



ORDINANCE NO. 2017-12

AN ORDINANCE ABANDONING THAT PORTION OF THE 40-FOOT PUBLIC UTILITY, DRAINAGE, AND CONSERVATION EASEMENT LOCATED ON LOT 11, BLOCK A, THE RANCH AT DELAWARE CREEK, PHASE 1-A WHICH IS FURTHER DESCRIBED AS BEING 217 SUNDAY DRIVE; DIRECTING THE CITY SECRETARY TO FILE THIS ABANDONMENT ORDINANCE WITH THE OFFICE OF THE BURNET COUNTY CLERK; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, The City Council of the City of Burnet has determined that abandonment of that portion of Public Utility, Conservation, and Drainage Easement located on the property identified as 217 Sunday Drive to be in the best public interest; and

WHEREAS, K Bar T Custom Homes holds title to the land underlying said easement; and

WHEREAS; K Bar T Custom Homes has expressed desire to see said Public Utility, Drainage and Conservation Easement abandoned;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Easement Abandoned. That portion of easement located on Lot 11, Block A, The Ranch at Delaware Creek, Phase 1-A, described as being a forty foot (40') Public Utility Easement, Drainage Easement and Conservation Easement and further described on that Survey prepared by Danny J Stark, a copy of which is attached hereto as Exhibit A and incorporated for all purposes herein, is hereby abandoned.

Section 3. Ordinance to be Recorded. The City Secretary is hereby directed to cause to be filed with the County Clerk's office, a copy of this ordinance abandoning said portion of easement described in Exhibit A attached hereto.

Section 4. Repealer. That other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent that they are in conflict.

Section 5. Severability. That should any provisions of this ordinance be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

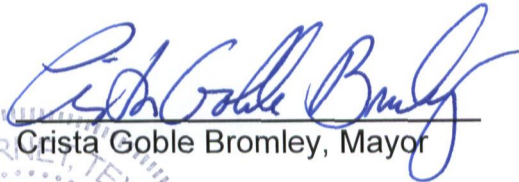
Section 6. Effective Date. That this ordinance is effective upon final passage and approval.

Section 7. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meeting Act, Chapter. 551, Loc. Gov't. Code.


PASSED AND APPROVED on First Reading this 13th day of June, 2017.

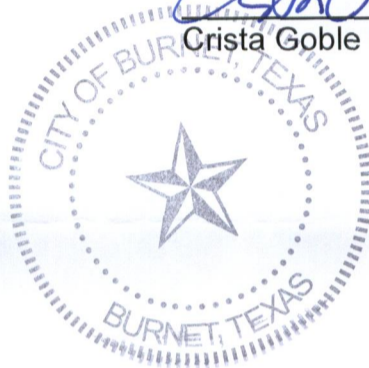
FINALLY PASSED AND APPROVED on this 14th day of July, 2017.

CITY OF BURNET, TEXAS

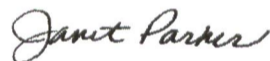

Crista Goble Bromley, Mayor

ATTEST:


Kelly Dix, City Secretary



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



Janet Parker, County Clerk

Burnet County Texas

7/21/2017 1:06:44 PM

FEE: \$20.00

201707155

ORD