

RESOLUTION NO. R-2020-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AUTHORIZING A RELEASE OF PUBLIC UTILITY EASEMENT FOR APPROXIMATELY 18 FEET OF A 15-FOOT WIDE PUBLIC UTILITY EASEMENT DEDICATED WITH THE COMPOUND RESUBDIVISION NO. 2, LOCATED AT 1405 WILLOW STREET, ALSO KNOWN AS THE LCRA RIVERSIDE CONFERENCE CENTER, AS ATTACHED AS EXHIBIT A; AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop acquires Public Utility Easements with subdivision plats;
and

WHEREAS, some established Public Utility Easements are no longer needed by municipal or private utility companies; and

WHEREAS, the City of Bastrop has received statements of No Objections for the partial release of the easement shown in Exhibit A from non-municipal utilities; and

WHEREAS, the City of Bastrop will approve the partial release after the Water and Wastewater Department and Bastrop Power & Light verifies that no water, wastewater or electric infrastructure is present in the area shown in Exhibit A.

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

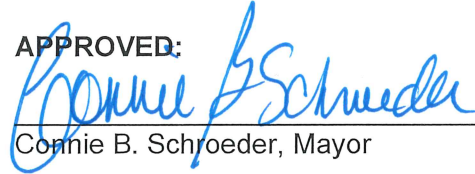
Section 1. The City Manager is hereby authorized to execute a Release of Easement for approximately 18 feet of a 15-foot wide Public Utility Easement dedicated with The Compound Resubdivision No. 2, located at 1405 Willow Street, also known as the LCRA Riverside Conference Center, as attached as Exhibit A, as well as all other necessary documents.

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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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. This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop, Texas this 24th day of March 2020.

APPROVED:



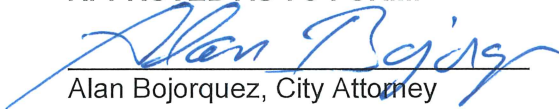
Connie B. Schroeder, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



Alan Bojorquez, City Attorney

RELEASE OF PUBLIC UTILITY EASEMENT

STATE OF TEXAS §
COUNTY OF BASTROP § KNOW ALL MEN BY THESE PRESENTS:
§

This Agreement (this “Agreement”) is made on the 24th day of March, 2020, at Bastrop, Texas, between the City of Bastrop, a Texas home-rule municipal corporation, whose address is P.O. Box 427 Bastrop, Texas 78602, Attn: Bastrop City Secretary (herein referred to as “the City”) and the Lower Colorado River Authority, represented by Rory Dismuke, Senior Vice President, (hereinafter referred to as the “Property Owners”).

- 1. For the good and valuable consideration described in Paragraph 2 below, the City has ABANDONED, RELEASED, and DISCHARGED and hereby does RELEASE, ABANDON, and DISCHARGE and forever QUITCLAIM to the Property Owners, its successors and assigns, any interest the City may have in that certain real property, located in Bastrop County, Texas, described as follows:

Being a part of The Compound Resubdivision No. 2, Lot 1, in the City of Bastrop, Bastrop County, Texas, recorded in Plat Cabinet 2, Page 375, Bastrop County Deed Records and the easement location being shown in **Exhibit A** attached hereto and made a part hereof for all purposes (herein referred to sometimes as the “Property”).

- 2. This Release of the Public Utility Easement and the rights and privileges herein conveyed are granted for and in consideration of the sum of One and No/100 Dollars (\$1.00) and other good and valuable consideration to the City in hand paid by the Property Owners, the receipt and sufficiency of which is hereby acknowledged and confessed.
- 3. This Release of the Public Utility Easement is given specifically to abandon, release, and discharge the Public Utility Easement and dedication granted by the Joyce D. Gay and George P. Mitchell on April 21, 1994 and filed on April 5, 1994 by the County Clerk of Bastrop County, Texas.
- 4. This Release of Public Utility Easement contains the entire agreement between the parties relating to its subject matter. Any oral representations or modifications concerning this Agreement shall be of no force and effect. Any subsequent amendment or modification must be in writing and agreed to by all parties.
- 5. The terms of this Release of Public Utility Easement shall be binding upon the City, and the City’s heirs, personal representatives, successors, and assigns; shall bind and inure to the benefit of the Property Owners and any successors or assigns of the Property Owners; and shall be deemed to be a covenant running with the land.

IN WITNESS WHEREOF, the City has caused this instrument to be executed on this 26 day of March, 2020.

THE CITY OF BASTROP:

By: Trey Job
Trey Job
Acting City Manager

STATE OF TEXAS §
 §
COUNTY OF BASTROP §

This instrument was acknowledged before me on this the 26th day of MARCH, 2020, by TREY JOB, the Acting City Manager and the duly authorized representative of the City of Bastrop.



Traci Chavez
Notary Public, State of Texas

AFTER RECORDING, RETURN TO:
Bastrop City Secretary
P.O. Box 427
Bastrop, Texas 78602

EXHIBIT "A"

DESCRIPTION OF A 0.01 ACRE TRACT OF LAND BEING OUT OF THE REMAINDER OF LOT 1, RESUBDIVISION NO. 2, THE COMPOUND, DATED APRIL 21, 1994, AS RECORDED IN PLAT CABINET NO. 2, PAGE 375A, PLAT RECORDS, BASTROP COUNTY, TEXAS (P.R.B.C.T.), ALSO BEING OUT OF FARM LOT 17, MAP OF BASTROP, TEXAS, PLAT CABINET NO. 1, PAGE 23A, P.R.B.C.T., AND CONVEYED IN A DEED FROM JOYCE D. GAY AND GEORGE P. MITCHELL TO LOWER COLORADO RIVER AUTHORITY, A POLITICAL SUBDIVISION OF THE STATE OF TEXAS, DATED JULY 7, 1994, RECORDED IN VOLUME 716, PAGE 459, OFFICIAL PUBLIC RECORDS, BASTROP COUNTY, TEXAS (O.P.R.B.C.T.), THE PERIMETER OF SAID 0.01 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point within said remainder of Lot 1, same being 2 feet parallel to the foot print of a 2 story wood cabin with metal roof (Grid coordinates N= 10018428.01 US Feet, E= 3247903.60 US Feet), for the northeast corner of the tract described herein, from which a 2" iron pipe found on the north line of Lot No. 4, of said Resubdivision No. 2, The Compound, same being on the south line of a called 1.743 acre tract described in deed from Fred Hoskins and wife, Jo Ann Hoskins to Albert N. Pfierrfer and Laura Jimenez Hernandez, dated April 5, 2013, recorded in Volume 2224, Page 711, O.P.R.B.C.T., bears N 19°09'32" W, a distance of 228.63 feet,

THENCE over and across said remainder of Lot 1 the following four (4) courses and distances:

- 1) S 02°02'41" E, a distance of 19.92 feet to a calculated point for the southeast corner of the tract described herein, from which a 5/8" iron rod found on the east line of the remainder of Lot 1, same being the southwest corner of Lot 8, of the said Resubdivision No. 2, The Compound, same also being the northwest corner of a 0.163 acre tract described in a deed from Joseph J. Beal and Nancy F. Beal to Geoffery S. Conner, a single person, dated August 21, 2006, recorded in Volume 1728, Page 294, O.P.R.B.C.T., bears N 89°51'50" E, a distance of 367.62 feet,
- 2) S 87°57'19" W, a distance of 15.00 feet to a calculated point for the southwest corner of the tract described herein,
- 3) N 02°02'41" W, a distance of 20.23 feet to a calculated point, same being 2 feet parallel to the said 2 story wood cabin with metal roof, for the northwest corner of the tract described herein, and

(INTENTIONALLY LEFT BLANK)

- 4) N 89°08'03" E, a distance of 15.00 feet to the **POINT OF BEGINNING**. Said tract contains 0.01 acres, more or less.

The field notes and plat attached hereto are an accurate representation of a survey made and monumented on the ground under my supervision in the month of March 2020.



Erik S. Milnes
Registered Professional Land Surveyor No. 6622
SURVEYING AND MAPPING, LLC
4801 Southwest Parkway
Building Two, Suite 100
Austin, Texas 78735
Texas Firm No. 10064300

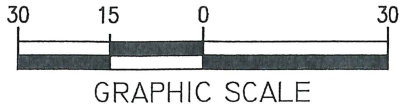
3/23/20

Date



BEARING BASIS: Texas Lambert Grid, Central Zone, NAD 83/NSRS 2011
Combined Scale Factor: 0.9999887170- All distances shown are surface values.
ACAD File: GBASO60A-003A.DWG
WORD File: GBASO60A-003A.DOC

BASTROP COUNTY, TEXAS



LINE TABLE		
NUMBER	BEARING	DISTANCE
L1	S02°02'41"E	19.92'
L2	S87°57'19"W	15.00'
L3	N02°02'41"W	20.23'
L4	N89°08'03"E	15.00'
L5	N19°09'32"W	228.63'
L6	N89°51'50"E	367.62'

FRED HOSKINS AND WIFE, JO ANN HOSKINS TO ALBERT N. PFIERFFER AND LAURA JIMENEZ HERNANDEZ CALLED 1.743 ACRES VOLUME 2224, PAGE 711 APRIL 5, 2013 O.P.R.B.C.T.

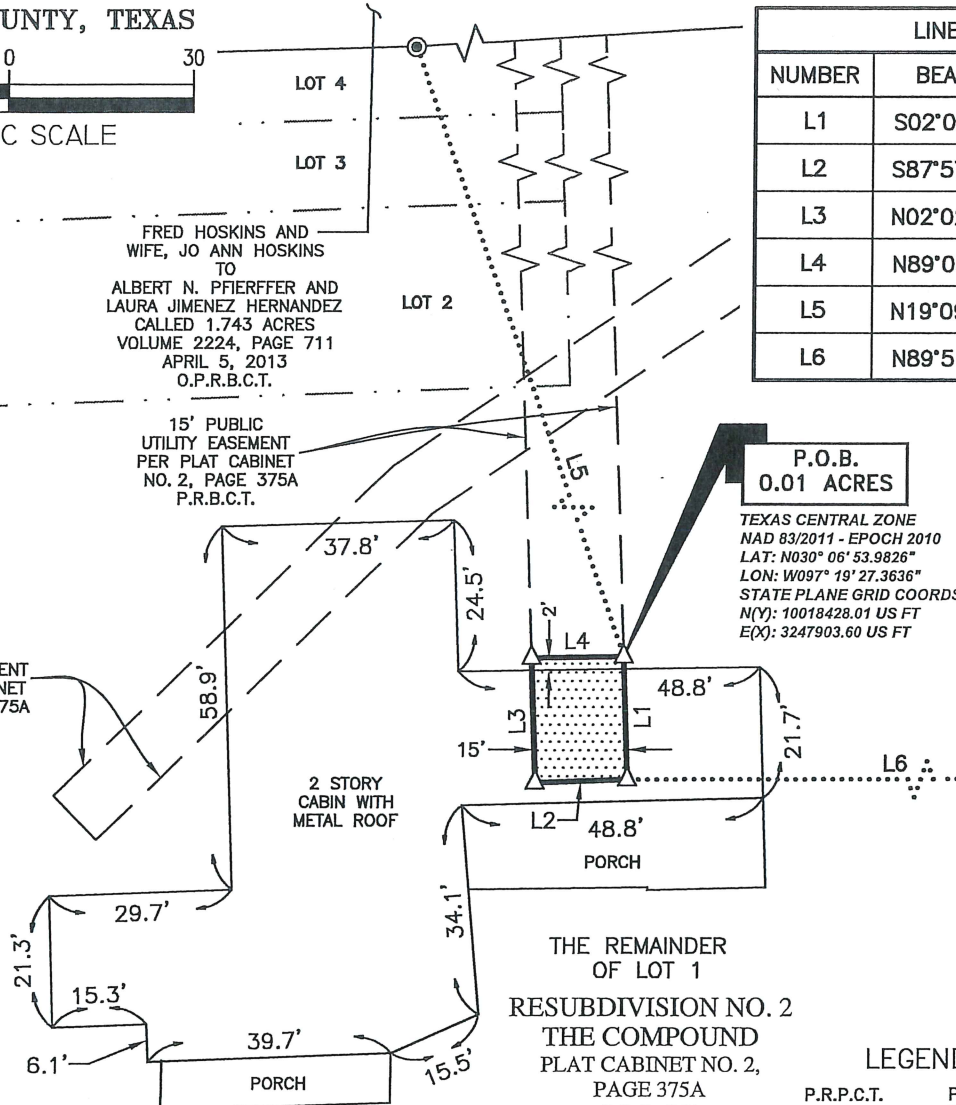
15' PUBLIC UTILITY EASEMENT PER PLAT CABINET NO. 2, PAGE 375A P.R.B.C.T.

10' PRIVATE UTILITY EASEMENT PER PLAT CABINET NO. 2, PAGE 375A P.R.B.C.T.

P.O.B. 0.01 ACRES

TEXAS CENTRAL ZONE NAD 83/2011 - EPOCH 2010
 LAT: N030° 06' 53.9826"
 LON: W097° 19' 27.3636"
 STATE PLANE GRID COORDS
 N(Y): 10018428.01 US FT
 E(X): 3247903.60 US FT

JOSEPH J. BEAL AND NANCY F. BEAL TO GEOFFREY S. CONNOR, A SINGLE PERSON LOT NO. 8 AND A CALLED 0.163 ACRES BEING A PORTION OF LOT NO. 1, RESUBDIVISION NO. 2 PLAT CABINET NO. 2, PAGE 375A P.R.B.C.T. VOLUME 1728, PAGE 294 AUGUST 21, 2006 O.P.R.B.C.T.



THE REMAINDER OF LOT 1
 RESUBDIVISION NO. 2
 THE COMPOUND
 PLAT CABINET NO. 2,
 PAGE 375A
 P.R.B.C.T

FARM LOT 17

JOYCE D. GAY AND GEORGE P. MITCHELL TO LOWER COLORADO RIVER AUTHORITY, A POLITICAL SUBDIVISION OF THE STATE OF TEXAS LOTS 1, 2, 3 AND 4 OF THE RESUBDIVISION NO. 2, THE COMPOUND VOLUME 716, PAGE 459 JULY 7, 1994 O.P.R.B.C.T.

MAP OF BASTROP, TEXAS
 PLAT CABINET NO. 1,
 PAGE 23A
 P.R.B.C.T.



- LEGEND**
- P.R.P.C.T. PLAT RECORDS BASTROP COUNTY, TEXAS
 - O.P.R.P.C.T. OFFICIAL PUBLIC RECORDS BASTROP COUNTY, TEXAS
 - P.O.B. POINT OF BEGINNING
 - △ CALCULATED POINT
 - ⊙ 2" IRON PIPE FOUND
 - 5/8" IRON ROD FOUND
 - SUBJECT LINE
 - BOUNDARY LINE
 - - - ADJOINER BOUNDARY
 - - - EASEMENT LINE
 - - - LOT LINE
 - FLY TIE

4801 SOUTHWEST PKWY
 BUILDING TWO, SUITE 100
 Austin Texas, 78735
 (512) 447-0575 Fax: (512) 326-3029
 EMAIL: SAM@SAM.BIZ
 TX. FIRM NO. 10064300

ACAD FILE: GBASO60A-0003A.dwg
 WORD FILE: GBASO60A-0003A.doc
 DATE: 03/18/2020
 WO NO: 115605
 FIELD BOOK: 36654 & 36693
 DRAWN BY: IR

PLAT SHOWING A 0.01 ACRE TRACT OF LAND IN THE REMAINDER OF LOT 1 RESUBDIVISION NO. 2, THE COMPOUND BASTROP COUNTY, TEXAS

ENERGY • WATER • COMMUNITY SERVICES
 3700 LAKE AUSTIN BLVD. AUSTIN, TX 78703
 (512) 473-3200 www.lcra.org
 TBPLS FIRM# 10152700