

RESOLUTION NO. R-2018-121

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS ACCEPTING THE DEED FOR THE TRANSFER OF A 9,149 SQUARE FOOT RESERVE AREA IN PECAN PARK, SECTION 5B, LOCATED AT THE SOUTHWEST CORNER OF HEADWATERS DRIVE AND PERKINS STREET, BEING LOCATED IN BASTROP, TEXAS, AS SHOWN IN EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, DM Pecan Park Associates, Ltd., the Owner, constructed the public improvements as part of the Pecan Park, Section 5B Subdivision; and

WHEREAS, a 9,149 square foot Reserve Area was platted to be the location of a public lift station as part of the wastewater system; and

WHEREAS, the City of Bastrop Public Works Department took over the operation and maintenance of the lift station on March 7, 2017; and

WHEREAS, the Owner wishes to convey the Reserve Area to the City for the continued operation and maintenance of the wastewater lift station.

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


Section 1: Accepting the deed for the transfer of a 9,149 Reserve Area of Pecan Park, Section 5B Subdivision, as shown in 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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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 upon the recordation of the deed.

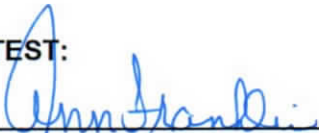
DULY RESOLVED AND APPROVED by the City Council of the City of Bastrop this 11th day of December 2018.

APPROVED:



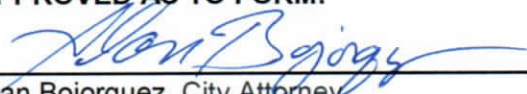
Connie B. Schroeder, Mayor

ATTEST:



Ann Franklin, City Secretary

APPROVED AS TO FORM:



Alan Bojorquez, City Attorney

DEED

THE STATE OF TEXAS

§

COUNTY OF BASTROP

§

§

KNOW ALL MEN BY THESE PRESENTS:

Deed made on November 26, 2018, by DM Pecan Park Associates, Ltd, a Texas limited partnership, having an address at 1310 Ranch Road 620 South, Suite 200-B Austin, Texas 78734 of the County of Travis, State of Texas (hereinafter referred to as "Grantor"), to the City of Bastrop, whose mailing address is P. O. Box 427 Bastrop, Bastrop County, Texas 78602 (hereinafter referred to as "Grantee"), for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have transferred and does by this instrument bargain, sell, release and convey to Grantee all of Grantor's right, title, interest, claim and demand in and to the land located in the City of Bastrop, County of Bastrop, State of Texas as follows, more particularly described in Exhibit "A," attached hereto and incorporated herein for any and all purposes (hereinafter referred to as the "Property"), together with all tenements, heritable property, and appurtenances belonging to the land as well as the reversions, remainders, rents, issues, and profits from the above described property, if any.

TO HAVE AND TO HOLD for said purposes together with all and singular the rights, privileges, and appurtenances thereto in any manner belonging unto the said City of Bastrop, Texas forever.

IN WITNESS WHEREOF, this instrument is executed on this the 26 day of November, 2018.

Grantee:
CITY OF BASTROP

Grantor:
DM PECAN PARK ASSOCIATES, LTD,
a Texas limited liability company

By: Connie Schroeder
Connie Schroeder
Mayor

By: McDowell Development, LLC
a Texas limited partnership
its general partner
By: Duke McDowell
Name: Duke McDowell
Its: Manager

ACKNOWLEDGMENT FOR CORPORATIONS, PARTNERSHIPS, ASSOCIATIONS, ETC.

STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

This instrument was acknowledged before me on this 26th day of November 2018, by Duke McDowell, Manager of McDowell Development LLC on behalf of DM Pecan Park Associates, Ltd.



Notary Public in and for the
State of TEXAS



STATE OF TEXAS §
 §
COUNTY OF BASTROP §

The City of Bastrop a body politic and political subdivision of the State of Texas did at a regular meeting with a quorum being present, on _____, 2018 vote to authorize the acceptance of this dedication of the Property as a public right of way.



Connie Schroeder, Mayor

Attest:

City Secretary

STATE OF TEXAS §
 §
COUNTY OF BASTROP §

This instrument was acknowledged before me on _____, 2018 by Connie Schroeder, in her capacity as Mayor of the City of Bastrop.

Notary Public in and for
The State of Texas

After recording, return to:
Bojorquez Law Firm, PC
Attn: Alan Bojorquez
12325 Hymeadow Dr. Ste. 2-100
Austin TX 78750

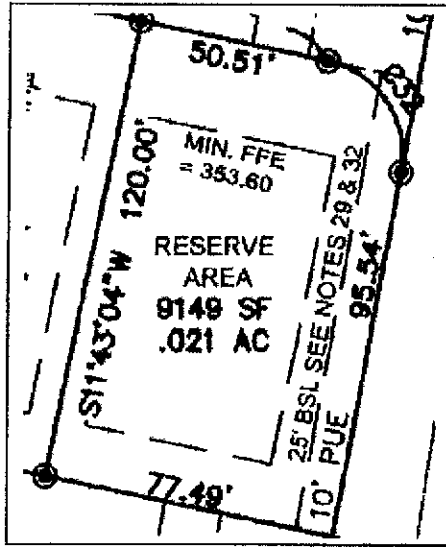
EXHIBIT A

All of that certain .021 acres (9,149 square feet) identified as the "Reserve Area" in that certain Final Plat of Pecan Park Residential Section 5B, City of Bastrop, Bastrop County, Texas, such plat being recorded in Volume 6, Page 34-A of the Plat Records of Bastrop County, Texas; said .021 acre tract being more particularly identified in Exhibit A-1 below.

EXHIBIT A-1

Description of the Property

Pecan Park Residential
Section 5B
Lot Reserve Area



Lot No.	Area (SF)	Area (AC)
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36		
37		
38		
39		
40		
41		
42		
43		
44		
45		
46		
47		
48		
49		
50		
51		
52		
53		
54		
55		
56		
57		
58		
59		
60		
61		
62		
63		
64		
65		
66		
67		
68		
69		
70		
71		
72		
73		
74		
75		
76		
77		
78		
79		
80		
81		
82		
83		
84		
85		
86		
87		
88		
89		
90		
91		
92		
93		
94		
95		
96		
97		
98		
99		
100		