

RESOLUTION NO. 19-R-96

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS APPROVING AND AUTHORIZING WATER AND WASTE WATER LINE EASEMENT AGREEMENTS ACROSS PRIVATE PROPERTY FROM LIB HOLDINGS, AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City staff of the City of Schertz (the “City”) has recommended that the City enter into agreement for Water and Waste Waterline Easement Agreement with LIB Holdings (the “Grantors”), in the form attached hereto as Exhibit A (the “Agreements”); and

WHEREAS, the City needs the Water and Waste Waterline Easement in connection with the construction, operation, and maintenance of water mains to be relocated within the easement in the vicinity of the intersection of FM 1103 with IH 35; and

WHEREAS, the Water and Waste Waterline Easement is necessary to relocated city owned utilities ensure access for the maintenance of water and waste water mains in the future; and

WHEREAS, the City Council has determined that it is in the best interest of the City to accept the Water and Waste Waterline Easements in accordance with the terms of the Agreements.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby authorizes the City Manager to execute and deliver the Agreements with the Grantor in substantially the form set forth on Exhibit A and to accept the Water and Waste Waterline Easements in accordance with the terms of the Agreements.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 6th day of August, 2019.

CITY OF SCHERTZ, TEXAS

Michael R. Carpenter, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)

EXHIBIT A
EASEMENT AGREEMENTS