

RESOLUTION NO. R-2023-108

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS RELATED AND TO SELL REAL PROPERTY DESCRIBED AS BEING A 25.01 ACRE TRACT OF LAND OUT OF THE STEPHEN F. AUSTIN SURVEY, ABSTRACT NUMBER 2, BASTROP COUNTY, TEXAS, AND BEING ALL OF A CALLED 25.000 ACRE TRACT, DESCRIBED TO THE CITY OF BASTROP IN VOLUME 435, PAGE 360 OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS; SAID 25.01 ACRE TRACT BEING FURTHER DESCRIBED BY METES AND BOUNDS AS SHOWN IN EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Bastrop ("City Council") finds it to be in the public interest and necessary to explore opportunities to convey certain interests in real property;

WHEREAS, the Visara Holdings LLC, or assigns has expressed interest in purchasing the property.

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

Section 1: The City desires to sell certain real property that it owns located at the at the corner of Lovers Lane and Margie's Way and as further described as is attached and incorporated herein as, "Attachment A".

Section 2: The City Council hereby authorizes the City Manager to enter into the following agreements in accordance with direction and parameters outlined by the City Council, subject to approval as to form by the City Attorney

Section 3: That this Resolution shall take effect immediately upon its passage.

Section 4: 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, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 25th day of July 2023.

APPROVED:



Lyle Nelson, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



Alan Bojorquez, City Attorney



METES & BOUNDS DESCRIPTION

BEING A 25.01 ACRE TRACT OF LAND OUT OF THE STEPHEN F. AUSTIN SURVEY, ABSTRACT NUMBER 2, BASTROP COUNTY, TEXAS, AND BEING ALL OF A CALLED 25.000 ACRE TRACT, DESCRIBED TO THE CITY OF BASTROP IN VOLUME 435, PAGE 360 OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS; SAID 25.01 ACRE TRACT BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD, FOUND FOR THE NORTHEAST CORNER OF SAID 25.000 ACRE TRACT, SAME BEING IN THE SOUTH RIGHT OF WAY LINE OF MARGIE'S WAY, AN 80 FOOT WIDE RIGHT OF WAY PER RIVER MEADOWS PHASE 1, A MAP OR PLAT THEREOF RECORDED UNDER CABINET 4, PAGE 16-B OF THE PLAT RECORDS OF BASTROP COUNTY, TEXAS, AND SAME BEING IN THE WEST RIGHT OF WAY LINE OF LOVERS LANE, AN APPARENT 45 FOOT WIDE RIGHT OF WAY, NO DEED OF RECORD FOUND;

THENCE, S 11°12'48" W, WITH THE WEST RIGHT OF WAY OF LOVERS LANE, SAME BEING THE EAST LINE OF SAID 25.000 ACRE TRACT, FOR A DISTANCE OF 1,112.54 FEET TO AN IRON ROD WITH CAP, FOUND FOR THE NORTHERLY SOUTHEAST CORNER OF SAID 25.000 ACRE TRACT, SAME BEING THE NORTHEAST CORNER OF A CALLED 0.918 ACRE TRACT, DESCRIBED TO PALMS PROPERTIES, LLC IN DOCUMENT NUMBER 201700307 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY TEXAS [O.P.R.B.C.T.];

THENCE, WITH THE NORTH AND WEST LINES OF SAID 0.918 ACRE TRACT (TRACT 2), COMMON WITH THE INTERIOR LINES OF SAID 25.000 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

1. N 78°24'34" W, 199.74 FEET TO A 1/2 INCH IRON ROD WITH "MCS 6714" CAP SET,
2. S 11°36'23" W, 200.06 FEET TO A 1/2 INCH IRON PIPE, FOUND FOR THE SOUTHERLY SOUTHEAST CORNER OF SAID 25.000 ACRE TRACT, SAME BEING THE SOUTHWEST CORNER OF SAID 0.918 ACRE TRACT, AND SAME BEING IN THE NORTH LINE OF A CALLED 26.687 ACRE TRACT, DESCRIBED TO PALMS PROPERTIES IN DOCUMENT NUMBER 201700309 [O.P.R.B.C.T.];

THENCE, N 77°47'20" W, WITH THE SOUTH LINE OF SAID 25.000 ACRE TRACT, AND THE NORTH LINE OF SAID 26.687 ACRE TRACT, FOR A DISTANCE OF 670.18 FEET TO A 1/2 INCH IRON ROD, SET FOR THE SOUTHWEST CORNER OF SAID 25.000 ACRE TRACT, SAME BEING THE MOST EASTERLY SOUTHEAST CORNER OF A CALLED 45.008 ACRE TRACT (TRACT 1), DESCRIBED TO PALMS PROPERTIES, LLC IN SAID DOCUMENT NUMBER 201700307 [O.P.R.B.C.T.];

THENCE, N 12°13'34" E, WITH THE WEST LINE OF SAID 25.000 ACRE TRACT, AND THE EAST LINE OF SAID 45.008 ACRE TRACT, PASSING AT A DISTANCE OF 134.05 FEET, A 5/8 INCH IRON ROD, FOUND FOR THE SOUTHEAST CORNER OF LOT 20 OF SAID RIVER MEADOWS, PHASE 1, AND CONTINUING WITH THE EAST LINE OF SAID RIVER MEADOWS, PHASE 1, FOR A TOTAL DISTANCE OF 1,313.81 FEET TO A STEEL FENCE POST, FOUND FOR THE NORTHWEST CORNER OF SAID 25.000 ACRE TRACT, SAME BEING IN THE EAST LINE OF LOT 26 OF SAID RIVER MEADOWS, PHASE 1, FROM WHICH A 5/8 INCH IRON ROD, FOUND FOR THE SOUTHEAST CORNER OF SAID LOT 26, BEARS S 12°13'34" W, 206.04 FEET, AND SAME BEING IN THE SOUTH RIGHT OF WAY LINE OF SAID MARGIE'S WAY;



THENCE, S 77°50'27" E, WITH THE NORTH LINE OF SAID 25.000 ACRE TRACT, SAME BEING THE SOUTH RIGHT OF WAY LINE OF MARGIE'S WAY, FOR A DISTANCE OF 848.08 FEET, BACK TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT OF LAND, CONTAINING 25.01 ACRES, MORE OR LESS.

Basis of bearing is the Texas Coordinate System, Central Zone [4203], NAD83. All distances (U.S. Survey Feet) are grid and may be converted to ground by multiplying by an inversed combined scale factor of 1.00000426.

I, Garrett Cavaiuolo, Registered Professional Land Surveyor, hereby certify that this property description and accompanying survey drawing of even date, represent an actual survey performed on the ground in the month of March 2023.

A handwritten signature in blue ink, appearing to read 'G. Cavaiuolo', is written over a horizontal line.

3/22/2023

Garrett Cavaiuolo - RPLS# 6714
Garrett@MCSurveyTX.com
TBPELS FIRM# 10194678
PRJ# 0059-BP002A



LEGAL DESCRIPTION:

BEING A 25.01 ACRE TRACT OF LAND OUT OF THE STEPHEN F. AUSTIN SURVEY, ABSTRACT NUMBER 2, BASTROP COUNTY, TEXAS, AND BEING ALL OF A CALLED 25,000 ACRE TRACT, DESCRIBED TO THE CITY OF BASTROP IN VOLUME 435, PAGE 350 OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS, SAID 25.01 ACRE TRACT BEING FURTHER DESCRIBED BY THE ACCOMPANYING METES AND BOUNDS DESCRIPTION.

TITLE COMMITMENT NOTES:

COMMITMENT FOR TITLE INSURANCE PREPARED BY STEWART TITLE GUARANTY COMPANY, OF NO. 1900158, EFFECTIVE DATE OF DECEMBER 4, 2022, AND ISSUED ON DECEMBER 14, 2022.

THE SURVEYOR HAS RELIED SOLELY UPON SAID TITLE COMMITMENT FOR THE DETECTION OF EASEMENTS, RESTRICTIONS AND OTHER MATTERS AFFECTING THIS PROPERTY. NO ADDITIONAL RESEARCH WAS FURNISHED FOR THE PURPOSE OF THIS SURVEY. ITEMS LISTED ARE NOTED ACCORDING TO SAID TITLE COMMITMENT, FOLLOWS BY SURVEYOR'S NOTES (SHOWN IN BRACKETS)].

- c. EASEMENT, RIGHT OF WAY AND/OR AGREEMENT BY AND BETWEEN A. G. FAYUS AND PETER A. FAYUS AND LO-VACA GATHERING COMPANY, BY INSTRUMENT DATED 11/15/1953, FILED 1/17/1954, RECORDED IN/UNDER VOLUME 163, PAGE 308, OFFICIAL PUBLIC RECORDS, BASTROP COUNTY, TEXAS. [SHOWN HEREON]
d. EASEMENT, RIGHT OF WAY AND/OR AGREEMENT BY AND BETWEEN PETER A. FAYUS AND A. G. FAYUS AND LO-VACA GATHERING COMPANY, BY INSTRUMENT DATED 12/5/1953, FILED 12/14/1953, RECORDED IN/UNDER VOLUME 163, PAGE 455, OFFICIAL PUBLIC RECORDS, BASTROP COUNTY, TEXAS. [SHOWN HEREON]
e. EASEMENT, RIGHT OF WAY AND/OR AGREEMENT BY AND BETWEEN WILLIAM P. WALKER AND LINDA S. W. ORLANDO, CO-INDEPENDENT EXECUTORS OF THE ESTATE OF WEA WALKER, DECEASED AND THE CITY OF BASTROP, TEXAS, BY INSTRUMENT DATED 9/29/1936, FILED 9/22/1936, RECORDED IN/UNDER VOLUME 435, PAGE 354, OFFICIAL PUBLIC RECORDS, BASTROP COUNTY, TEXAS. [SHOWN HEREON]
f. EASEMENT, RIGHT OF WAY AND/OR AGREEMENT BY AND BETWEEN CITY OF BASTROP AND COUNTY OF BASTROP, TEXAS, BY INSTRUMENT DATED 6/8/2021, FILED 6/75/2021, RECORDED IN/UNDER CLERK'S FILE NO. 202113217, OFFICIAL PUBLIC RECORDS, BASTROP COUNTY, TEXAS. [SHOWN HEREON]

CONTROL NOTE:

BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM, TEXAS CENTRAL ZONE (4203), NORTH AMERICAN DATUM 5538 (NAD83), NAVD83, GEODID. ALL COORDINATE VALUES AND DISTANCES SHOWN ARE GRID VALUES AND MAY BE CONVERTED TO GROUND BY MULTIPLYING BY AN INVERSED CONVERSION SCALE FACTOR OF 1.00000426. UNITS: US SURVEY FEET.

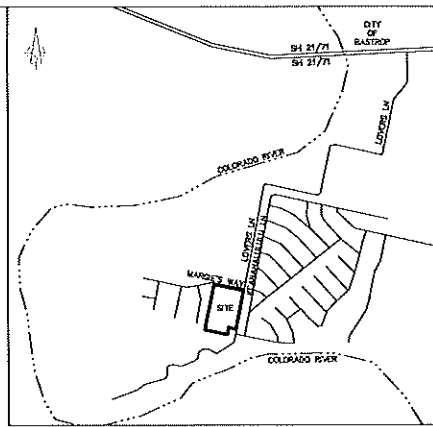
FLOODPLAIN NOTE:

PER FEMA, A PORTION OF THIS PROPERTY (AS SHOWN IN RED) IS LOCATED WITHIN SHADDED ZONE X, AS SHOWN ON E.I.R. N. PANEL R.O.4502100355, BASTROP COUNTY, TEXAS DATED 01/19/2006. PER FEMA, SHADDED ZONE X IS A FLOOD HAZARD AREA, LOCATED WITHIN THE 0.2% ANNUAL CHANCE OF FLOOD.

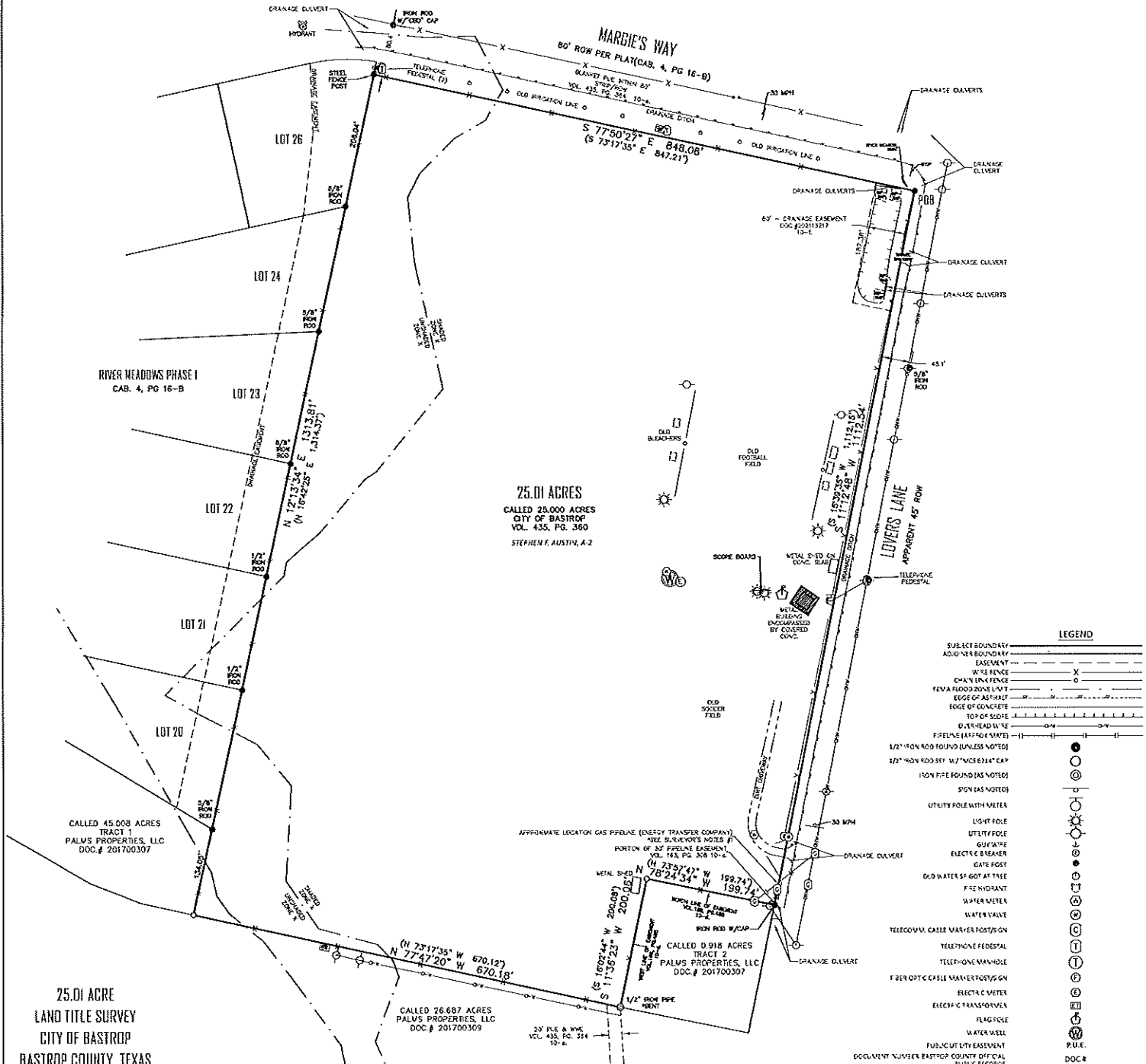
THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

SURVEYOR'S NOTES:

- 1. APPROXIMATE LOCATION OF ENERGY TRANSFER COMPANY GAS PIPELINE BASED UPON FOUND PIPELINE MARKERS, APPARENT RIGHT OF WAY, AND TEXAS PARKROAD COMMISSION MARKING. NO SUPPORTING EASEMENT DOCUMENT PROVIDED. A MINIMUM OF A 50' RIGHT OF WAY BUFFER IS SUGGESTED WITHOUT FURTHER EVIDENCE OR CONFIRMATION OF RIGHT OF WAY WIDTH FROM THE PIPELINE COMPANY (ENERGY TRANSFER COMPANY).



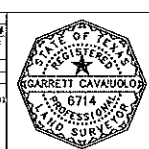
VICINITY MAP NOT TO SCALE



LEGEND table with symbols for SUBJECT BOUNDARY, ADJACENT BOUNDARY, EASEMENT, WIRE FENCE, etc.

25.01 ACRE LAND TITLE SURVEY CITY OF BASTROP BASTROP COUNTY, TEXAS

Surveyor information: Date: 5/29/2023, Job #0038-00024, Address: LOTS 20-26 MARBIE'S WAY, City: BASTROP, TX, 77652, JFB



SURVEYOR'S CERTIFICATE TO VERIFY ACCURACY... I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND THAT THIS BEST COPY OF THIS SURVEY IS THE TRUE AND CORRECT COPY...

