

ORDINANCE NO. 2016-15

AN ORDINANCE ABANDONING THAT EASEMENT LOCATED AT 3100 S. WATER STREET AND FURTHER DESCRIBED AS BEING A FIVE FOOT WATER LINE EASEMENT 1313/58 O.P.R.B.C.; DIRECTING THE CITY SECRETARY TO CAUSE THIS ORDINANCE TO BE RECORDED IN THE OFFICE OF THE BURNET COUNTY CLERK; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 10.11 of the City of Burnet Charter authorizes abandonment of easements following notice to affected property owners and Planning and Zoning Commission, and City Council public hearings at which interested parties are afforded the opportunity to speak; and

WHEREAS, following public notice to the owners of all property encumbered by the easement described as being a "5ft water line easement 1313/58 O.P.R.B.C.," the City of Burnet Planning and Zoning Commission, on June 6, 2016 did conduct such a hearing and then recommend abandonment of said easement; and

WHEREAS, the City Council of the City of Burnet on June 28, 2016 also conducted public hearing for the purpose of taking public comment regarding the proposed abandonment of said easement; and

WHEREAS, the City Council, following said public hearing and consideration of the Planning and Zoning Commission recommendation, did determine that said easement no longer serves a public purpose;

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. Abandonment of Easement. The 5ft water line easement 1313/58 O.P.R.B.C., located at 3100 S. Water Street which is further described as being 3.283 acres out of the Eugenio Perez, Survey No. 41, Abstract No. 672 and the Lemuel Taylor Survey No. 8, Abstract No. 880, City of Burnet, Burnet County, Texas, and depicted on Exhibit A attached hereto and incorporated all purposes herein, is hereby abandoned.

Section 4. Recordation. Following approval at final reading, the City Secretary is directed to cause this ordinance, inclusive of Exhibit A, to be recorded in the office of the Burnet County Clerk.

Section 5. Repealer. Any other ordinance or part of any ordinance in conflict herewith is hereby repealed to the extent that it is in conflict.

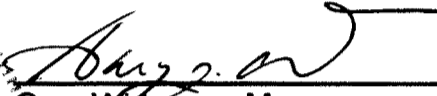
Section 6. Severability. Should any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

Section 7. Effective Date. This ordinance shall become effective following approval at final reading by City Council, and recordation in the office of the Burnet County Clerk.

PASSED AND APPROVED on First Reading this 14th day of June, 2016.

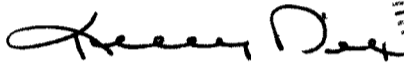
FINALLY PASSED AND APPROVED on this 28th day of June, 2016.

CITY OF BURNET, TEXAS



Gary Wideman, Mayor

ATTEST:



Kelly Dix, City Secretary

