

RESOLUTION NO. R-2017-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, APPROVING AND ACCEPTING THE TRANSFER OF REAL PROPERTY DESCRIBED AS LOT ONE, LANFORD PLACE SUBDIVISION, BASTROP COUNTY, TEXAS, FROM THE BASTROP ECONOMIC DEVELOPMENT CORPORATION; AUTHORIZING THE EXECUTION OF A SPECIAL WARRANTY DEED; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Bastrop Economic Development Corporation, pursuant to Texas Local Government Code Section 505.152, desires to transfer title and possession to the Real Property to the City of Bastrop to promote public park purposes; and

WHEREAS, the City Council of the City of Bastrop finds it in the best interest of the City to accept such Real Property for park purposes.

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

Section 1. That the City Council hereby approves and accepts the Bastrop Economic Development Corporation's transfer of title and possession to the Real Property, described as Lot One in the Lanford Place Subdivision, Bastrop County, Texas, to the City of Bastrop to promote public park purposes.

Section 2. The City Manager is hereby authorized to memorialize the acceptance of the Real Property by execution of a Special Warranty Deed, in substantial form to **Exhibit "A"** hereto and such other documents reasonably necessary to complete the transfer of title and possession of the Real Property to the City of Bastrop.

Section 3. The recitals set out above are fully incorporated as if fully set forth herein.


Section 4. Any prior resolution of the City Council in conflict with the provisions contained in this resolution are hereby repealed and revoked.

Section 5. Should any part of this resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

Section 6. 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
this 11th day of July 2017.

APPROVED:



Connie B. Schroeder, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



David F. Bragg, City Attorney

Exhibit "A"

SPECIAL WARRANTY DEED

NOTICE OF CONFIDENTIALITY RIGHTS

IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

STATE OF TEXAS §
 §
COUNTY OF BASTROP §

KNOW ALL BY THESE PRESENTS that BASTROP ECONOMIC DEVELOPMENT CORPORATION ("Grantor"), for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration paid in cash to the Grantor by the Grantee named in this Deed, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the CITY OF BASTROP ("Grantee"), a Home-Rule City of the State of Texas, all of the property described as follows:

Lot One (1), LANFORD PLACE, a subdivision in Bastrop County, Texas, according to the map or plat thereof recorded in Cabinet # 3, Page 97-B, Plat Records of Bastrop County, Texas, and as more precisely described in the survey plat attached hereto as **Exhibit "A"** and incorporated herein for all purposes.

THIS CONVEYANCE IS MADE BY GRANTOR AND ACCEPTED BY GRANTEE subject to the terms, conditions and provisions of this Deed and further subject to all applicable easements, conditions, restrictions, covenants, mineral or royalty interests, mineral reservations, surface waivers, liens, encumbrances, regulations or orders of municipal and/or other governmental authorities, if any, or other matters of record, to the extent, but only to the extent, they are validly existing and affect the Property.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto and in anywise belonging unto the said Grantee, its successors and assigns forever; and Grantor does hereby bind itself, its successors and assigns, to Warrant and Forever Defend all and singular the Property unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same of any part thereof, by, through or under Grantor, but not otherwise.

The remainder of this page intentionally is blank and signature pages follow.

Exhibit "A"

IN WITNESS WHEREOF, the Grantor herein has executed this Special Warranty Deed, to be effective as of the ____ day of _____, 2017.

GRANTOR:

BASTROP ECONOMIC DEVELOPMENT CORPORATION,
a Texas type B Economic Development Corporation

By _____
Kristi Koch, Vice-Chairperson to the Board of Directors,
serving as Interim Chairperson

ATTEST:

By _____
Cam Chavez, Secretary to the Board of Directors

State of Texas
County of Bastrop

This instrument was acknowledged before me on the ___ day of _____, 2017, by Kristi Koch, (Vice-Chairperson to the Board of Directors, serving as Interim Chairperson) of (Bastrop Economic Development Corporation), a Texas type B economic development corporation, on behalf of said corporation.

(Personalized Seal)

Notary Public's Signature

The remainder of this page intentionally is blank and grantee signature page follows.

Exhibit "A"

GRANTEE:

AGREED AND ACCEPTED;

CITY OF BASTROP, TEXAS
a Texas home-rule municipality

By _____
Lynda Humble, City Manager

ATTEST:

By _____
Ann Franklin, City Secretary

State of Texas
County of Bastrop

This instrument was acknowledged before me on the ___ day of _____, 2017, by Lynda Humble, City Manager of Bastrop, Texas, a home-rule municipality, on behalf of said municipality.

(Personalized Seal)

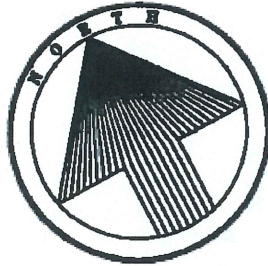
Notary Public's Signature

After filing this document, please return to:
Ann Franklin
City Secretary
Bastrop City Hall
P.O. Box 427
Bastrop Texas 78602

EXHIBIT "A"
 SURVEY MAP OF REAL PROPERTY

SURVEY PLAT

LOOP 150
 (160.0' R.O.W.)



SCALE: 1" = 100'

LEGEND

- IRON PIPE FOUND
- IRON ROD FOUND
- IRON ROD SET
- ▲ NAIL FOUND
- ⊕ FIRE HYDRANT
- △ NAIL SET
- CONC MONUMENT FND.
- //— WOOD FENCE
- CHAIN LINK FENCE
- X— WIRE FENCE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE ESMT.
- B.L. BUILDING LINE
- ⊙ POWER POLE
- E— OVERHEAD ELEC. LINE
- G— DOWN GUY
- (BRG.-DIST.) RECORD CALL
- (R.C.) RESTRICTIVE COVENANTS
- (B.E.C.) BLUEBONNET ELECT. COOP.
- (A.W.S.C.) AQUA WATER SUPPLY CORP.

I / We have reviewed this survey and are aware of any and all discrepancies, conflicts, or shortages in area or boundary lines or any encroachments, or protrusions or any overlapping of improvements.

Sign: _____ Date: _____
 Sign: _____ Date: _____

CITY OF BASTROP
 (19.68 AC.)
 43/587 B.C.D.R.
 REF: 72/560 B.C.D.R.

CALVARY BAPTIST CHURCH
 OF BASTROP
 252/401 B.C.D.R.

LOT 1

APPROX. LOCATION GAS PIPELINE

BARBARA HUMBLE
 (1.0 AC.)
 703/223 B.C.D.R.

NOTE:

- THIS PROPERTY IS SUBJECT TO:
1. PIPELINE ROW ESMT GRANTED TO LO-VACA GATHERING COMPANY IN (162/609) D.R.B.C.
 2. ELECTRIC ESMT GRANTED TO B.E.C. IN (223/648), PARTIAL RELEASE OF ESMT IN (831/834) O.R.B.C.
 3. WATER PIPELINE ESMT GRANTED TO A.W.S.C. IN (198/151) D.R.B.C.



N20°42'44"E
 169.55'

S61°38'31"E 359.60'

N61°37'23"W
 351.72'

CITY OF BASTROP
 (7.50 AC.)
 826/318 B.C.D.R.

N31°02'49"E 555.60'

N61°43'46"W
 156.58'

S28°19'49"W
 165.82'

S28°18'41"W 436.76'

S61°28'00"E
 150.36'

GRAVEL
 E
 TELEPHONE PED
 WATER METER
 LOCATION GAS PIPELINE SIGN
 10.0' P.U.E. (PLAT)
 (808/785)