

RESOLUTION NO. 2023-035

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A ROAD EASEMENT AGREEMENT WITH THE UNITED STATES ARMY CORPS OF ENGINEERS (USACE); AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, the USACE performs regular maintenance of the Port of Texas City Channel for the purpose of maintaining and improving navigability throughout the Channel. The proposed non-exclusive agreement would allow the United States Army Corps of Engineers (USACE) the right of ingress to and egress from the Easement over the City's land so long as USACE does not unreasonably interfere with the City's operations.

WHEREAS, the term of the agreement is for twenty-five (25) years and would enable them to carry out their maintenance responsibilities on the Texas City Channel; and

WHEREAS, the Management Services Department is requesting the approval of a Road Easement Agreement with the United States Army Corps of Engineers (USACE) granting them a non-exclusive Road Easement upon, over and through property owned by the City of Texas as further described in **Exhibit "A"**, and **Exhibit "B"** and Area Overview attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF TEXAS CITY, TEXAS:

SECTION 1: That the City Commission hereby approves a a Road Easement Agreement with the United States Army Corps of Engineers (USACE) granting them a non-exclusive Road Easement upon, over and through property owned by the City of Texas.

SECTION 2: That the Mayor is hereby authorized to execute a a Road Easement Agreement with the United States Army Corps of Engineers (USACE) granting them a non-exclusive Road Easement upon, over and through property owned by the City of Texas, in the form attached hereto as **Exhibit "A"** and **Exhibit "B"** made a part hereof for all intents and purposes.

SECTION 3: That this Resolution shall be in full force and effect from and after its passage and adoption.

PASSED AND ADOPTED this 1st day of March 2023.

Dedrick D. Johnson, Sr., Mayor
City of Texas City, Texas

ATTEST:

APPROVED AS TO FORM:

Rhomari D. Leigh
City Secretary

Kyle L. Dickson
City Attorney