



## City Council Meeting

**Item Number:** 14  
**Meeting Date:** April 27, 2021  
**To:** City Council / City Manager  
**From:** John Simmons, Manager, Right-of-Way  
**Subject:** Motion authorizing the execution of a right-of-way license between the City of Midland and WPX Energy Permian, LLC, regarding city-owned property described as Sections 3, 6, 7 and 12, Block C-24, and Section 26, Block C-23, Winkler and Loving Counties, Texas (Utilities)

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### **Purpose:**

This Right of Way will allow WPX Energy Permian, LLC., to have access to existing oilfield roads. This road will provide additional access to the company's existing facilities on and off City property. Gates with locks will be installed at points of city property access.

This Right-of-Way License is a single five (5) year period with the option for a single five (5) year renewal. Terms are consistent with the City's standard license for facilities of this nature.

### **Recommended City Council Action:**

Approve

### **Fiscal Impact:**

Application fee paid (one time): \$1,000

Annual Lease Rate (782.78 rods x \$10/rod): \$7,827.80

Surface Damages: existing oilfield roads

Total Collected: \$8,827.80

**Discussion:**

The requested road and right of way use is away from all City water wells and associated facilities. Fees will be collected annually for ongoing maintenance and repair as needed.

Certificates of Insurance (COI) with City of Midland named as additional insured and a waiver of subrogation in favor of the City of Midland has been collected and on file.

City Secretary to record completed License Agreement

A handwritten signature in black ink, appearing to read "Robert Palmer". The signature is fluid and cursive, with the first name "Robert" and last name "Palmer" clearly distinguishable.

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City Manager's Office