



## **NOTICE OF MEETING OF THE GOVERNING BODY OF THE CITY OF BURNET**

Notice is hereby given that a **Regular Meeting** will be held by the governing body of the City of Burnet on the **9<sup>th</sup> day of March, 2021** at **6:00 p.m.** in the Council Chambers, Burnet Municipal Airport, 2402 S. Water, Burnet, Tx. In order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19), a Declaration of a Public Health Emergency was executed by Mayor Bromley on March 19, 2020. The Council Chambers will be closed to public attendance. A Zoom Webinar with toll free conference call capability has been established for access as follows:

A Zoom Webinar with toll free conference call capability has been established as well, for access as follows:

**Computer:** Please click the link below to join the webinar:

<https://us02web.zoom.us/j/88003461917?pwd=bE5mSWhidENXWmV4aU5lemxEenU1UT09>

**Or Go to: [www.zoom.us](http://www.zoom.us)**

**Enter Webinar ID when prompted: 880 0346 1917#**

**Enter Password when prompted: 507261#**

If you would like to address the Council with a Public Comment while logged-in online, please use the “raise your hand” feature.

**By Telephone Call: 888-475-4499 or 877-853-5257 (Toll Free Numbers)**

**Enter Webinar ID when prompted: 880 0346 1917#**

**Enter Password when prompted: 507261#**

If you would like to address the Council with a Public Comment while dialed in via telephone, please use the “raise your hand” feature, by pressing \*9 while on the phone.

This notice is posted pursuant to the Texas Government Code, Chapter §551-Open Meetings.

The following subjects will be discussed, to-wit:

**CALL TO ORDER:**

**ROLL CALL:**

**1. REPORTS/SPECIAL PRESENTATIONS:** None.

1.1) Addendum to the City Council Agenda: Department and Committee Reports/Briefings: The City Council may or may not receive a briefing dependent upon activity or change in status regarding the matter. The listing is provided to give notice to the public that a briefing to the Council on any or all subjects may occur.

**2. CONSENT AGENDA ITEMS:**

*(All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Council when the Consent Agenda is opened for Council Action.)*

2.1) Approval of the February 23, 2021 Regular City Council Meeting minutes

**3. PUBLIC HEARING:** None.

**4. ACTION ITEMS:**

4.1) Discuss and consider action: City Council shall receive information from the City Manager on the status of the COVID-19 pandemic's impact on the City and may discuss, give direction, or take action to implement, extend, modify or terminate plans or programs in response to the pandemic: D. Vaughn

4.2) Discuss and consider action: City Council shall receive information from the City Manager on the status of the February 11<sup>th</sup> through February 19<sup>th</sup> winter weather event and the impact on the City; as well as discuss, give direction, or take action to implement, extend, modify or terminate plans or programs in response to the winter weather event: D. Vaughn

4.3) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING AMENDMENTS TO EASEMENTS HELD BY LOWER COLORADO RIVER AUTHORITY AT HALEY NELSON PARK AND PROPERTY LOCATED AT THE INTERSECTION OF COUNTY ROAD 108 AND US ROUTE 281: H. Erkan Jr.

4.4) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF BURNET, TEXAS AMENDING RESOLUTIONS NO. R2020-43 AND NO. R2020-60 BY AUTHORIZING THE LEASE OF OFFICE SPACE WITHIN AN AIRPORT HANGAR AND EXTENDING THE DATE BY WHICH AN AGREEMENT TO LEASE THE OFFICE SPACE IS TO BE PRESENTED TO COUNCIL: H. Erkan Jr.

4.5) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, DIRECTING A MODIFICATION IN THE APPLICATION OF CHAPTER 110 OF THE CODE OF ORDINANCES IN ORDER TO ASSIST CUSTOMERS WHO TOOK REMEDIAL MEASURES OR

EXPERIENCED WATER PIPE BURSTING DURING THE FEBRUARY WINTER STORM EVENT: H. Erkan Jr.

4.6) Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, EXTENDING THE CITY MANAGER' S AUTHORIZATION TO NEGOTIATE A REAL ESTATE CONTRACT WITH DELAWARE SPRINGS RANCH INVESTMENTS LLC, FOR THE SALE OF APPROXIMATELY 42 ACRES OF CITY LAND LOCATED WEST OF THE BURNET MUNICIPAL GOLF COURSE FOR 90 DAYS FROM THE EFFECTIVE DATE OF THIS RESOLUTION: H. Erkan Jr.

4.7) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, CONDITIONALLY APPROVING THE PRELIMINARY PLAT ESTABLISHING CREEKFALL SUBDIVISION, PHASES 1 AND 2, CONSISTING OF APPROXIMATELY 135 RESIDENTIAL LOTS ON APPROXIMATELY 44.64 ACRES OUT OF THE SARAH ANN GUEST SURVEY, ABSTRACT 1525, GENERALLY LOCATED SOUTH OF HWY. 29, EAST OF WESTFALL ST., AND WEST OF THE RAILROAD TRACK. H. Erkan Jr.

4.8) Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE "FINAL PLAT" OF WANDERING OAKS, A PROPOSED 23-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 105.08 ACRES, BEING GENERALLY LOCATED NORTH OF COUNTY ROAD 100 (SCENIC OAKS DRIVE), SOUTH AND WEST OF COUNTY ROAD 100 (OAK VISTA DRIVE), AND EAST OF BILLY JOE FOX DRIVE: H. Erkan Jr.

4.9) Discuss and consider action: City Council shall receive information from the City Manager regarding the possible donation of land to by Donna Parks and Doris Parks Gonzales located near the intersection of Hwy 29W and FM 2341; as well as discuss, give direction, or take action to accept the donation of said property: D. Vaughn

**5. REQUESTS FROM COUNCIL FOR FUTURE REPORTS:** In accordance with Resolution R2020-28 councilmembers may request the City Manager to prepare and present future report on matters of public interest.

**6. ADJOURN:**

Dated this the 5<sup>th</sup> day of March, 2021

**CITY OF BURNET  
CRISTA GOBLE BROMLEY, MAYOR**

I, the undersigned authority, do hereby certify that the above NOTICE OF MEETING of the governing body of the above named City, BURNET, is a true and correct copy of said NOTICE and that I posted a true and correct copy of said NOTICE on the bulletin board, in the City Hall of said City, BURNET, TEXAS, a place convenient and readily accessible to the general public at all times, and said NOTICE was posted on March 5, 2021 at or before

4 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

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Kelly Dix, City Secretary

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:**

*The City Council Chamber is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's office (512.756.6093) at least two working days prior to the meeting. Requests for information may be faxed to the City Secretary at 512.756.8560.*

**RIGHT TO ENTER INTO EXECUTIVE SESSION:**

*The City Council for the City of Burnet reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).*



STATE OF TEXAS            {}  
COUNTY OF BURNET       {}  
CITY OF BURNET           {}

On this the 23<sup>rd</sup> day of February 2021, the City Council of the City of Burnet, TX convened in Regular Session, at 6:00 p.m., in the Council Chambers, Burnet Municipal Airport, 2402 S. Water, Burnet, Tx. In order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19), a Declaration of a Public Health Emergency was executed by Mayor Bromley on March 19, 2020. The Council Chambers will be closed to public attendance. A toll-free conference line was also established for access via Zoom by calling 888-475-4499 Password 464213; the following subjects were discussed, to-wit:

Mayor (attended in person)	Crista Goble Bromley
Council Members:(attended via Zoom)	Cindia Talamantez, Tres Clinton, Danny Lester, Paul Farmer, Philip Thurman, Mary Jane Shanes
City Manager	David Vaughn
City Secretary	Kelly Dix

Guests: Habib Erkan, Adrienne Feild, (present in Chambers) Kelli Sames, Sid Fuller, Mark Ingram, Gene Courtney, Patricia Langford, Alan Burdell, Steve Dyer, Amber Weigl, Joshua Tillery, Linda Bayless, Lisa Koen, (attended via zoom)

CALL TO ORDER: The meeting was called to order by Mayor Bromley, at 6:003 p.m.

ROLL CALL: City Secretary Kelly Dix called the roll. Mayor Bromley was present in Council Chambers, Council Members Lester, Farmer, Thurman, Clinton, Talamantez and Shanes attended via Zoom. Quorum was established. City Manager David Vaughn requested the Mayor to allow Fire Chief Mark Ingram to present his two items first as he was needed at the Fire Station to process the delivery of drinking water for disbursement to the community due to the winter storm.

ACTION ITEMS:

Discuss and consider action: City Council shall receive information from the City Manager on the status of the COVID-19 pandemic’s impact on the City and may discuss, give direction, or take action to implement, extend, modify or terminate plans or programs in response to the pandemic: D. Vaughn: Fire Chief Mark Ingram informed all present that the current statistics are 3718 cases county wide reported with 175 active cases and 55 fatalities. In the last two weeks the hospitals have seen a significant increase. Chief Ingram also informed Council the Rapid Testing Program is underway and is available from 9am-4pm Monday, Wednesday and Friday by appointment. The cost is \$50.00 per test and results are available within fifteen minutes. The program is working well. He also reminded all present that the anti-body tests are available at the Fire Department by appointment as well.

Discuss and consider action: Direction to Staff pertaining to repairs/remodeling of the old Police Station for Fire Department use: M. Ingram: Fire Chief Mark Ingram presented a power point presentation on the remodeling needed at the old police station in order to meet the need for utilization as a sub-station for the Fire Department. Council Member Danny Lester moved to approve an additional \$100,000.00 to be used for the remodeling of the old police station for the Fire Department sub-station. Council Member Mary Jane Shanes seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Thurman, Shanes, Farmer, Clinton, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

REPORTS/SPECIAL PRESENTATIONS:

Addendum to the City Council Agenda: Department and Committee Reports/Briefings: The City Council may or may not receive a briefing dependent upon activity or change in status regarding the matter. The listing is provided to give notice to the public that a briefing to the Council on any or all subjects may occur.

January 2021 Financial Report: P. Langford: Director of Finance Patricia Langford presented the January 2021 Financial Report to Council. Ms. Langford informed all present that sales tax revenue was still tracking higher than projected. Property tax revenue has been reported and is on track with projections with some collection still outstanding. Expenses for all funds are tracking with budget. Overall, all funds are doing well.

YMCA of the Highland Lakes update report: L. Koen: Linda Bayless, Vice Chair of the YMCA Board of Director reviewed all current program utilization at the YMCA with Council. The Gen room is completed and used regularly and has proven to be an asset to the facility. Currently repairs to the pool are being considered to include replacement or refurbishing the diving boards. Current membership is 1451.

## CONSENT AGENDA ITEMS:

*(All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member, staff member or citizen requests removal of the item from the consent agenda for the purpose of discussion. For removal of an item, a request must be made to the Council when the Consent Agenda is opened for Council Action.)*

Approval of the February 9<sup>th</sup>, 2020 Regular City Council Meeting Minutes: Council Member Tres Clinton moved to approve the consent agenda as presented. Council Member Mary Jane Shanes seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Thurman, Shanes, Farmer, Clinton, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

PUBLIC HEARING: None.

Discuss and consider action: City Council shall receive information from the City Manager on the status of the February 11<sup>th</sup> through February 19<sup>th</sup> winter weather event and the impact on the City; as well as discuss, give direction, or take action to implement, extend, modify or terminate plans or programs in response to the winter weather event:

City Manager David Vaughn updated all present on the Winter Storm Uri and the effects on the City to include the status of electric, water and wastewater utilities, damage to City Hall, FEMA assistance and proposed preventative measures to be discussed for future storm preparation. Mr. Vaughn informed Council that staff would have a round table discussion in the coming week and would report to Council the findings. Mayor Bromley recommended a Council Workshop to discuss said findings. Mayor Bromley and City Manager Vaughn both expressed their appreciation and gratitude to the employees that worked throughout the event ensuring the safety of the citizens.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF BURNET, TEXAS, AMENDING ORDINANCE NO. 2021-01 AND THE OFFICIAL ZONING MAP OF THE CITY BY ASSIGNING THE PROPERTY DESCRIBED AS 2435 W. HIGHWAY 29 (LEGAL DESCRIPTION: 6.56 ACRE TRACT, JOHN HAMILTON SURVEY NO. 1, ABSTRACT 405) WITH HEAVY COMMERCIAL – DISTRICT “C-3” ZONING CLASSIFICATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE: H. Erkan, Jr.: Council Member Danny Lester moved to approve and adopt Ordinance 2021-05 as presented. Council Member Tres Clinton seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Thurman, Shanes, Farmer, Clinton, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF BURNET, TEXAS, AMENDING SECTION 74-38 GOLF COURSE RATES, SECTION 74-39 DELAWARE SPRINGS PAVILION RENTAL RATES AND REGULATIONS AND SECTION 74-40 ADMINISTRATIVE RULES OF THE CITY OF BURNET CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY AND OPEN MEETINGS CLAUSES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER RELATED MATTERS: D. Vaughn: Council Member Paul Farmer moved to approve and adopt Ordinance 2021-06 as presented. Council Member Philip Thurman seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Thurman, Shanes, Farmer, Clinton, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

Discuss and consider action: SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET AMENDING THE CODE OF ORDINANCES CHAPTER 21 (ENTITLED “SIGN REGULATIONS AND STANDARDS”) BY INCREASING THE ALLOWABLE MESSAGE AREA FOR WALL SIGNS IN COMMERCIAL ZONING DISTRICTS AND AREAS; PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, CORRELATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE: H. Erkan: Council Member Danny Lester moved to approve and adopt Ordinance 2021-07 as presented. Council Member Tres Clinton seconded. City Secretary Kelly Dix called a roll vote. Council Members Lester, Thurman, Shanes, Farmer, Clinton, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

Discuss and consider action: Request from LCRA to amend an existing easement over Haley Nelson Park to allow placement of electric power transmission poles in conjunction with Project LCRA T-219 Burnet to Lampasas: H. Erkan: Assistant City Manager Habib Erkan presented the request for the proposed easement amendment. Council Member Danny Lester voiced concern pertaining to the proposed placement and proposed size of the poles at Haley Nelson Park. City Manager David Vaughn stated that he and Mr. Erkan would be working with Mr. Dyer from LCRA to present Council with alternatives. No action was taken.

Discuss and consider action: Authorization for the purchase of two vehicles and a lawn mower for the Public Works Department: G. Courtney: Council Member Danny Lester moved to approve the purchase of two vehicles and one lawn mower for the Public Works Department as presented. Council Member Paul Farmer seconded. City Secretary

Kelly Dix called a roll vote. Council Members Lester, Thurman, Shanes, Farmer, Clinton, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

REQUESTS FROM COUNCIL FOR FUTURE REPORTS: In accordance with Resolution R2020-28 councilmembers may request the City Manager to prepare and present future report on matters of public interest. Council Member Philip Thurman requested a report on damaged infrastructure due to Winter Storm Uri.

ADJOURN: There being no further business a motion to adjourn was made by Council Member Mary Janes Shanes at 7:33 p.m., seconded by Council Member Cindia Talamantez. City Secretary Kelly Dix called a roll vote. Council Members Lester, Thurman, Shanes, Farmer, Clinton, Talamantez and Mayor Bromley all voted in favor. The motion carried unanimously.

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Crista Goble Bromley, Mayor

**ATTEST:**

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Kelly Dix, City Secretary



## Administration

### ITEM 4.1

David Vaughn  
City Manager  
512.715.3208  
dvaughn@cityofburnet.com

## Agenda Item Brief

**Meeting Date:** February 23, 2021

**Agenda Item:** Discuss and consider action: City Council shall receive information from the City Manager on the status of the COVID-19 pandemic's impact on the City and may discuss, give direction, or take action to implement, extend, modify or terminate plans or programs in response to the pandemic: D. Vaughn

**Background:**

**Information:**

**Fiscal Impact:**

**Recommendation:** To be determined by Council



## Administration

### ITEM 4.2

David Vaughn  
City Manager  
512.715.3208  
dvaughn@cityofburnet.com

## Agenda Item Brief

**Meeting Date:** March 9, 2021

**Agenda Item:** Discuss and consider action: City Council shall receive information from the City Manager on the status of the February 11<sup>th</sup> through February 19<sup>th</sup> winter weather event and the impact on the City; as well as discuss, give direction, or take action to implement, extend, modify or terminate plans or programs in response to the winter weather event.

**Background:** Staff will brief the council on utility billing impacts and recommendations, as well as lessons learned during the event.

**Information:**

**Fiscal Impact:** To be determined.

**Recommendation:** To be determined by Council



## Administration

## ITEM 4.3

Habib Erkan  
Assistant City Manager  
512-715-3201  
herkan@cityofburnet.com

### Agenda Item Brief

**Meeting Date:** March 9, 2021

**Agenda Item:** Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING AMENDMENTS TO EASEMENTS HELD BY LOWER COLORADO RIVER AUTHORITY AT HALEY NELSON PARK AND PROPERTY LOCATED AT THE INTERSECTION OF COUNTY ROAD 108 AND US ROUTE 281: H. Erkan

**Background:** In 1926 LCRA's predecessor in title acquired a blanket easement across what is now Haley Nelson Park. The easement instrument authorizes LCRA to use the easement property for placing and maintaining 15 "H" Frame Poles for electric transmission and distribution. In 1927 LCRA acquired a blanket easement across a tract located at the intersection of US Route 281 and County Road 108 which authorizes the placement of six poles on the easement property for electric transmission and distribution. As part of its T-219 Burnet to Lampasas Project LCRA has requested amending the existing easements to allow the replacement of the existing "H" Frame Poles with monopoles. LCRA has offered \$44,269.30 for the easement amendments.

**Information:** Staff has negotiated with LCRA's attorney additional terms as follows:

- Reduction in the existing blanket easements to fixed easements (approximately 1.788 in Haley Nelson Park and approximately 0.096 in the County Road 108 tract;
- Limit access to the Haley Nelson easement to park roads and parking lot;
- Specify there will be two ground-based support structures at Haley Nelson Park and one such structure at the County Road 108 tract;
- Limit the relocation area to within twenty-five (25) feet of the existing structure locations at Haley Nelson Park; and
- Assurance the installation will not interfere with existing water, sewer or other utilities.

**Fiscal Impact:** LCRA has agreed to pay \$44,269.30 for the amended easement, which is 35 percent over LCRA's appraised value.

**Recommendation:** Approve and adopt Resolution R2021-09 as presented.

## **RESOLUTION NO. R2021-09**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AUTHORIZING THE AMENDMENT OF EASEMENTS HELD BY LOWER COLORADO RIVER AUTHORITY AT HALEY NELSON PARK AND PROPERTY LOCATED AT THE INTERSECTION OF COUNTY ROAD 108 AND US ROUTE 281**

**Whereas**, the Lower Colorado River Authority (LCRA) is a nonprofit public utility that provides electric transmission to many communities in Central Texas; and

**Whereas**, the LCRA holds blanket easements over Haley Nelson Park and a tract of land owned by the City located at the intersection of County Road 108 and US Route 281 (County Road 108 tract); and

**Whereas**, the easement across Haley Nelson Park allows LCRA to install 15 “H” Frame Poles for electric transmission and distribution; and

**Whereas**, the easement across the County Road 108 tract allows LCRA install 6 “H” Frame Poles for electric transmission and distribution; and

**Whereas**, to upgrade its electric transmission service in the area LCRA initiated Project LCRA T-219 Burnet to Lampasas; and

**Whereas**, the project requires the upgrade of the existing “H” Frame Poles with monopoles;

**Whereas**, City Council is amenable to approve this request as LCRA has agreed to include terms in the amended easement agreements to fix the location of the easement, limit the number of structures to be placed in the easement areas, designate specific locations for ingress and egress to the easement property; and provide monetary consideration.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BURNET, TEXAS THAT:**

**Section one. Approval.** The amendment to the Haley Nelson Park Easement Agreement and the amendment to the County Road 108 tract Easement Agreement, attached hereto as exhibits “A” and “B” respectively are hereby approved.

**Section two. Authorization.** That the mayor is hereby authorized to execute the attached easement amendment agreements; and, execute such other documents and take such other actions reasonably necessary to facilitate the purpose of this Resolution.

**Section three. Findings.** The findings of this resolution are deemed to be true, correct, and incorporated herein for all purposes.



**Section four. Open Meetings.** It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, as modified by the governor's orders in response to the COVID-19 pandemic.

PASSED AND APPROVED to be effective this the 9<sup>th</sup> day of March, 2021.

**CITY OF BURNET**

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Crista Goble Bromley, Mayor

**ATTEST:**

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Kelly Dix, City Secretary



(the "EASEMENT PROPERTY"), except that GRANTEE shall retain the rights of ingress and egress over the EASEMENT PROPERTY and all existing roads and parking lots on the entirety of GRANTOR'S PROPERTY.

2. GRANTEE shall have the right to place two ground-based support structures permanently on the easement property. Each structure may consist of multiple poles or openings in the ground and may be made of concrete, steel, or any other materials. Grantee shall have the right to reconstruct, replace, and relocate the two ground-based support structures to new locations on the Easement Property, provided that the new locations are within twenty-five (25) feet of the existing structure locations.
3. GRANTEE will install the ground-based support structures in a manner that does not unreasonably interfere with utilities known by GRANTEE to be located on or under the EASEMENT PROPERTY at the time of installation. GRANTOR agrees to share any information in its possession regarding the location of existing City utilities on the EASEMENT PROPERTY with GRANTEE.

This Amendment to Electric Line Easement and Right-of-Way, and the terms and conditions contained herein, shall inure to the benefit of and be binding upon GRANTEE and GRANTOR, and their respective personal representatives, successors, and assigns. All terms of the PRIOR EASEMENTS are hereby ratified and shall remain in full force and effect, as amended hereby, and nothing herein shall be construed as depriving GRANTEE of any rights obtained in the PRIOR EASEMENTS except as specifically set out herein.

**GRANTOR:**

City of Burnet, Texas

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**ACKNOWLEDGMENTS**

STATE OF TEXAS §

§

COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_, \_\_\_\_\_, on behalf of  
City of Burnet, Texas, GRANTOR.

\_\_\_\_\_  
Notary Public, State of Texas

**GRANTEE:**

**LCRA Transmission Services Corporation**

a Texas non-profit corporation

By: \_\_\_\_\_

Mark Sumrall

Authorized Agent

**ACKNOWLEDGMENTS**

STATE OF TEXAS §

§

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by  
Mark Sumrall, Authorized Agent of LCRA Transmission Services Corporation, a Texas non-profit  
corporation, on behalf of said corporation.

\_\_\_\_\_  
Notary Public, State of Texas

**After recording, return to:**

LCRA Transmission Services Corporation

c/o Lower Colorado River Authority

P. O. Box 220

Austin, Texas 78767-0220

Attn: \_\_\_\_\_



EXHIBIT " A "

DESCRIPTION FOR A 1.788 ACRE TRACT OF LAND SITUATED IN THE JOHN HAMILTON SURVEY, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, BEING A PORTION OF A 51.25 ACRE TRACT OF LAND DESCRIBED IN THE DEED FROM ALVIN NORED TO THE CITY OF BURNET, TEXAS, A TEXAS MUNICIPAL CORPORATION, DATED APRIL 17, 2006, AND RECORDED IN VOLUME 1421, PAGE 319, OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS; THE PERIMETER OF SAID 1.788 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 5/8" iron rod with aluminum cap stamped "LCRA" set (Grid Coordinates = **Northing** 10,247,497.19 U.S. ft., **Easting** 2,954,775.34 U.S. ft.) in the north line of said 51.25 acre tract of land, same being a south line of a 25.00 acre tract of land described in the deed from David W. Pogue and Jennifer Pogue to Tim R. Miller and Susan L. Miller, dated December 9, 2020, and recorded in Document No. 202016431 of the Official Public Records of Burnet County, Texas, from which a 6" cedar post found in the north line of said 51.25 acre tract of land, being in the south line of said 25.00 acre tract of land, bears **South 76°26'35" West**, a distance of **592.66 feet**;

**THENCE North 76°26'35" East**, with the common line of said 51.25 acre tract of land and said 25.00 acre tract of land, a distance of **108.32 feet** to a 5/8" iron rod with aluminum cap stamped "LCRA" set, from which a calculated point in the common line of said 51.25 acre tract of land and said 25.00 acre tract of land, bears **North 76°26'35" East**, a distance of **103.61 feet**;

**THENCE** crossing said 51.25 acre tract of land, the following two (2) courses and distances:

1. **South 09°01'10" West**, a distance of **762.33 feet** to a 5/8" iron rod with aluminum cap stamped "LCRA" set;
2. **South 07°42'49" West**, a distance of **27.95 feet** to a 5/8" iron rod with aluminum cap stamped "LCRA" set in the south line of said 51.25 acre tract of land, same being the north line of Lot 6 of the Westside Addition (Unrecorded), described in the deed from Leroy Ellett to Victor and Elsa Lara, dated April 4, 1995, and recorded in Volume 685, Page 541 of the Official Public Records of Burnet County, Texas, from which a 5/8" iron rod found in the south line of said 51.25 acre tract, bears **North 81°43'26" East**, a distance of **157.10 feet** to a calculated point, **North 75°33'09" East**, a distance of **80.32 feet** to a calculated point, and **South 30°13'13" East**, a distance of **120.93 feet**;

**THENCE South 81°43'26" West**, with the south line of said 51.25 acre tract of land and in part, the north line of said Lot 6, a distance of **51.54 feet** to a 5/8" iron rod with aluminum cap stamped "LCRA" set,

**THENCE North 70°53'34" West**, with the south line of said 51.25 acre tract of land and in part, the north line of Lot Thirteen (13) of the Westside Addition (Unrecorded), described in the deed from Nancy Ann Daniel Crawford, Trustee of the RJN Trust to Mary Verduzco, dated August 18, 1999, and recorded in Volume 871, Page 288 of the Official Public Records of Burnet County, Texas, a distance of **51.49 feet** to a 5/8" iron rod with aluminum cap stamped "LCRA" set, from which a 1/2" iron rod found in the south line of said 51.25 acre tract of land, being the northwest corner of said Lot Thirteen, bears **North 70°53'34" West**, a distance of **71.60 feet**;

**THENCE** crossing said 51.25 acre tract of land, the following two (2) courses and distances:

1. **North 07°42'49" East**, a distance of **33.11 feet** to a 5/8" iron rod with aluminum cap stamped "LCRA" set;

**BURNET COUNTY, TEXAS  
JOHN HAMILTON SURVEY, ABSTRACT NO. 405  
LOWER COLORADO RIVER AUTHORITY**

**1.788 Acres  
Page 2 of 4  
A011**

2. **North 09°01'10" East**, a distance of **721.89 feet** to the **POINT OF BEGINNING** hereof, and containing 1.788 acres of land within the bearing and distance calls contained herein.

Bearing Basis: Texas Lambert Grid, Central Zone, NAD83/2011. All distances are surface values; to obtain grid values multiply surface distances by a Combined Scale Factor of 0.99983009. All distance units are U.S. Survey feet.

This description and plat attached hereto represent an on-the-ground survey made under my direct supervision December 2020.

  
Joshua P. Armendariz  
Registered Professional Land Surveyor No. 6822  
Lower Colorado River Authority  
3700 Lake Austin Boulevard  
Austin, Texas 78703  
(512) 473-3200  
TBPLS FIRM# 10152700

02-09-2021

Date

WORD FILE: T219003B-0002A.doc  
ACAD FILE: T219003B-0002A.dwg



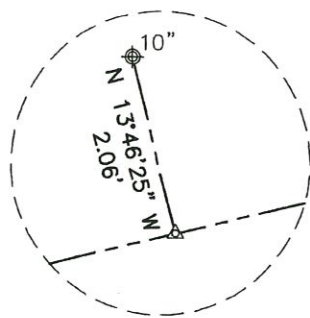


**JOHN HAMILTON SURVEY,  
ABSTRACT No. 405  
BURNET COUNTY, TEXAS**

**LEGEND**

- 1/2" IRON ROD FOUND  
(OR AS NOTED)
- ⊙ 5/8" IRON ROD WITH ALUMINUM  
CAP STAMPED "LCRA" SET
- △ CALCULATED POINT
- ⊕ CEDAR POST (AS NOTED)
- ( ) RECORD INFORMATION

\*RECORD INFORMATION AND  
LINE TABLE ON PAGE 4 OF 4



DETAIL "A"  
(NOT TO SCALE)

**EASEMENT INFORMATION**

(A)  
EASEMENT AND RIGHT OF WAY  
VOLUME 74, PAGE 123  
OCTOBER 4, 1926  
DEED RECORDS OF BURNET  
COUNTY, TEXAS

EASEMENT NOTE:  
ONLY THE EASEMENTS LISTED IN THE LIMITED  
TITLE CERTIFICATE DATED JANUARY 31, 2020  
AND ISSUED BY THE LOWER COLORADO RIVER  
AUTHORITY REAL ESTATE SERVICES FOR BURNET  
COUNTY, TEXAS TAX ID NO. R51768, THAT CAN  
BE LOCATED BY THE RECORD DOCUMENT AND  
APPEAR TO AFFECT THIS TRACT ARE SHOWN.

HORIZONTAL DATUM: NAD83/2011 - EPOCH 2010  
VERTICAL DATUM: NAVD 88 - GEOID18  
COMBINED SCALE FACTOR: 0.99983009  
BEARING BASIS: TX LAMBERT GRID CENTRAL ZONE  
DISTANCES SHOWN ARE SURFACE VALUES

ACAD FILE: T219003B-0002A.dwg  
WORD FILE: T219003B-0002A.doc  
DATE: 02/09/2021  
WO NO: 1020552  
FIELD BOOK: 2020-10 PG. 56  
DRAWN BY: JG/JA

DAVID W. POGUE AND JENNIFER POGUE  
TO  
TIM R. MILLER AND SUSAN L. MILLER  
TRACT I: 25.00 ACRES  
TRACT II: NON-EXCLUSIVE ROADWAY  
EASEMENT  
DOCUMENT NO. 202016431  
DECEMBER 9, 2020  
OFFICIAL PUBLIC RECORDS OF  
BURNET COUNTY, TEXAS

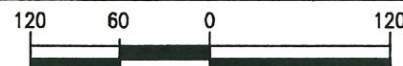
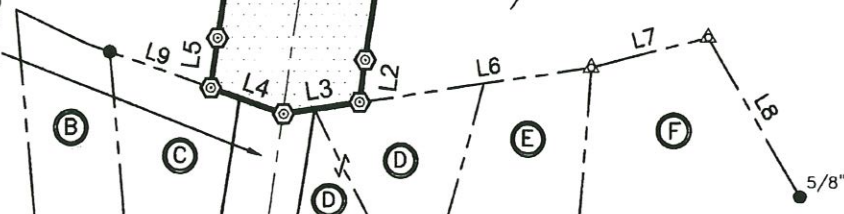
**P.O.B.  
1.788 ACRES**

Texas Central Zone  
NAD 83/2011 - EPOCH 2010  
Lat: 30°45'47.431812"  
Lon: 98°14'15.104222"  
State Plane Grid Coords  
N(Y): 10,247,497.19 U.S.ft.  
E(X): 2,954,775.34 U.S.ft.

A011  
BURNET CAD ID #R51768  
ALVIN NORED  
TO  
CITY OF BURNET, TEXAS,  
A TEXAS MUNICIPAL  
CORPORATION  
51.25 ACRE TRACT  
VOLUME 1421, PAGE 319  
APRIL 17, 2006  
OFFICIAL PUBLIC  
RECORDS OF BURNET  
COUNTY, TEXAS

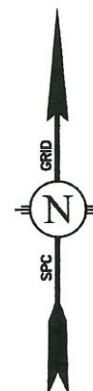
1.788  
ACRES

HAMILTON CREEK DRIVE  
(50' RIGHT OF WAY)



GRAPHIC SCALE

N 76°26'35" E  
103.61' SEE  
DETAIL  
"A"



A011  
BURNET CAD ID #R51768  
ALVIN NORED  
TO  
CITY OF BURNET, TEXAS,  
A TEXAS MUNICIPAL  
CORPORATION  
51.25 ACRE TRACT  
VOLUME 1421, PAGE 319  
APRIL 17, 2006  
OFFICIAL PUBLIC  
RECORDS OF BURNET  
COUNTY, TEXAS



PLAT SHOWING A  
1.788 ACRE TRACT OF LAND  
LOCATED IN THE  
JOHN HAMILTON SURVEY, ABSTRACT No. 405  
BURNET COUNTY, TEXAS  
T-219 TRANSMISSION LINE

**LCRA**  
ENERGY • WATER • COMMUNITY SERVICES  
3700 LAKE AUSTIN BLVD. AUSTIN, TX 78703  
(512) 473-3200 www.lcra.org  
TBPLS FIRM# 10152700



RECORD INFORMATION

(B)

MARGARET O. McFARLAND, ET AL  
TO  
ELSA L. LARA  
.3347 ACRE, MORE OR LESS  
AKA LOT 14, WESTSIDE ADDITION  
(UNRECORDED)  
DOCUMENT NO. 201609942  
OCTOBER 13, 2016  
OFFICIAL PUBLIC RECORDS OF  
BURNET COUNTY, TEXAS

(C)

NANCY ANN DANIEL CRAWFORD,  
TRUSTEE OF THE RJN TRUST  
TO  
MARY VERDUZCO  
LOT THIRTEEN (13) OF THE  
WESTSIDE ADDITION (UNRECORDED)  
VOLUME 871, PAGE 288  
AUGUST 18, 1999  
OFFICIAL PUBLIC RECORDS OF  
BURNET COUNTY, TEXAS

(D)

LEROY ELLETT  
TO  
VICTOR AND ELSA LARA  
LOTS 6 AND 7,  
WESTSIDE ADDITION  
(UNRECORDED)  
VOLUME 685, PAGE 541  
APRIL 4, 1995  
REAL PROPERTY RECORDS OF  
BURNET COUNTY, TEXAS

(E)

DAVID BARRIOS, ALSO KNOWN AS  
DAVID R. BARRIOS  
TO  
GUADALUPE E. TORRES, ALSO  
KNOW AS GUADALUPE I. TORRES,  
AND LEONICIA TORRES  
TRACT ONE:  
BEING ALL LOT 5 OF  
WESTSIDE ADDITION  
(UNRECORDED)  
TRACT TWO:  
BEING ALL LOT 4 OF  
WESTSIDE ADDITION  
(UNRECORDED)  
DOCUMENT NO. 201202942  
MARCH 30, 2012  
OFFICIAL PUBLIC RECORDS OF  
BURNET COUNTY, TEXAS

(F)

O. W. GREATHOUSE AND WIFE,  
LOUISE GREATHOUSE  
TO  
HOWARD BLACKMON AND WIFE,  
BOBBIE BLACKMON  
NO ACREAGE GIVEN  
VOLUME 145, PAGE 440  
SEPTEMBER 1964  
DEED RECORDS OF BURNET  
COUNTY, TEXAS

LINE TABLE

LINE	BEARING	DISTANCE	(RECORD)
L1	N 76°26'35" E	108.32'	(N 78°09'30" E 1152.49')
L2	S 07°42'49" W	27.95'	
L3	S 81°43'26" W	51.54'	(S 83°26'21" W 208.6')
L4	N 70°53'34" W	51.49'	(N 69°10'39" W 139.0')
L5	N 07°42'49" E	33.11'	
L6	N 81°43'26" E	157.10'	(N 83°26'21" E 208.6')
L7	N 75°33'09" E	80.32'	(N 77°16'04" E 80.31')
L8	S 30°13'13" E	120.93'	(S 28°30'18" E 120.91')
L9	N 70°53'34" W	71.60'	(N 69°10'39" W 139.0')



02-09-2021

ACAD FILE: T219003B-0002A.dwg  
WORD FILE: T219003B-0002A.doc  
DATE: 02/09/2021  
WO NO: 1020552  
FIELD BOOK: 2020-10 PG. 56  
DRAWN BY: JG/JA

PLAT SHOWING A  
1.788 ACRE TRACT OF LAND  
LOCATED IN THE  
JOHN HAMILTON SURVEY, ABSTRACT No. 405  
BURNET COUNTY, TEXAS  
T-219 TRANSMISSION LINE

**LCRA**  
ENERGY • WATER • COMMUNITY SERVICES  
3700 LAKE AUSTIN BLVD. AUSTIN, TX 78703  
(512) 473-3200 www.lcra.org  
TBPLS FIRM# 10152700



or less, being described on **Exhibit A** attached hereto and incorporated herein, (the "EASEMENT PROPERTY"), except that GRANTEE shall retain all rights of ingress and egress over the entirety of GRANTOR'S PROPERTY.

2. GRANTEE shall have the right to place one ground-based support structure permanently on the easement property. The structure may consist of multiple poles or openings in the ground and may be made of concrete, steel, or any other materials. Grantee shall have the right to reconstruct, replace, and relocate the ground-based support structure to a new location on the Easement Property, provided that the new location is within twenty-five (25) feet of the existing structure location.
3. GRANTEE will install the ground-based support structure in a manner that does not unreasonably interfere with utilities known by GRANTEE to be located on or under the EASEMENT PROPERTY at the time of installation. GRANTOR agrees to share any information in its possession regarding the location of existing City utilities on the EASEMENT PROPERTY with GRANTEE.

This Amendment to Electric Line Easement and Right-of-Way, and the terms and conditions contained herein, shall inure to the benefit of and be binding upon GRANTEE and GRANTOR, and their respective personal representatives, successors, and assigns. All terms of the PRIOR EASEMENTS are hereby ratified and shall remain in full force and effect, as amended hereby, and nothing herein shall be construed as depriving GRANTEE of any rights obtained in the PRIOR EASEMENTS except as specifically set out herein.



**GRANTOR:**

City of Burnet, Texas

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**ACKNOWLEDGMENTS**

STATE OF TEXAS §

COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_, \_\_\_\_\_, on behalf of  
City of Burnet, Texas, GRANTOR.

\_\_\_\_\_  
Notary Public, State of Texas

**GRANTEE:**

**LCRA Transmission Services Corporation**  
a Texas non-profit corporation

By: \_\_\_\_\_

Mark Sumrall  
Authorized Agent

**ACKNOWLEDGMENTS**

STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by  
Mark Sumrall, Authorized Agent of LCRA Transmission Services Corporation, a Texas non-profit  
corporation, on behalf of said corporation.

\_\_\_\_\_  
Notary Public, State of Texas

**After recording, return to:**

LCRA Transmission Services Corporation

c/o Lower Colorado River Authority

P. O. Box 220

Austin, Texas 78767-0220

Attn: \_\_\_\_\_

EXHIBIT " \_ "

DESCRIPTION FOR A 0.096 ACRE TRACT OF LAND SITUATED IN THE JOHN HAMILTON SURVEY, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, BEING A PORTION OF A 0.692 ACRE TRACT OF LAND DESCRIBED IN THE DEED FROM CAL C. SKAGGS AND WIFE, BETTY J. SKAGGS TO THE CITY OF BURNET, TEXAS, A TEXAS MUNICIPAL CORPORATION, DATED MAY 25, 2005, AND RECORDED IN VOLUME 1341, PAGE 410, OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS; THE PERIMETER OF SAID 0.096 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" iron rod with plastic cap stamped "CUPLIN #5938" found (Grid Coordinates = **Northing** 10,253,249.90 U.S. ft., **Easting** 2,955,706.75 U.S. ft.) in the west right-of-way line of U.S. Highway 281 (right-of-way width varies), for the northeast corner of said 0.692 acre tract of land, same being the southeast corner of a 69.275 acre tract of land described in the deed from Cal C. Skaggs, a single person to Tarbet Development, LLC, dated December 7, 2016, and recorded in Document No. 201611559 of the Official Public Records of Burnet County, Texas;

**THENCE South 14°57'15" East**, with the west right-of-way line of U.S. Highway 281, being the east line of said 0.692 acre tract of land, a distance of **99.97 feet** to a 1/2" iron rod with plastic cap stamped "SURV TECH" found, for the southeast corner of said 0.692 acre tract of land, same being the northeast corner of a 1.013 acre tract of land described in the deed from Cal C. Skaggs and wife, Betty J. Skaggs to the City of Burnet, Texas, a Texas Municipal Corporation, dated May 25, 2005, and recorded in Volume 1341, Page 397 of the Official Public Records of Burnet County, Texas;

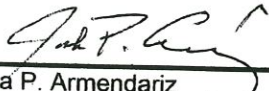
**THENCE South 80°03'55" West**, with the common line of said 0.692 acre tract of land and said 1.013 acre tract of land, a distance of **63.26 feet** to a 5/8" iron rod with aluminum cap stamped "LCRA" set, from which a calculated point in the common line of said 0.692 acre tract of land and said 1.013 acre tract of land, bears **South 80°03'55" West**, a distance of **141.21 feet**;

**THENCE North 08°59'39" East**, crossing said 0.692 acre tract of land, a distance of **105.34 feet** to a 5/8" iron rod with aluminum cap stamped "LCRA" set in the north line of said 0.692 acre tract of land, same being a south line of said 69.275 acre tract of land, from which a 1/2" iron rod with plastic cap stamped "CUPLIN #5938" found for a point in the north line of said 0.692 acre tract of land, same being a south line of said 69.275 acre tract of land, bears **South 80°14'16" West**, a distance of **146.28 feet**;

**THENCE North 80°14'16" East**, with the common line of said 0.692 acre tract of land and said 69.275 acre tract of land, a distance of **20.34 feet** to the **POINT OF BEGINNING** hereof, and containing 0.096 acres of land within the bearing and distance calls contained herein.

Bearing Basis: Texas Lambert Grid, Central Zone, NAD83/2011. All distances are surface values; to obtain grid values multiply surface distances by a Combined Scale Factor of 0.99983009. All distance units are U.S. Survey feet.

This description and plat attached hereto represent an on-the-ground survey made under my direct supervision December 2020.

  
Joshua P. Armendariz  
Registered Professional Land Surveyor No. 6822  
Lower Colorado River Authority  
3700 Lake Austin Boulevard  
Austin, Texas 78703

02-09-2021

Date



WORD FILE: T219003B-0001A.doc  
ACAD FILE: T219003B-0001A.dwg



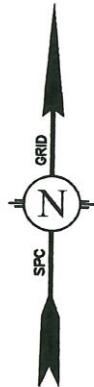
JOHN HAMILTON SURVEY,  
ABSTRACT No. 405  
BURNET COUNTY, TEXAS

LINE TABLE

LINE	BEARING	DISTANCE	(RECORD)
L1	S 14°57'15" E	99.97'	(S 13°56'00" E 100.40')
L2	S 80°03'55" W	63.26'	(S 81°12'34" W 204.50')
L3	N 08°59'39" E	105.34'	
L4	N 80°14'16" E	20.34'	(N 81°12'34" E 166.32')



Texas Central Zone  
NAD 83/2011 - EPOCH 2010  
Lat: 30°46'44.191148"  
Lon: 98°14'03.185762"  
State Plane Grid Coords  
N(Y): 10,253,249.90 U.S.ft.  
E(X): 2,955,706.75 U.S.ft.

LEGEND

- 1/2" IRON ROD FOUND (AS NOTED)
- ⊙ 5/8" IRON ROD WITH ALUMINUM CAP STAMPED "LCRA" SET
- △ CALCULATED POINT
- ( ) RECORD INFORMATION

CAL C. SKAGGS,  
A SINGLE PERSON  
TO  
TARBET DEVELOPMENT, LLC  
69.275 ACRES  
DOCUMENT NO. 201611559  
DECEMBER 7, 2016  
OFFICIAL PUBLIC RECORDS OF  
BURNET COUNTY, TEXAS

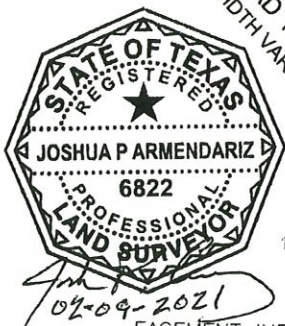
P.O.B.  
0.096 ACRES

"CUPLIN #5938"  
S 80°14'16" W 166.62'  
(S 81°12'34" W 166.32')  
S 80°14'16" W 146.28'  
A053  
BURNET CAD ID #R110262  
CAL C. SKAGGS AND WIFE, BETTY J. SKAGGS  
TO  
CITY OF BURNET, TEXAS,  
A TEXAS MUNICIPAL CORPORATION  
0.692 ACRES  
VOLUME 1341, PAGE 410  
MAY 25, 2005  
OFFICIAL PUBLIC RECORDS OF  
BURNET COUNTY, TEXAS

"CUPLIN #5938"

0.096 ACRES

(RIGHT OF WAY WIDTH VARIES)  
U.S. HIGHWAY 281

EASEMENT INFORMATION

(A)  
EASEMENT AND RIGHT OF WAY  
VOLUME 74, PAGE 144  
SEPTEMBER 30, 1926  
DEED RECORDS OF BURNET  
COUNTY, TEXAS

S 80°03'55" W 141.21'  
S 80°03'55" W 204.47'  
(S 81°12'34" W 204.50')  
CAL C. SKAGGS AND  
WIFE, BETTY J. SKAGGS  
TO  
CITY OF BURNET, TEXAS,  
A TEXAS MUNICIPAL  
CORPORATION  
1.013 ACRES  
VOLUME 1341, PAGE 397  
MAY 25, 2005  
OFFICIAL PUBLIC  
RECORDS OF BURNET  
COUNTY, TEXAS

EASEMENT NOTE:

ONLY THE EASEMENTS LISTED IN THE LIMITED TITLE CERTIFICATE  
DATED JANUARY 31, 2020 AND ISSUED BY THE LOWER COLORADO  
RIVER AUTHORITY REAL ESTATE SERVICES FOR BURNET COUNTY,  
TEXAS TAX ID NO. R110262, THAT CAN BE LOCATED BY THE RECORD  
DOCUMENT AND APPEAR TO AFFECT THIS TRACT ARE SHOWN.

HORIZONTAL DATUM: NAD83/2011 - EPOCH 2010  
VERTICAL DATUM: NAVD 88 - GEOID18  
COMBINED SCALE FACTOR: 0.99983009  
BEARING BASIS: TX. LAMBERT GRID CENTRAL ZONE  
DISTANCES SHOWN ARE SURFACE VALUES

ACAD FILE: T219003B-0001A.dwg  
WORD FILE: T219003B-0001A.doc  
DATE: 02/09/2021  
WO NO: 1020552  
FIELD BOOK: 2020-10 PG. 56  
DRAWN BY: JG/JA

PLAT SHOWING A 0.096 ACRE  
TRACT OF LAND LOCATED IN THE  
JOHN HAMILTON SURVEY,  
ABSTRACT No. 405  
BURNET COUNTY, TEXAS  
T-219 TRANSMISSION LINE



3700 LAKE AUSTIN BLVD. AUSTIN, TX 78703  
(512)473-3200 www.lcra.org  
TBPLS FIRM# 10152700



## Administration

## ITEM 4.4

Habib Erkan  
Assistant City Manager  
512-715-3201  
herkan@cityofburnet.com

### Agenda Item Brief

**Meeting Date:** March 9, 2021

**Agenda Item:** Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF BURNET, TEXAS AMENDING RESOLUTIONS NO. R2020-43 AND NO. R2020-60 BY AUTHORIZING THE LEASE OF OFFICE SPACE WITHIN AN AIRPORT HANGAR AND EXTENDING THE DATE BY WHICH AN AGREEMENT TO LEASE THE OFFICE SPACE IS TO BE PRESENTED TO COUNCIL: H. Erkan

**Background:** On July 28, 2020, City Council adopted Resolution No.2020-31 authorizing the publication of a request for proposals to lease the aircraft hangar, known as Hangar D. One proposal was received and opened at the public opening at City Hall on September 16, 2020. September 22, 2020, by Resolution R2020-43 City Council accepted the proposal, authorized the negotiation of a lease agreement, and directed that a final agreement be presented to City Council no later than December 21, 2020. On December 8, 2020, City Council adopted Resolution No. 2020-60, extending the deadline to close on a lease agreement by 100 days. After the adoption of the extension resolution the proposer and city manager have concluded it is in the best interest of both parties for the proposer to lease, and finish out, only the office space instead of the office space and enclosed hangar space. Due to the February weather event that caused city offices to close for seven days, and related matters additional time is requested to finalize an agreement for the lease of the office space.

**Information:** This resolution would amend Resolutions R2020-43 and R2020-60 by allowing the proposer to lease only the available



office space and allowing negotiations to continue for 90 days from the date of passage of this resolution.

**Fiscal Impact**

By virtue of the proposed lease, the City shall receive \$200.00 in rent and receive the benefit, as landlord, in having the office space and on-site restroom facility finished out.

**Recommendation:**

Approve and adopt Resolution R2021-06 as presented.

## **RESOLUTION NO. R2021-06**

### **A RESOLUTION OF THE CITY COUNCIL OF BURNET, TEXAS AMENDING RESOLUTIONS NO. R2020-43 AND NO. R2020-60 BY AUTHORIZING THE LEASE OF OFFICE SPACE WITHIN AN AIRPORT HANGAR AND EXTENDING THE DATE BY WHICH AN AGREEMENT TO LEASE THE OFFICE SPACE IS TO BE PRESENTED TO COUNCIL**

**Whereas**, On July 28, 2020, City Council authorizing the publication, in a newspaper of general circulation and on the City's website, of a request for proposals to lease the aircraft hangar, known as Hangar D, pursuant to adopted Resolution No.2020-31; and

**Whereas**, On September 16, 2020, the public opening of the proposals took place, with the proposal of Tres Clinton being the only proposal received; and

**Whereas**, on September 22, 2020, by Resolution R2020-43 City Council accepted the proposal, authorized the negotiation of a lease agreement, and directed that a final agreement be presented to City Council no later than December 21, 2020; and

**Whereas**, on December 8, 2020, by Resolution R2020-60 City Council extended the authorized negotiation period to March 18, 2021; and

**Whereas**, after that extension the proposer determined it to be more practical to lease only the office space within the hangar rather than the entire enclosed hangar; and

**Whereas**, the terms of the lease would still require proposer to finishing out the office space and on site restroom; and

**Whereas**, due to this change in circumstances and the unprecedented weather event the city experienced last month, causing the closure of city offices for seven days, it is necessary to finalize negotiations of a lease agreement.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS:**

**Section one. Findings approve.** The forgoing findings of fact are hereby approved and adopted as part of this resolution.

**Section two. Negotiation period extended.** The period Council authorized in Resolution R2020-60 is hereby amended by extending the lease agreement negotiation period for 90 days from the effective date of this resolution.

**Section three. Premises to be lease.** The premises to be lease shall be the office space within Hangar D and not the entire enclosed area of Hangar D.

**Resolution R2020-43 effected as amended.** All other terms of Resolution R2020-43, including the required finish out of the office space and on-site restroom, and the authorization and the direction provided therein to the City Manager, shall remain effective as hereby amended.

**Section four. Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, as modified by the governor's orders in response to the COVID-19 pandemic.

PASSED AND APPROVED this the 9<sup>th</sup> day of March, 2021.

CITY OF BURNET

---

Crista Goble Bromley, Mayor

**ATTEST:**

---

Kelly Dix, City Secretary



## Administration

## ITEM 4.5

Habib Erkan  
Assistant City Manager  
512-715-3201  
herkan@cityofburnet.com

### Agenda Item Brief

**Meeting Date:**

March 9, 2021

**Agenda Item:**

Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, DIRECTING A MODIFICATION IN THE APPLICATION OF CHAPTER 110 OF THE CODE OF ORDINANCES IN ORDER TO ASSIST CUSTOMERS WHO TOOK REMEDIAL MEASURES OR EXPERIENCED WATER PIPE BURSTING DURING THE FEBRUARY WINTER STORM EVENT: H. Erkan

**Background:**

From February 11<sup>th</sup> to February 21<sup>st</sup> our city experienced long periods of sub-freezing weather with ice, sleet, and snow. To prevent pipes from freezing, many residents allowed faucets to drip continuously during the storm event. Some residents suffered with water pipes freezing and bursting after the thaw. Those busted pipes spewed water until the water service was shut off. The faucet dripping and busted pipe issues caused water consumption to increase significantly during the storm event.

The City determines sewer use for the year by “winter averaging” of water consumption during the months of December January, and February. Winter averaging is used to determine sewer use because water use in those months generally does not include lawn watering. Due to the increase in water consumption caused by the winter storm event, the water consumption for the month of February 2021 does not accurately reflect sewer use.

**Information:**

This resolution establishes a program that removes the month of February 2021, from this year’s winter averaging. Additionally, it waives late fees for February 2021, allows customers with high water consumption to request a bill adjustment equal to their January 2021 water consumption, when the high consumption was due to busted pipes, or set up payment plans, when the high water consumption was due

to other factors; and authorizes the city manager to develop rules to implement this program established by this resolution.

**Fiscal Impact**

Though it is a certainty the City will incur some revenue loss in implementing this program the actual fiscal impact is not determinable at this time. Initial estimates conclude sewer rate averaging, using only December and January lowers the total monthly collectables for sewer service this year by approximately \$1,000 as compared to using the traditional three months of December, January, and February.

**Recommendation:**

Approve and adopt Resolution R2021-08 as presented.

## **RESOLUTION NO. R2021-08**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, DIRECTING A MODIFICATION IN THE CHAPTER 110 OF THE CODE OF ORDINANCES IN ORDER TO ASSIST CUSTOMERS WHO TOOK REMEDIAL MEASURES OR EXPERIENCED WATER PIPE BURSTING DURING THE FEBRUARY WINTER STORM EVENT.**

**Whereas**, pursuant to Section 110-73(a) sewer charges are calculated based on the average water use during the winter months of December, January, and February; and

**Whereas**, during the period between February 11 and February 19 of this year Burnet experienced record low temperatures and unprecedented snow events; and

**Whereas**, to protect water pipes from freezing many customers allowed water faucets to drip during this winter storm event; and

**Whereas**, during this winter storm event some customers unfortunately experienced frozen pipes that burst after thawing; and

**Whereas**, the aforementioned remedial actions and pipes bursting caused water usage to be much higher this February than it would have but for the winter storm event; and

**Whereas**, City Council determines it is beneficial to the public, and equitable to those who were adversely impacted, to not include the February water use in the winter average this year, to waive volumetric charges for water consumption as the result of a water leak, and to waive late penalties for the February 2021 billing cycle.

**NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:**

**Section 1. Findings.** That the recitals to this Resolution are incorporated herein for all purposes.

**Section 2. Modification to application of Section 110-73.** For calendar year 2021 the charges for sewer service shall be based upon actual sewer use as measured by the average monthly water usage during the winter months of December and January but not February.

**Section 3. Modification to Section 110-34.** For the billing cycle including February 2021, customers with high water consumption due to leaks that were caused by the winter storm may request an adjustment to lower the amount of consumption to be equal to the amount used in January of 2021.

**Section 4. Modification to Section 110-20.** Late fees shall not be assessed for the February 2021 billing cycle (bills due March 20, 2021).

**Section 5. Payment Plans.** The City Manager is hereby authorized to allow customers with unusually high bills due to the winter storm to setup a payment plan, not to exceed three months in duration. The amount eligible to be included in the payment plan shall be limited to the difference in the customers February 2021 bill and their January 2021 bill.

**Section 6. Administration.** The City Manager is hereby authorized to develop rules to efficiently implement this resolution.

**Section 7. Subsequent years.** For calendar year 2022, and each year thereafter, Section 110-73 shall remain in full force and effect as codified until amended by ordinance.

**Section 8. Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, as modified by the governor's orders in response to the COVID-19 pandemic.

**Section 9. Effective Date.** That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

**PASSED AND APPROVED** this the 9<sup>th</sup> day of March, 2021.

**CITY OF BURNET, TEXAS**

**ATTEST:**

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Crista Goble Bromley, Mayor

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Kelly Dix, City Secretary



## Administration

## ITEM 4.6

Habib Erkan  
Assistant City Manager  
512-715-3201  
herkan@cityofburnet.com

### Agenda Item Brief

**Meeting Date:** March 9, 2021

**Agenda Item:** Discuss and consider action: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, EXTENDING THE CITY MANAGER'S AUTHORIZATION TO NEGOTIATE A REAL ESTATE CONTRACT WITH DELAWARE SPRINGS RANCH INVESTMENTS LLC, FOR THE SALE OF APPROXIMATELY 42 ACRES OF CITY LAND LOCATED WEST OF THE BURNET MUNICIPAL GOLF COURSE FOR 90 DAYS FROM THE EFFECTIVE DATE OF THIS RESOLUTION: H. Erkan

**Background:** On October 13, 2020, City Council, by resolution, acknowledged the bid by Delaware Springs Ranch Investments LLC, to purchase approximately 42 acres of land that adjoins the municipal golf course, and authorized the City Manager to negotiate a sales contract that would include vegetative buffers, and other, easements that would preserve and enhance the municipal golf course. The offered bid was \$9,000.00 per acre. After City Council's passage of the resolution representatives of the City's predecessors in title to the land have made claims of a reversionary interest in the land; and City Council authorized an extension of time to negotiate and finalize the sale of the property. Subsequent to the granting of the extension, a key employee of the purchaser's team contracted COVID-19, and another left the company to focus on University of Texas high school football recruiting.

**Information:** This resolution extends the City Manager's authorization to negotiate terms of a sales contract for an additional 90 days. It should be noted the city received purchaser's attorney's comments and proposed revisions to the contract on March 2<sup>nd</sup> and the comments are under review. While staff does not



believe the entire 90-day extension period will be required to get us to closing we request 90 days as a safety net against having to come back to council for further extensions.

**Fiscal Impact**

Granting this extension will have no fiscal impact.

**Recommendation:**

Approve and adopt Resolution R2021-10 as presented.

## RESOLUTION NO. R2021-10

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, EXTENDING THE CITY MANAGER'S AUTHORIZATION TO NEGOTIATE A REAL ESTATE CONTRACT WITH DELAWARE SPRINGS RANCH INVESTMENTS LLC, FOR THE SALE OF APPROXIMATELY 42 ACRES OF CITY LAND LOCATED WEST OF THE BURNET MUNICIPAL GOLF COURSE FOR 90 DAYS FROM THE EFFECTIVE DATE OF THIS RESOLUTION**

**Whereas**, Council adopted Resolution No. 2020-33 authorizing the solicitation of bids for the sale of approximately 42 acres adjoining the Burnet Municipal Golf Course (the "land"); and

**Whereas**, Council adopted Resolution No. 2020-46 authorizing the City Manager to negotiate a real estate sales contract with the sole bidder; and

**Whereas**, Council adopted Resolution No. 2020-59 extending the closing deadline due to claims by the City's predecessor in title; and

**Whereas**, due to the length of time required to resolve the reversionary claims, and unanticipated health issues with a member of purchaser's team Council deems it advisable to extend closing on this transaction.

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

**Section one. The recitals.** The above stated recitals are incorporated herein for all purposes.

**Section two. Resolution R2020-59 negotiation period extended.** The period Council authorized in Resolution R2020-59 is hereby amended by extending the real estate sales contract negotiation period for 90 days from the effective date of this resolution.

**Section three. Resolution R2020-46 effected as amended.** All other terms of Resolution R2020-46, including the authorization and the direction provided therein to the City Manager, shall remain effective as hereby amended.

**Section four. Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, as modified by the governor's orders in response to the COVID-19 pandemic.

PASSED AND APPROVED to be effective this the 9<sup>th</sup> day of March, 2021.

**CITY OF BURNET**

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Crista Goble Bromley, Mayor

**ATTEST:**

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Kelly Dix, City Secretary



## Development Services

### ITEM 4.7

Habib Erkan Jr.  
Assistant City Manager  
(512) 725-3201  
herkan@cityofburnet.com

### Agenda Item Brief

**Meeting Date:** March 9, 2021

**Agenda Item:** Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, CONDITIONALLY APPROVING THE PRELIMINARY PLAT ESTABLISHING CREEKFALL SUBDIVISION, PHASES 1 AND 2, CONSISTING OF APPROXIMATELY 135 RESIDENTIAL LOTS ON APPROXIMATELY 44.64 ACRES OUT OF THE SARAH ANN GUEST SURVEY, ABSTRACT 1525, GENERALLY LOCATED SOUTH OF HWY. 29, EAST OF WESTFALL ST., AND WEST OF THE RAILROAD TRACK. H. Erkan Jr.

**Background:** The property that is the subject of this plat application was the part of a September 2020 rezoning of a larger tract from Heavy commercial—District "C-3" and Light industrial—District "I-1" designations to Heavy commercial—District "C-3", Single-family residential — District "R-1", and Multi-family residential—District "R-3." This plat will establish Phases I and II of the Creekfall Subdivision in the "R-1" District.

A public hearing was held on this application on February 9, 2021. At the request of the applicant, consideration and action on this application was deferred to this meeting.

**Staff Analysis:** This subdivision will consist of 135 residential lots and 2 drainage/water quality lots. Each residential lot shall have a minimum lot frontage of 60' as required by code.

**Available Utilities:** There are existing water and sewer lines available to serve the property. Some upgrades to the existing infrastructure and additional electrical, water, and sewer utilities, or relocation of existing utilities, may be required.

The infrastructure and any off-site improvements required to service this property shall be addressed in the Construction Plan Process after preliminary plat approval.

Access: The applicant will construct additional streets to access the proposed multi-family and single-family developments. The subdivision will access the site via Hwy 29 through a 36' wide street and have a secondary means of access off Westfall Street.

Access off Hwy 29 is controlled by TxDOT who has the applicant's traffic impact analysis under review.

It is the applicant's intent to extend Coke St. into the subdivision. The applicant is coordinating with the adjoining developer on this matter.

This preliminary plat application generally meets the regulations found in the City's subdivision ordinance; however, the applicant has not yet addressed outstanding comments. Consequently, the Planning and Zoning Commission conditionally approved the preliminary plat application subject to the applicant addressing the following:

- City Engineer comments number 12 by providing Water Quality Treatment for the lots north of Water Well Road;
- City Engineer comment number 14 by production of a traffic impact analysis satisfactory to the Texas Department of Transportation and addressing requirements necessary to receive a driveway permit as well as the City Engineer's comments and concerns; and
- Applicant resolves Community Development Services comment number iv regarding provision of information on connectivity with Coke Street.

**Recommendation:** Approve and adopt resolution R2021-11 as presented.

**RESOLUTION NO. R2021-11**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, CONDITIONALLY APPROVING THE PRELIMINARY PLAT ESTABLISHING CREEKFALL SUBDIVISION, PHASES 1 AND 2, CONSISTING OF APPROXIMATELY 135 RESIDENTIAL LOTS ON APPROXIMATELY 44.64 ACRES OUT OF THE SARAH ANN GUEST SURVEY, ABSTRACT 1525, GENERALLY LOCATED SOUTH OF HWY. 29, EAST OF WESTFALL ST., AND WEST OF THE RAILROAD TRACK**

**Whereas**, the Planning and Zoning Commission conducted a public hearing on this application on February 1, 2021; and

**Whereas**, after the date of notice publication, but before the date of the public hearing, the applicant requested, by written electronic mail message, action on this application be deferred for 30 days; and

**Whereas**, City Council conducted a public hearing on this application on February 9, 2021; and

**Whereas**, the Planning and Zoning Commission conditionally recommended approval of the application on March 1, 2021.

**NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:**

**Section 1. Findings.** That the recitals to this Resolution are incorporated herein for all purposes.

**Section 2. Conditional Approval.** The Preliminary Plat Establishing Creekfall Subdivision, Phases 1 and 2, is hereby conditionally approved; subject to the condition recommended by the Planning and Zoning Commission as follow:

- City Engineer comments number 12 by providing Water Quality Treatment for the lots north of Water Well Road;
- City Engineer comment number 14 by production of a traffic impact analysis satisfactory to the Texas Department of Transportation and addressing requirements necessary to receive a driveway permit as well as the City Engineer's comments and concerns; and
- Applicant resolves Community Development Services comment number iv regarding provision of information on connectivity with Coke Street.

**Section 3. Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, as modified by the governor's orders in response to the COVID-19 pandemic.

**Section 4. Effective Date.** That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

**PASSED AND APPROVED** this the 9<sup>th</sup> day of March, 2021.

**CITY OF BURNET, TEXAS**

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Crista Goble Bromley, Mayor

**ATTEST:**

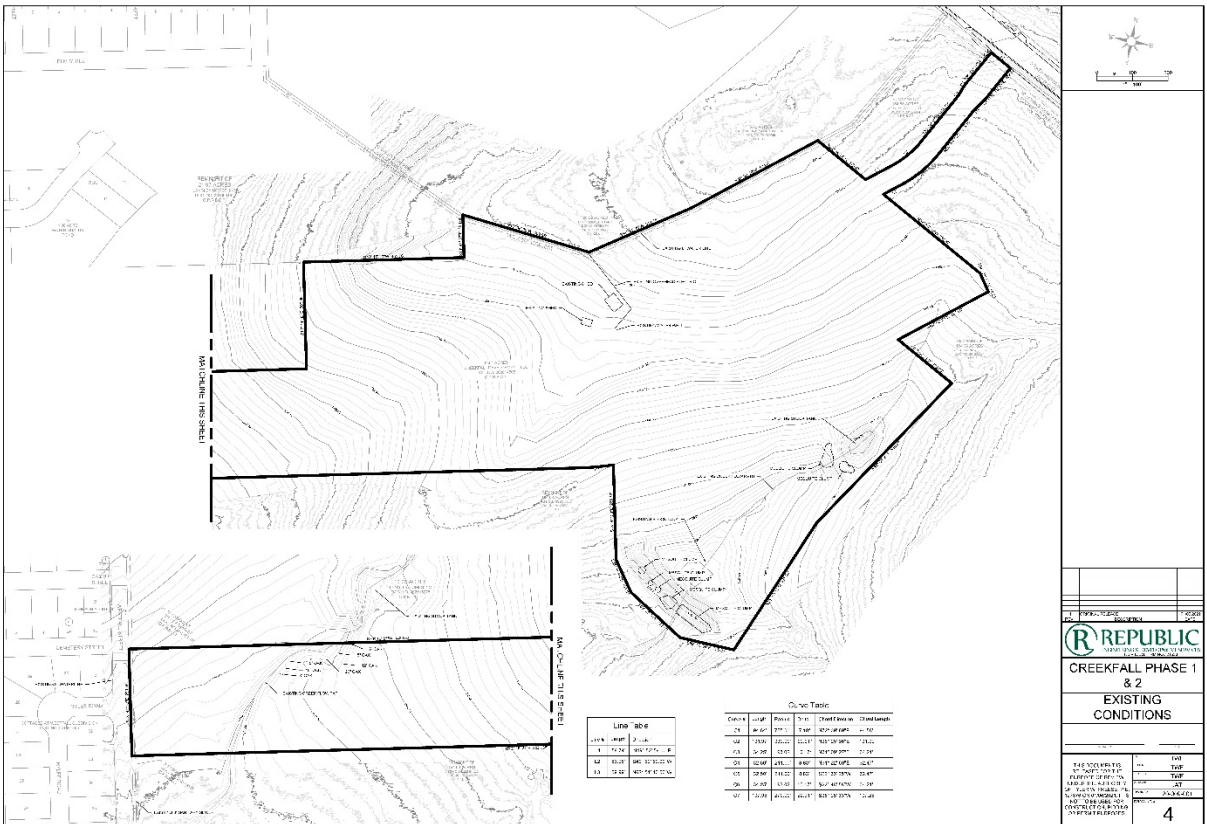
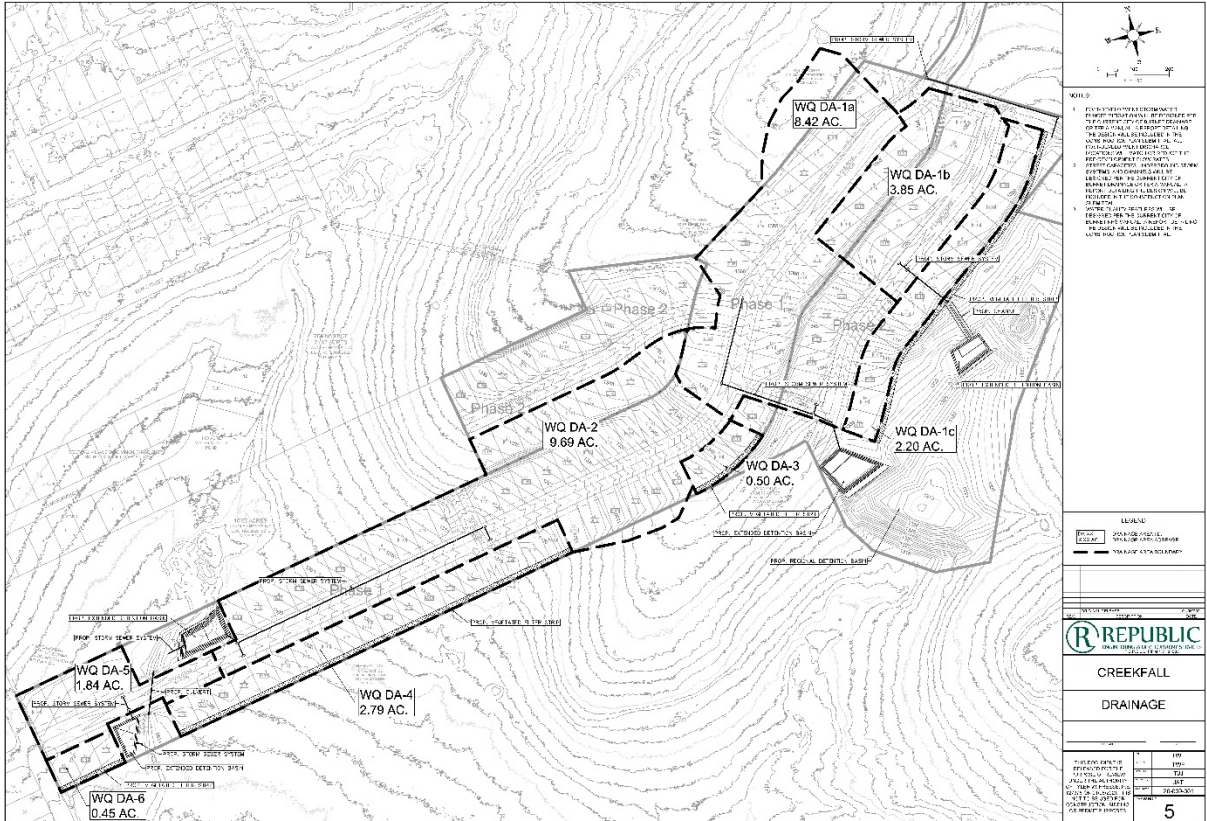
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Kelly Dix, City Secretary




**Exhibit “A”**  
**Proposed Preliminary Plat**

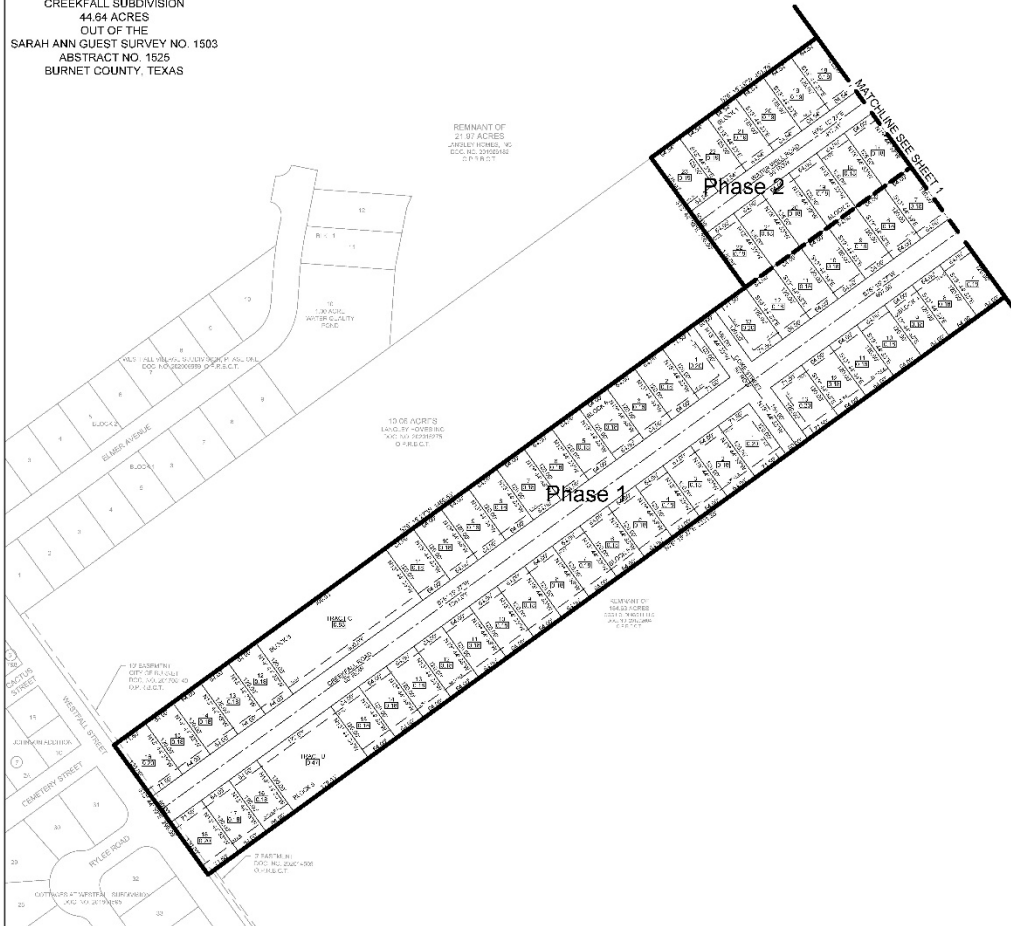





Line Table		
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5	352.6	MS2+123.59
6	353.9	MS2+123.59
7	359.4	MS2+123.59
8	364.6	MS2+123.59
9	367.8	MS2+123.59
10	370.7	MS2+123.59
11	380	MS2+123.59
12	380.2	MS2+123.59
13	382.8	MS2+123.59

 <b>REPUBLIC</b> ENGINEERING & DEVELOPMENT SERVICES P.E.#16840 2-035	
CREEKFAH PHASE 1 & 2 PRELIMINARY PLAT 3	
11/20/2014 11/20/2014	
THIS DOCUMENT IS PREPARED FOR THE PURPOSE OF PREVIEW UNDER THE AUTHORITY OF TITLE 16, CHAPTER 16.03, ARTICLE 16.03(1) OF THE FLORIDA CONSTITUTION. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.	
DATE 11/20/14 DRAWN BY J. WATKINS CHECKED BY J. WATKINS	TIME TIME TIME JAT 23-09-001 11/20/2014
3	

A PRELIMINARY PLAT OF  
CREEKFALL SUBDIVISION  
44.64 ACRES  
OUT OF THE  
SARAH ANN GUEST SURVEY NO. 1503  
ABSTRACT NO. 1525  
BURNET COUNTY, TEXAS





0 100 200  
FEET

**NOTES**

ALL BUILDING EDITIONS SHALL BE AS FOLLOWS UNLESS SHOWN OTHERWISE HEREON:

FRONT YARD SETBACK: 25'

REAR YARD SETBACK: 25'

STREET FRONT SETBACK: 10'

**LEGEND**

1/4" = 1' LOT BOUNDARY

1/8" = 1' LOT BOUNDARY

1/16" = 1' LOT BOUNDARY

1/32" = 1' LOT BOUNDARY

1/64" = 1' LOT BOUNDARY

1/128" = 1' LOT BOUNDARY

1/256" = 1' LOT BOUNDARY

1/512" = 1' LOT BOUNDARY

1/1024" = 1' LOT BOUNDARY

1/2048" = 1' LOT BOUNDARY

1/4096" = 1' LOT BOUNDARY

1/8192" = 1' LOT BOUNDARY

1/16384" = 1' LOT BOUNDARY

1/32768" = 1' LOT BOUNDARY

1/65536" = 1' LOT BOUNDARY

1/131072" = 1' LOT BOUNDARY

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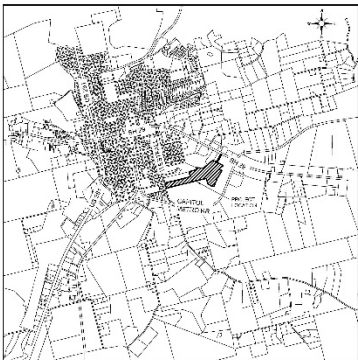
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NOT TO BE USED FOR  
CONSTRUCTION, BIDDING,  
OR PERMIT PURPOSES

PRELIMINARY PLAT FOR  
CREEKFALL PHASE 1 & 2  
BURNET, BURNET COUNTY, TEXAS

20-009-001



VICINITY MAP

Sheet List Table

Sheet Number	Sheet Title
--	TITLE SHEET
1	PRELIMINARY PLAT 1
2	PRELIMINARY PLAT 2
3	PRELIMINARY PLAT 3
4	EXISTING CONDITIONS
5	DRAINAGE
6	UTILITY LAYOUT 1
7	UTILITY LAYOUT 2

OWNER/DEVELOPER:

CREEKFALL DEVELOPMENT, LLC  
353 SAN SABA ST., MEADOWLAKE, TX 75854

ENGINEER:

SEAPULCO ENGINEERING & DEVELOPMENT  
SERVICES, L.L.C.  
PO BOX 3125, PARKER HEIGHTS, TX 75648

DATE: 04/10/2020

BY: [Signature]

PROJECT: CREEKFALL PHASE 1 & 2

LOCATION: BURNET, TEXAS

DATE: 04/10/2020

BY: [Signature]

DATE: 04/10/2020

BY: [Signature]

DATE: 04/10/2020

BY: [Signature]

PROJECT: CREEKFALL PHASE 1 & 2

LOCATION: BURNET, TEXAS

DATE: 04/10/2020

BY: [Signature]

DATE: 04/10/2020

BY: [Signature]

DATE: 04/10/2020

BY: [Signature]

PROJECT: CREEKFALL PHASE 1 & 2

LOCATION: BURNET, TEXAS

DATE: 04/10/2020

BY: [Signature]

DATE: 04/10/2020

BY: [Signature]

DATE: 04/10/2020

BY: [Signature]

PROJECT: CREEKFALL PHASE 1 & 2

LOCATION: BURNET, TEXAS

DATE: 04/10/2020

BY: [Signature]

DATE: 04/10/2020

BY: [Signature]

DATE: 04/10/2020

BY: [Signature]

PROJECT: CREEKFALL PHASE 1 & 2

LOCATION: BURNET, TEXAS

DATE: 04/10/2020

BY: [Signature]

DATE: 04/10/2020

BY: [Signature]

T.B.P.E.L.S. FIRM NO.: 21633

THIS DOCUMENT IS RELEASED FOR THE PURPOSE  
OF REVIEW UNDER THE AUTHORITY OF TYLER W.  
HARRIS, P.E., LICENSED ENGINEER. IT IS NOT TO BE  
USED FOR CONSTRUCTION, BIDDING, OR PERMIT  
PURPOSES.

PRELIMINARY PLAT FOR CREEKFALL PHASE 1 & 2



## Development Services

### ITEM 4.8

Habib Erkan, Jr.  
Assistant City Manager  
(512) 715-3201  
herkan@cityofburnet.com

### Agenda Item Brief

**Meeting Date:** March 9, 2021

**Agenda Item:** Discuss and consider action: A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE "FINAL PLAT" OF WANDERING OAKS, A PROPOSED 23-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 105.08 ACRES, BEING GENERALLY LOCATED NORTH OF COUNTY ROAD 100 (SCENIC OAKS DRIVE), SOUTH AND WEST OF COUNTY ROAD 100 (OAK VISTA DRIVE), AND EAST OF BILLY JOE FOX DRIVE: H. Erkan Jr.

**Background:** The proposed project is a residential subdivision consisting of approximately 105.08 acres located north of County Road 100 (Scenic Oaks Drive), south and west of County Road 100 (Oak Vista Drive), and east of Billy Joe Fox Drive and within the City's extraterritorial jurisdiction. The plat shall establish 23 residential lots ranging in size from 2.97 to 6.01 acres. Water shall be provided by separate wells on each lot. Sanitary sewer shall be provided by separate onsite septic systems on each lot.

**Information:** Wandering Oak Circle is proposed 2,686 linear foot dead-end cul-de-sac. As Code Sec. 98-42, prescribes a 600-foot maximum cul-de-sac length the preliminary plat was granted a variance. The applicant has addressed all other staff and city engineer comments including submission of a water availability and quality report and drainage summary. Internal streets will be maintain by a homeowners association as private streets. As said streets have not been constructed the applicant will be required to provide fiscal security assuring street construction before the plat can be recorded.

**Recommendation:** Approval and adopt Resolution R2021-12 as presented.



## RESOLUTION NO. R2021-12

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, APPROVING THE “FINAL PLAT” OF WANDERING OAKS, A PROPOSED 23-LOT RESIDENTIAL SUBDIVISION CONSISTING OF APPROXIMATELY 105.08 ACRES, BEING GENERALLY LOCATED NORTH OF COUNTY ROAD 100 (SCENIC OAKS DRIVE), SOUTH AND WEST OF COUNTY ROAD 100 (OAK VISTA DRIVE), AND EAST OF BILLY JOE FOX DRIVE**

**Whereas**, City Council has approved a preliminary plat of the Wandering Oaks Subdivision with a variance to Code Section 98-42, allowing a 2,686 linear foot dead-end cul-de-sac; and

**Whereas**, the Planning and Zoning Commission has made its recommendation on the final plat of the Wandering Oaks Subdivision; and

**Whereas**, the city staff and the city engineer have opined the application substantially complies with the subdivision ordinance; and

**Whereas**, the internal streets within the subdivision shall be maintained by a homeowners association; and

**Whereas**, the plat shall not be recorded until the internal streets and public infrastructure is completed or the applicant provides fiscal security assuring such completion; and

**NOW, THEREFORE, BE IT RESOLVED BY CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:**

**Section 1. Findings.** That the recitals to this Resolution are incorporated herein for all purposes.

**Section 2. Approval.** The final plat of the Wandering Oaks Subdivision, is hereby approved.

**Section 3. Recordation.** The final plat of the Wandering Oaks Subdivision may be recorded in the Public Records of the County Clerk of Burnet County, Texas upon compliance with the requirements of Subdivision Code Sec. 98-24(h) and related regulations.

**Section 4. Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, as modified by the governor's orders in response to the COVID-19 pandemic.

**Section 5. Effective Date.** That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

**PASSED AND APPROVED** this the 9<sup>th</sup> day of March, 2021.

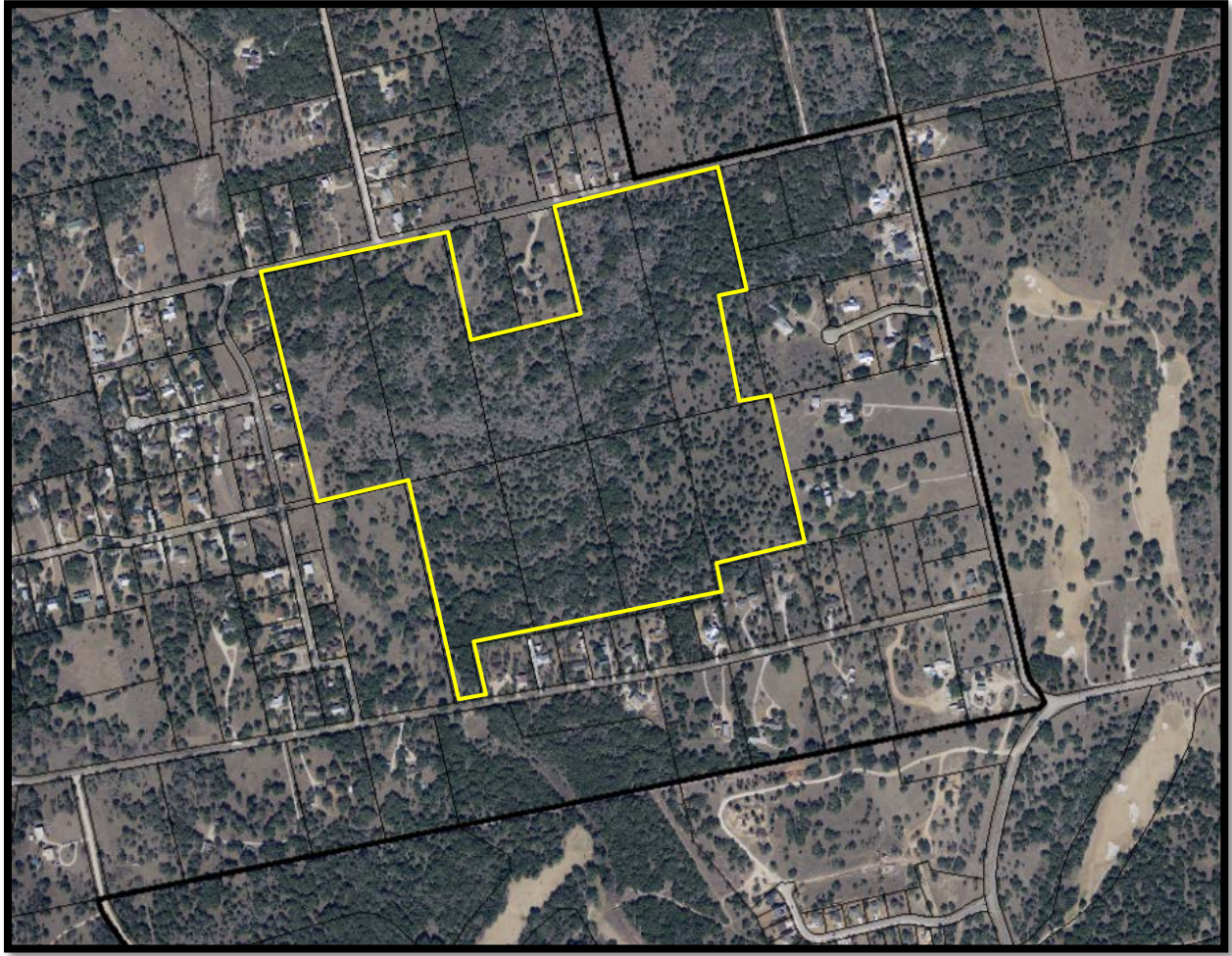
**CITY OF BURNET, TEXAS**

**ATTEST:**

\_\_\_\_\_  
Crista Goble Bromley, Mayor

\_\_\_\_\_  
Kelly Dix, City Secretary

## Exhibit A – Location Map



## Exhibit B – Proposed Final Plat

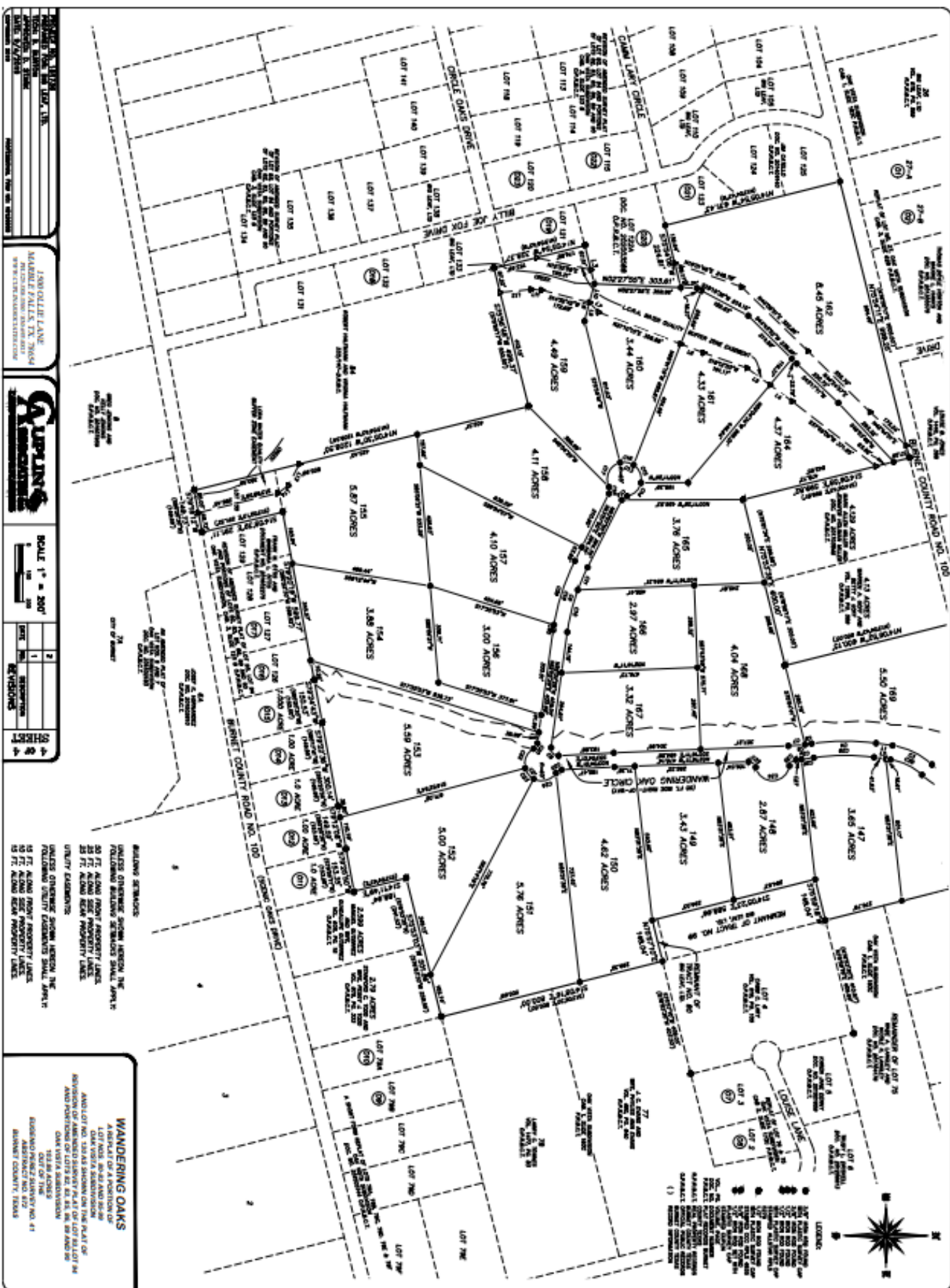
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**WANDERING OAKS**  
A REPLAT OF A PORTION OF  
LOT NOS. 86-83 AND 86-86  
AND LOT NO. 86-82, SUNDOWN ON THE PLAY OF  
REVENUE OF AN UNDEVELOPED TRACT OF LAND  
AND PORTIONS OF LOT 87, 82, 81, 80, 88 AND 89 AND  
OAK VISTA SUBDIVISION  
OUT OF THE  
EUGENIO PEREZ TRACT, MAP NO. 47  
ABSTRACT NO. 872  
BROWN COUNTY, TEXAS









## Administration

### ITEM 4.9

David Vaughn  
City Manager  
512.715.3208  
dvaughn@cityofburnet.com

## Agenda Item Brief

**Meeting Date:** March 9, 2021

**Agenda Item:** Discuss and consider action: City Council shall receive information from the City Manager regarding the possible donation of land to by Donna Parks and Doris Parks Gonzales located near the intersection of Hwy 29W and FM 2341; as well as discuss, give direction, or take action to accept the donation of said property: D. Vaughn

**Background:** The City received a letter from Doris Parks and Donna Parks Gonzales inquiring into the City's interest in the property as a potential parkland donation. They also sent the same letter to Burnet County and several other non-profit organizations at the same time.

**Information:** Staff will provide an update and seek Council direction at the time of the meeting.

**Fiscal Impact:** To be determined.

**Recommendation:** To be determined by Council