

RESOLUTION NO. R-2018-29

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS
APPROVING THE AUTORIZATION AND RECORDATION OF A RELEASE OF
JUDGEMENT IN THE MATTER OF WARREN V. CLAMPIT, CAUSE NO. 18,852.
AS ATTACHED IN EXHIBIT A; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City of Bastrop was a third party and/or intervenor in this suit and, as a party, entered into a "Full and Complete Mutual Release Agreement" on July 10, 1990 in settlement of all claims in this suit; and

WHEREAS, judgment was entered pursuant to the Agreement; and

WHEREAS, in accordance with the Agreement, upon receipt from third party plaintiff Berniece Irby of a quitclaim deed for acreage by Poplar Street, the City of Bastrop agreed to construct a paved public street adjacent to the property within eighteen months of approval of the Agreement by the parties; and

WHEREAS, the City of Bastrop received the deed, and constructed and completed the public street in fulfillment of its obligations under the Agreement.

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

Section 1: The recitals set forth in this Resolution are true and correct and are incorporated herein for all purposes.

Section 2: This resolution is duly adopted by the City Council of the City of Bastrop at a public meeting held in conformity with the Texas Open Meetings Act, Chapter 551, Texas Government Code.

Section 3: The City Council authorizes the Mayor or her designee to execute the release of judgement and authorizes the recordation of the document, in a substantial form as that attached hereto as Exhibit A.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 24th day of April, 2018.

APPROVED:



Connie B. Schroeder, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



Alan Bojorquez, City Attorney

CAUSE NO. 18,852

PATRICIA H. WARREN

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IN THE

VS.

21st JUDICIAL DISTRICT COURT

PAM CLAMPIT, ET. AL.

BASTROP COUNTY TEXAS

RELEASE OF JUDGMENT

WHEREAS, the City of Bastrop was a third party and/or intervenor in this suit and, as a party, entered into a "Full and Complete Mutual Release Agreement" on July 10, 1990 in settlement of all claims in this suit; and

WHEREAS, judgment was entered pursuant to the Agreement; and

WHEREAS, in accordance with the Agreement, upon receipt from third party plaintiff Berniece Irby of a quitclaim deed for acreage by Poplar Street, the City of Bastrop agreed to construct a paved public street adjacent to the property within eighteen months of approval of the Agreement by the parties; and

WHEREAS, the City of Bastrop received the deed, and constructed and completed the public street in fulfillment of its obligations under the Agreement.

NOW THEREFORE, the City of Bastrop, hereby acknowledge receipt of the quitclaim deed and, in turn, its completion of the construction of the public street, and do hereby release unto the Plaintiff, his/her heirs and assigns, any and all liens, theretofore existing by reason of such Judgment upon; any property of the said Plaintiff, whatsoever.

Witness my hand this 24th day of April, 2018.

Connie B. Schroeder
Connie B. Schroeder, Mayor
City of Bastrop

BEFORE ME, the undersigned notary public, on this day personally appeared Connie B. Schroeder, known to me to be the person whose name was subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

SUBSCRIBED AND SWORN TO BEFORE ME on the 24th day of April, 2018, to certify which witness my hand and official seal.

Ann Franklin
Notary Public

