

RESOLUTION NO. R-2018-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS APPROVING AN EASEMENT ALLOWING TXDOT TO CONSTRUCT THE SLOPE OF THE OVERPASS IN THE CITY'S RIGHTS-OF-WAY, AS ATTACHED AS EXHIBIT A; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTATION; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, The City Council has appointed the City Manager as the Chief Administrative Officer of the City; and

WHEREAS, The City Manager is responsible for the proper administration of all affairs of the City; and

WHEREAS, The City of Bastrop has an interest in maintaining drainage areas, such as Gills Branch, within and through the City of Bastrop and Bastrop County; and

WHEREAS, The City of Bastrop has recognized the need of a License Agreement with the Texas Department of Transportation; and

WHEREAS, Pursuant to Title 7, subchapter C, Section 791.028 (b) of the Government Code, a local government may contract with another local government, a state agency, or a transportation corporation to pay jointly all or part of the costs of a highway project, including the cost of an easement or interest in land required for or beneficial to the project; and

WHEREAS, the City Council finds that a very significant public interest is served by the completion of a License Agreement.

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

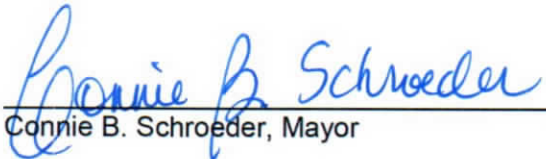
Section 1: That the City Manager is hereby authorized to execute a License Agreement between the City of Bastrop and the Texas Department of Transportation. (Exhibit A)

Section 2: All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 3: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 12th day of June, 2018.

APPROVED:



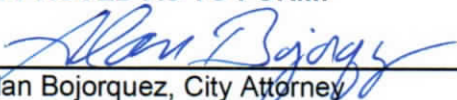
Connie B. Schroeder, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



Alan Bojorquez, City Attorney



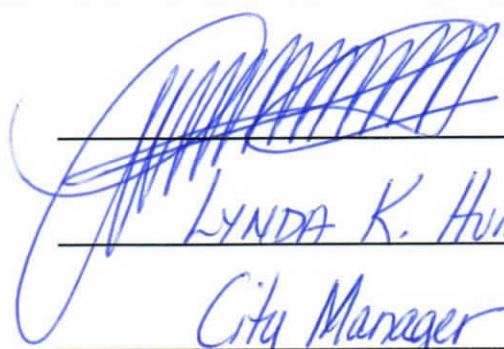
LICENSE AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

That City of Bastrop referred to as, "Grantor", in consideration for the mutual benefit received by both parties and other good and valuable consideration paid by the Texas Department of Transportation, does hereby grant to The State of Texas, its agents, contractors, successors and assigns, hereinafter referred to as "State", a license agreement for the purpose of embankment and concrete riprap in, along, upon and across the property located in the County of Bastrop, State of Texas, more fully described in Exhibit "A" attached hereto and made a part hereof for any and all purposes.

For the consideration above recited and the mutual covenants and conditions herein contained the parties further agree as follows: TxDOT will place concrete riprap from the new roadway to the existing Gills Branch channel to reduce maintenance needs in this area.

IN WITNESS WHEREOF, the parties hereto have executed this instrument this 12th day of June, 2018.



LYNDA K. Humble

City Manager

City of Bastrop, TX

Acknowledgement

State of Texas
County of Travis

This instrument was acknowledged before me on _____ by

Notary Public's Signature

Corporate Acknowledgment

State of Texas
County of

This instrument was acknowledged before me on _____

by _____,

of _____, a _____

corporation, on behalf of said corporation.

Notary Public's Signature

