



***Property Management Committee
recommendation regarding the Proposed
granting of an access easement over a
tract of land in Somervell County that is
owned by the Brazos River Authority and
part of its Bee Mountain properties***

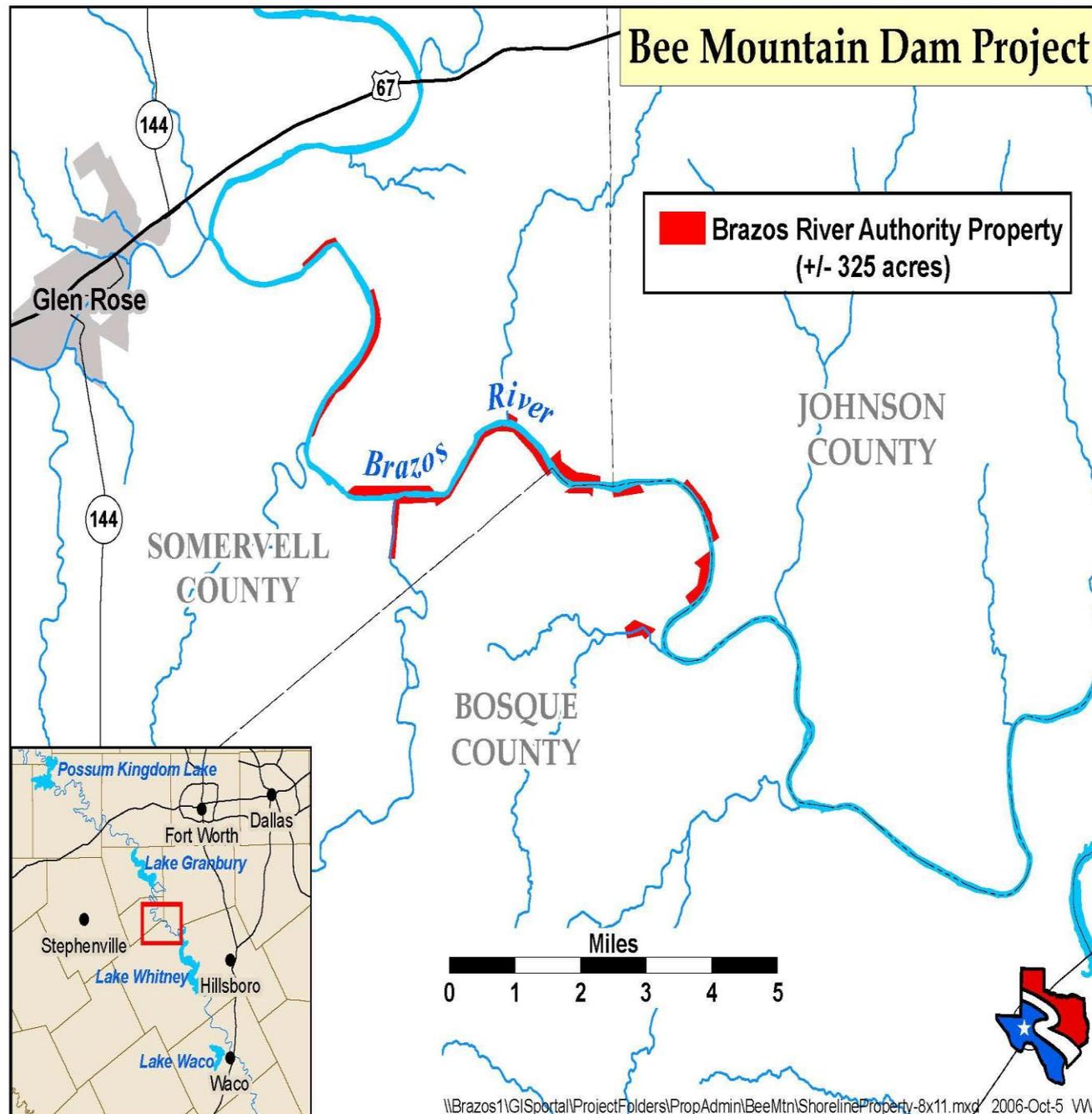
Presented by

Riley Woods

Senior Staff Counsel

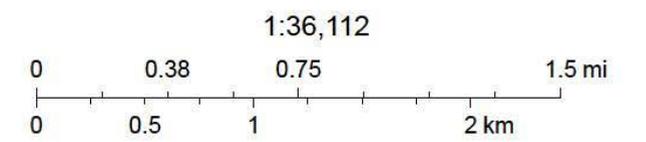


Bee Mountain Project Area



- BRA began purchasing property in the early 1950s for proposed Bee Mountain Reservoir site
- Purchased 57 tracts (1,228.75 acres)
- Project did not happen and in 1963 BRA authorized selling back the properties
- Sell backs continued until 2002, when BRA adopted a new policy that superseded previous Board resolutions, at which time 19 tracts remained (approx. 325 ac)
- In March 2024, the Board resolved to retain the remaining 19 Bee Mountain properties to support BRA efforts to preserve and protect the natural resources of the Brazos River Basin

Tract 20 - 99.50 acres Bee Mtn





J. G. Little Property

- At the time BRA adopted its resolution in 2024, staff noted that there was one property associated with Bee Mountain that we would bring back to the Board in the future regarding a separate unique issue, this is that property.
- In 1953, BRA sought to purchase a 99.5 acre tract from Dr. J. G. Little as part of the Bee Mountain Project. Unlike the other properties BRA purchased, BRA agreed to add a provision to his deed allowing him to repurchase the property if the reservoir was not built and the Board passed a resolution to include this provision in his deed.
- The property was purchased from Dr. Little shortly thereafter; however, for unknown reasons this provision was not added to the deed and Dr. Little did not attempt to repurchase his property during the repurchase period.



- The adjacent property is now owned by Dr. Little's daughter and her family, the Walkers
- The Walkers initially requested to repurchase the property in 2005, at which point they were informed that the sell back program had ended
 - Further, as the repurchase provision was not added to the deed, BRA could not resell the property to the Walkers at the original purchase price, due to constitutional and statutory constraints, which only allow for the exchange or sale of property at fair market value
 - In 2011, the legislature enacted a law allowing for repurchase of property originally acquired through condemnation at the price paid if the project was abandoned; however, this law was not retroactive and therefore did not apply to the property acquired from Dr. Little
 - Additionally, their property was not acquired through condemnation



- Since 2005, the Walkers have occasionally reached back out to BRA regarding repurchase of the property and in 2023 they reengaged with the services of an attorney
- Staff has engaged extensively with the Walkers and their attorney on this issue in order to attempt to arrive at an amicable solution
- Although BRA cannot sell the property back to the Walkers at the original price, staff is recommending the granting of an access easement across the property due to the Walkers' unique circumstance of having a 1953 Board resolution authorizing a deed provision to repurchase the property at the original sale price



Access Easement

Staff proposes a nonexclusive access easement which would allow the following:

- Limited property management, recreation, and right of access
- Erecting temporary improvements such as tents, feeders, and observation blinds
- Constructing one small ramp for launching small vessels or kayaks (if approved by USACE)
- Mowing 1-acre near the shore for a non-profit river clean-up program 2/year
- Maintaining one unpaved road for maintenance and emergency use
- Maintaining one walking/equestrian trail
- Removing approved invasive vegetative species
- Engaging in ecosystem restoration burns (in consultation with TPWD and TCEQ)
- Maintaining existing fencing
- Engaging in fishing and game animal population management
- Conducting not-for-profit activities with the public, such as river clean-ups and environmental classes
- Transporting water across the easement to their adjacent property under their existing water right



The access easement contains the following limitations:

- Use shall not conflict with BRA's intent to utilize the property for conservation/environmental mitigation or natural habitat preservation
- No engaging in commercial or for-profit activities without express written BRA authorization
- No subdividing of the easement
- No destruction of native vegetation
- No hunting other than wildlife population management
- No constructing of permanent improvements on the easement
- Violation of the easement terms may result in termination of the easement
- They will indemnify BRA and maintain general liability insurance



“BE IT RESOLVED that the Board of Directors of the Brazos River Authority hereby authorizes the General Manager/CEO to grant an access easement to the Little L Land Conservancy, LLC, over a certain 99.5+/- acre tract of land in Somervell County, Texas, originally acquired by the Brazos River Authority from J. G. Little in 1953, being a portion of that property otherwise known as the Bee Mountain Properties, such easement to be in a form satisfactory to the BRA, containing terms consistent with those presented to the Board of Directors at its November 17, 2025 Board of Directors Meeting, and including such other provisions as determined necessary and acceptable to the Brazos River Authority to resolve issues relating to the property.”



Brazos River Authority



Brazos

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