

November 14, 2025

Matthew Steer, AICP, LEED® Green Associate
Development Services Administrator
255 E. Parkway Blvd.
Coppell, TX 75019

Access Width Coordination for 1760 E. Belt Line Road, Coppell, Texas

Dear Mr. Steer:

As part of applying for city approval for the proposed batch plant at 1760 E. Belt Line Road, DHR Engineering has reached out to all landlords and tenants between the subject property and Belt Line Road. There is not unanimous approval of increasing our access to 24' from 20', but the climate is generally supportive (see attached concurrence).

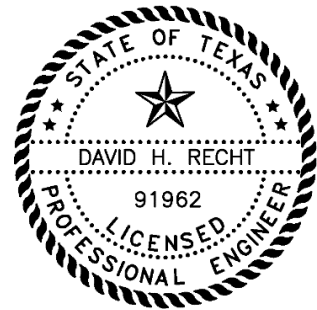
Per the state fire code (excerpt attached), we currently are compliant with 20' access. Likewise, per the Texas Property Code (also attached), the owner is willing to work with the city to establish additional access width, per the attached protocol.

Please contact me if you have any questions at dhrecht@dhr-eng.com or (214.725.5500)

Sincerely,

David H. Recht

DAVID H RECHT
Registered Professional Engineer Texas 91962 DHR
Engineering, Inc



11:14



93



Dan



Yesterday 10:07 AM

On another call - will call you back

Thank you

Yesterday 12:52 PM

Today 12:13 PM

Per our conversation on 11/12/25, I am ok with the renter paving a 24' road the width of my property at 1760 E Beltline Rd.

-Jason Hass
Owner



Text Message • RCS



I

The

I'm

Q W E R T Y U I O P

A S D F G H J K L

Yes

Delivered



iMessage



Landlocked Property Law in Texas

Tiffany Dowell Lashmet¹ and Karli Kaase²

One common legal myth circulating in Texas is that property cannot be landlocked because a neighboring landowner is required to allow entry. This is simply not true. Any landowner relying on a handshake agreement or crossing the property of another without permission has the potential to find themselves in a precarious legal situation. Any landowners in this situation should take the time now to address this issue and ensure legal access exists.

As more and more rural land is divided up and sold, understanding the law related to landlocked property becomes increasingly important for both landlocked owners and neighboring landowners as well so that each party understands his or her rights and obligations.

Owners of landlocked property face several issues. First, and most obvious, they are unable to utilize their property because they cannot legally physically access the land. Second, there can be significant issues with the marketability of landlocked property. For example, title companies are usually unwilling to insure title to a property that lacks legal access. This may cause problems because some potential cash buyers may be unwilling to purchase land without title insurance, and any potential buyer who intends to borrow money to purchase the property will be unable to do so, as loans will require title insurance. Further, landowners are usually unable to use landlocked property as collateral to borrow from lending institutions.

Although there is no automatic right to access landlocked property in Texas, there are a number of options a landlocked owner may consider and seek to utilize in an attempt to gain legal access. Understanding the law related to each of these options is important for landlocked owners who may need to determine if they can prove the elements to obtain

legal access. This understanding is equally important, however, for neighboring landowners who may seek to use the law to prevent a landlocked owner from obtaining legal access.

Five legal options could be used to gain legal access to landlocked property.

1. **Obtain an express easement from a neighboring landowner.** This is certainly the simplest way to obtain access to landlocked property. It involves an agreement between a neighboring landowner who is willing to give the landlocked owner access through the neighboring property. Critically, any express easement should be in writing, be signed by the grantor, specifically identify the property and any details or limitations on easement use, and be filed in the county deed records. If an easement is not recorded in the deed records, it is very difficult to enforce against future owners of the property.

Some neighboring landowners may grant this type of easement without requiring compensation, while others may seek some sort of financial payment in exchange for the right to cross their land. For landlocked owners, offering payment to the neighboring landowner may prove a more efficient and cheaper option than pursuing legal action, as described in the following alternative options. If no neighboring landowner is willing to grant an express easement, a landlocked owner will likely be forced to look to other options for legal access.

2. **Prove an easement by necessity.** Texas law recognizes the implied easement by necessity in certain situations. To obtain an easement by necessity to cross another's property, a landlocked owner must file suit in court and prove: (1) unity of ownership of the alleged dominant and servient estates before severance (in other words, the landlocked property and tract across which access is sought must have, at one time, been owned

¹Professor and Extension Specialist, Agricultural Law, Texas A&M AgriLife Extension

²Student Assistant, Texas A&M University

by the same person); (2) the claimed access is a necessity, not a mere convenience; and (3) the necessity existed at the time the two estates were severed. Unless all three of these elements can be shown by the landlocked owner, an easement by necessity will not be recognized. There may be landlocked owners who cannot prove their land was previously owned jointly with the land of a neighbor. Additionally, it can frequently be difficult to prove necessity existed at the time of severance, especially if severance occurred many decades before. If the landlocked owner files suit and successfully proves an easement by necessity, the landlocked owner will be able to file the court's judgment in the deed records, giving legal access.

- 3. Prove a prescriptive easement.** Prescriptive easements are essentially like obtaining an easement through adverse possession and are disfavored by courts. To obtain this type of easement, the person claiming the easement must prove that he or she has used the easement for at least 10 years and the use was: (1) open and notorious; (2) continuous; (3) exclusive; and (4) adverse. These elements must be proven by the landlocked owner, and several of them are often problematic. The exclusivity requirement means that only the person seeking the easement made this use. If the road was used by the owner of the property which it crosses or by any other person, this element is not satisfied.

The adverse or hostile requirement can be difficult to prove as well. For the use to be adverse or hostile, the landlocked owner must prove that he or she (or the prior owners utilizing the easement for the required 10-year period) did not have permission and made some affirmative act to indicate their hostile use of the property. If permission to cross the land was granted, then no easement by prescription would be recognized. If a landlocked owner can prove each of these elements in court, he or she may be able to obtain a legal prescriptive easement that can be filed in the deed records.

- 4. Prove an easement by estoppel.** An easement by estoppel arises when one person acts in reliance on a representation that an easement exists. The elements required are: (1) a representation; (2) belief in the representation; and (3) reliance on the representation. For example, if a person purchased landlocked property and began building a house based upon a promise from a neighbor that he or she could cross his land to access the property, but

then the neighbor denied the promised access, that could potentially create an easement by estoppel. Again, to enforce this type of easement, the landlocked owner would be forced to file a court action, prove each element, and get an order from a court.

5. Seek a statutory easement from the commissioners' court.

Under Texas Transportation Code Section 251.053, a person who owns real property to which there is no public road or other public means of access may request that an access road be established connecting the person's real property to the county public road system. For this action to be taken, the landlocked owner must file a sworn application with the county commissioners' court, notice must be given to each property owner who would be affected, and a hearing on the application will be held. If the commissioners' court determines the landowner has no access to their land, the court may issue an order creating a public road. Damages to affected property owners will be provided in the same manner as for other public roads, and the county will pay all costs in connection with proceedings to open a road.

The county is required to make the road initially suitable for use as a public access road but is not required to subsequently maintain the road. Note that in the statute, if the factors are met, the commissioners' court may issue an order creating a public road—they are not required to do so. It is within the commissioners' discretion as to whether to do so. Additionally, there may be some reason for concern over whether a road created under this section could potentially be an unconstitutional taking of private property.

The Texas Supreme Court held a prior version of this statute unconstitutional, as it found a commissioners' court could not take private property for private use. Although the current version of the statute was passed 30 years after that decision and has never been challenged, due to the similarity of the statutes and rationale of the court, this is at least a concern that landowners and county commissioners should consider.

Landlocked property can cause headaches for both the landlocked owner and neighboring landowners that could end up in lengthy and expensive litigation. Both parties should take the time to understand the law related to landlocked property in Texas and to consider how best to address this issue before an issue arises.

General Fire Lane Requirements

-

Minimum Width: Fire lanes must be at least **20 feet wide** to accommodate emergency vehicles.

-

Height Clearance: A minimum vertical clearance of **13 feet, 6 inches** is required.

-

Surface and Load Requirements: Fire lanes must be paved and capable of supporting emergency vehicles.

-

No Parking Zones: Fire lanes must be designated as **No Parking Zones**, with proper signage and pavement markings.

-

Turnaround Areas: Dead-end fire lanes exceeding **150 feet in length** must have an approved turnaround space.

Fire Lane Markings and Signage

To maintain compliance, fire lanes must be clearly marked with:

-