law enforcement agencies and NTMWD staff routine and ongoing
- Communication with surveyors, contractors and the public at large
 - Surveyors and contractors working around the lake have been an important partner in preventing and identifying unauthorized activity
 - Members of the public have also been an important partner in communicating activity around the lake and shoreline



Proactive Communications

- Outreach and education
 - SMP brochures, fact sheets and FAQ document
 - Speaking at local events (e.g. association of realtors)
 - Information posted at each boat ramp and day use area
 - NTMWD website
- Standard email with information about shoreline management sent to individuals and developers following initial contact
- Letters sent periodically to all known landowners around the lake explaining NTMWD shoreline ownership and requirements – last round sent Fall 2025

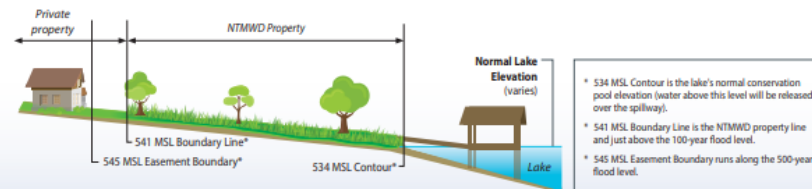
Property Owner Information

Owners of property next to the lake may request permission to build amenities on or near the lake or use the shore for certain activities. This includes fixed and floating pole docks in areas that are capable of supporting them.

NTMWD staff have developed the processes required for obtaining a Shoreline Use and Lease Agreement. These agreements may require a fee. Some will have annual fees and approved activities and improvements will be inspected regularly to ensure compliance. Building on or using the shore without NTMWD permission is prohibited. Noncompliance with the terms of an approved Shoreline Use and Lease Agreement will result in fines.

General Steps to Obtain a Shoreline Lease and Use Agreement

1. Applicant goes to www.BoisdArcLake.org and clicks the link to **MyGovernmentOnline** and follows the instructions to submit an Initial Inquiry or with general questions the applicant may contact the Bois d'Arc Lake Operations Center at (469) 626-4765.
2. NTMWD reviews available information to determine whether the proposed location is suitable for the activity or structure. Plans for dock construction must conform to criteria in the SMP, including requirements for size, spacing, location and more.
3. A NTMWD representative from the Bois d'Arc Lake Operations Center will contact the applicant via email to schedule a site visit to evaluate the on-site location.
4. After the site visit, the applicant must conduct a boundary survey marking, complete and submit an online application for a Shoreline Lease and Use Agreement and pay the associated one-time or yearly fixed fee. Fees are listed by types of agreement in the full SMP.
5. NTMWD sends the Shoreline Lease and Use Agreement with conditions for the applicant. After the agreement is fully executed, construction may begin.
6. The NTMWD Lake Manager countersigns the agreement after the approval of a post-construction inspection and then will issue two (usually five-year) shoreline use tags for display on the dock or other structure.
7. NTMWD conducts periodic inspections throughout the agreement term.



If approved, the following may be allowed through a shoreline lease and use agreement:

- Boat docks
- Fishing piers
- Access paths
- Picnic tables and gazebos
- Decks and patios
- BBQ pits
- Mobility assistance vehicles (like electric wheelchairs)
- Vegetation modification (like tree removal)



Summary

- NTMWD staff are continually monitoring activity around the shoreline
- Coordination with partners has been important to identifying and preventing unauthorized activity
- Proactive communication activities are helping prevent unauthorized activities
- Thus far, most adjacent landowners and developers have complied with NTMWD requirements
- Incidents when they occur are typically minor and resolved at staff level
- There have been a few significant incidents which have been brought to the Real Estate Committee for input and awareness
- Education and outreach is key



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