RESOLUTION NO. R2022-47

A RESOLUTION OF THE CITY COUNCIL OF BURNET, TEXAS, AUTHORIZING THE RELEASE AND TERMINATION OF EASEMENTS DEVELOPMENT THE BURNET ECONOMIC LOCATED ON CORPORATION'S 281 SOUTH COMMERCIAL TRACT KNOWN AS THE **CROSSING AT 281**

Whereas, the Burnet Economic Development Corporation is in the process of platting the 281 South Commercial Park Subdivision; and

Whereas, the project engineer/city engineer has identified two easements on the property that no longer serve a public purpose: and

Whereas, upon the recommendation of the city engineer, City Council deems it appropriate to authorize the release and termination of the easements.

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

Section one. Findings. The recitals to this Resolution are incorporated herein for all purposes.

Section two. Release and Termination. The Easements recorded in the Official Public Records of Burnet County, Texas on March 20, 1978, in Volume 249 at Page 413; and on September 18, 2002 in Volume 1091 at Page 385 are hereby terminated and released.

Section three. Approval and Authorization. The instrument, attached hereto as Exhibit "A", is hereby approved and the mayor is hereby authorized to execute same and execute such other documents and take such other actions reasonably necessary to facilitate the purpose of this Resolution.

Section four. Effective Date. This resolution shall take effect immediately upon its passage, and approval as prescribed by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THIS 14th DAY OF JUNE 2022.

CITY OF BURNET, TEXAS

ista Goble Bromley, Ma

ATTEST:

Kelly Dix, City Secretary

Release of Easements (EDC Crossing at 281)

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THE STATE OF TEXAS § § COUNTY OF BURNET

KNOW ALL PERSONS BY THESE PRESENTS:

RELEASE AND TERMINATION OF EASEMENTS

WHEREAS, the City Burnet, Texas, (hereinafter the "City"), received an Easements from the Houston Clinton and Company (hereinafter "Grantor One") as a Right of Way Easement across Grantor One's Property, and said Easement Instrument was recorded in the Official Public Records of Burnet County, Texas on March 20, 1978, in Volume 249 at Page 413 (hereinafter "Easement One"); and

WHEREAS, the City Burnet, Texas, (hereinafter the "City"), received an Easements from Billy Joe Fox (hereinafter "Granter Two") as a Non-Exclusive Easement across Grantor Two's Property, and said Easement Instrument was recorded in the Official Public Records of Burnet County, Texas on September 18, 2002, in Volume 1091 at Page 385 (hereinafter the "Easement Two"); and

WHEREAS, the Burnet Economic Development Corporation have acquired Grantor One and Grantor Two's Properties, and is therefore said grantors successor in interest; and

WHEREAS, by Resolution passed and approved on the 14th day of June, 2022, the City Council determined that the Easements are no longer necessary; and

WHEREAS, the City Council desires to terminate and grant a release of the Easements.

NOW THEREFORE, for ten dollars (\$10.00), the acceptance of this Release and Termination with utility lines capped and remaining in place, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and for the benefit of all present and future owners of the Property, or any portion thereof, the City has RELEASED AND TERMINATED and, by these presents, does RELEASE AND **TERMINATE** Easements One and Two.

It is expressly agreed and understood that this is a release of only said Easement and that this release does not release, affect or impair any other remaining easements as they may relate to the Property or any real property which is not included within the Property.

By execution hereof, the City confirms and acknowledges the Easements will be of no further force or effect as described as follows:

Release of Easements (EDC Crossing at 281)

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- Easement One recorded in the Official Public Records of Burnet County, Texas on March 20, 1978, in Volume 249 at Page 413; and
- Easement Two recorded in the Official Public Records of Burnet County, Texas on September 18, 2002 in Volume 1091 at Page 385.

EXECUTED TO BE EFFECTIVE the 14th day of June, 2022.

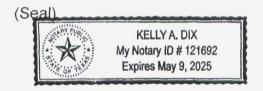
CITY OF BURNET, TEXAS

Crista Goble Bromley, Mayor

STATE OF TEXAS § COUNTY OF BURNET §

This instrument was acknowledged before me on the 14th day of June, 2022, by the Crista Goble Bromley, as mayor of the City of Burnet, on behalf of said municipal corporation.

Notary Public Signature My commission expires: 5-9-2025





FILED AND RECORDED OFFICIAL PUBLIC RECORDS

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Janet Parker, County Clerk Burnet County Texas 6/22/2022 11:23:27 AM FEE: \$30.00 202209551 REL