

RESOLUTION NO. 22-R-30

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE ACCEPTANCE OF A WARRANTY DEED FROM SCHERTZ 1518, LTD. FOR LOT 1, BLOCK 1 OF THE SCHERTZ FOREST UNIT 1 ADDITION IN THE CITY OF SCHERTZ, TEXAS, AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, Schertz 1518, Ltd. the developer of The Crossvine as part of seeking approval of the master plan of Module 3A, Unit 4 proposed a street connection to Ware Seguin Loop; and

WHEREAS, Concerns were expressed by City Staff about the ability of Ware Seguin Loop to handle the anticipated traffic volumes without a substantial negative impact on level of service and safety concerns for the anticipated volume of traffic turning onto Ware Seguin Road from Ware Seguin loop; and

WHEREAS, both Schertz 1518, Ltd. and the City agreed that a direct connection from the proposed residential street from Module 3A, Unit 4 to Ware Seguin Road was a preferred alternative; and

WHEREAS, Schertz FM 1518, Ltd. was able to acquire Lot 1, Block 1 of the Schertz Forest Unit 1 Addition that is currently undeveloped; and

WHEREAS, Schertz FM 1518, Ltd. is proposing to convey this tract to the City with the intent that it be used for future right-of-way to be able to provide better street connections to Ware Seguin Road and to alter or eliminate the western intersection of Ware Seguin Loop and Ware Seguin Road; and

WHEREAS, Schertz 1518, Ltd. is retaining the right to construct and maintain landscaping and signage on the property, but outside of any future pavement or utility easements; and

WHEREAS, the City Council finds that accepting Lot 1, Block 1 of the Schertz Forest Unit 1 Addition provides for safe mobility options for people who live, work, and visit Schertz, including efficient connections to regional economic activities and other communities; and

WHEREAS, the City Council further finds that accepting Lot 1, Block 1 of the Schertz Forest Unit 1 Addition creates and preserves convenient connections between neighborhoods, schools, access to commercial areas, and neighborhood assets to provide alternative routes for short trips for people on bike and on foot and reduce trip lengths overall.

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

Section 1. The City Council hereby authorizes the City Manager to accept the conveyance of Lot 1, Block 1 of the Schertz Forest Unit 1 via the Special Warranty Deed with retained easement as attached in Exhibit "A".

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 April, 2022.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)

Exhibit A