

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GEORGETOWN, TEXAS CONDITIONALLY AUTHORIZING THE RELEASE AND ABANDONMENT OF A PORTION OF A GEORGETOWN UTILITY EASEMENT GRANTED TO THE CITY OF GEORGETOWN IN DOCUMENT NO. 2005082794 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS.

WHEREAS, in 2005, Bettie M Wolf, a predecessor-in-title to Wolf Lakes, LP, a Texas Limited Partnership ("Owner"), granted the City of Georgetown a utility easement across a tract of land in the Joseph P. Pulsifer Survey, Abstract No. 498 (the "Property"), for the purpose of facilitating the extension of a utility easement to service the property; said easement being dedicated in Document No. 2005082794 of the Official Public Records of Williamson County, Texas (the "Easement"); and,

WHEREAS, Owner wishes to develop the Property, but a portion of the Easement is impeding the development of the Property; and,

WHEREAS, the abandonment of a 0.245-acre portion of the Easement, described in the metes and bounds in Exhibit "A" attached hereto and incorporated herein (the "Portion to be Abandoned"), would facilitate the development of the Property; and,

WHEREAS, Owner will grant the City a replacement utility easement to meet the City's requirements (the "Future UE"), which will cover the City's replacement utility facilities, generally in the location identified as Tract five Parcel one on Exhibit "A"; and,

WHEREAS, upon considering the request for release and abandonment of the Portion to be Abandoned, and additional information pertaining to the request, the City Council now finds that upon conveyance of the Future UE and the City's acceptance of the replacement facilities installed therein, a public need for the Portion to be Abandoned will no longer exist, and therefore the Portion to be Abandoned may be abandoned and released to Owner or a successor-in-interest to Owner upon satisfaction of these conditions; and

WHEREAS, nothing herein shall operate to release the remainder portion of the Easement or any other easement.

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

SECTION 1. The facts and recitations contained in the preamble of this resolution are hereby found and declared to be true and correct and are incorporated by reference herein and expressly made a part hereof, as if copied verbatim.

SECTION 2. Upon (1) the conveyance of a replacement utility easement in a form acceptable to the City Attorney and in a location generally as shown as on **Exhibit "A"**, and (2) the acceptance by the City of the replacement utility facilities, the Mayor is hereby authorized to execute a Quitclaim Deed in substantially the same form attached hereto as **Exhibit "B"** and any other conveyance document(s) necessary to complete the release and abandonment of the Portion to be Abandoned, and the City Secretary is hereby authorized to attest thereto on behalf of the City of Georgetown.

SECTION 3. The Mayor is hereby authorized to sign this Resolution and the City Secretary to attest. This Resolution shall be effective immediately upon adoption and execution by the Mayor.

PASSED AND APPROVED on this _____ day of _____, 2022.

CITY OF GEORGETOWN

ATTEST:

By: _____
Joshua Schroeder, Mayor

Robyn Densmore, City Secretary

APPROVED AS TO FORM:

Skye Masson, City Attorney