

RESOLUTION NO. 21-R-81

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A DRAINAGE EASEMENT WITH SCHERTZ-CIBOLO-UNIVERSAL CITY INDEPENDENT SCHOOL DISTRICT FOR CONSTRUCTION OF DRAINAGE IMPROVEMENTS ON THE SAMUEL CLEMENS HIGH SCHOOL PROPERTY BY THE ELBEL STORM DRAIN AND OVERLAY PROJECT

WHEREAS, the City staff of the City of Schertz (the "City") has determined that some drainage improvements needed to be constructed on the Samuel Clemens High School campus as part of the Elbel Storm Drain and overlay project; and

WHEREAS, the Schertz-Cibolo-Universal City Independent School District (SCUCISD), the property owner of Samuel Clemens High School campus, agrees to allow the drainage improvements to be constructed on their property.

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 a drainage easement with SCUCISD for construction of drainage improvements on the Samuel Clemens High School campus in substantially the form attached hereto.

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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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 12th day of October, 2021.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)

EXHIBIT A
DRAINAGE EASEMENT AGREEMENT