

RESOLUTION NO. 2019-R146

A RESOLUTION TO ABANDON A PERMANENT UTILITY EASEMENT DESCRIBED AS 0.0552 OF AN ACRE LOCATED WITHIN LOT 1, MENDER SPRINGS, UNIT 1 RECORDED IN VOLUME 1019, PAGES 154 - 158 OF THE DEED AND PLAT RECORDS OF KENDALL COUNTY, TEXAS

WHEREAS, the City of Boerne acquired an easement on September 18, 2006, for the purpose of utilities, including, without limitation, electric, telephone and cable television, with all necessary and/or desirable lines, laterals and/or appurtenances thereto (the "Utilities"); and

WHEREAS, the Warranty Deed was recorded in Volume 1019, Pages 154 - 158 of the Real Property Records, Kendall County, Texas; and

WHEREAS, the Warranty Deed describes the Drainage Easement as 0.0552 of an acre and situated within Lot 1, Menger Springs, Unit 1 recorded in Volume 4, page 170 of the Deed and Plat Records of Kendall County, Texas, and being within a 313.40 acre tract recorded in Volume 411, Pages 501-503 of the Official Public Records of Kendall County, Texas, in the City of Boerne, Texas;

WHEREAS, City no longer has any use for this Utility Easement reserved in the Warranty Deed and seeks to abandon and terminate same; and

WHEREAS, the City Council of the City of Boerne, Texas, has determined that the Utility Easement is no longer necessary or desired and should be abandoned and terminated.

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

that the City Council hereby authorizes the Mayor to execute Exhibit A abandoning and terminating said utility easement.

PASSED and APPROVED on this the ____ day of September, 2019.

APPROVED:

Mayor Pro Tem

ATTEST:

City Secretary

Exhibit A

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.

ABANDONMENT AND TERMINATION OF PERMANENT UTILITY EASEMENT

STATE OF TEXAS §
 §
COUNTY OF KENDALL §

WHEREAS, by the Easement dated September 18, 2006, executed by the City of Boerne and recorded in Volume 1019, Pages 154 - 158, of the Real Property Records, Kendall County, Texas, the City of Boerne, Texas ("Grantee") maintained a Permanent Utility Easement for the purpose of utilities, including, without limitation, electric, telephone and cable television, with all necessary and/or desirable lines, laterals and/or appurtenances thereto (the "Utilities") on the property described in the Permanent Utility Easement as follows:

0.0552 of an acre situated within Lot 1, Menger Springs, Unit 1 recorded in Volume 4, Page 170 of the Deed and Plat Records of Kendall County, Texas, and being within a 313.40 acre tract recorded in Volume 411, Pages 501 – 503 of the Official Public Records of Kendall County, City of Boerne, Texas

WHEREAS, the City no longer has any use for the Drainage Easement and seeks to abandon and terminate same;

WHEREAS, the City Council of the City of Boerne, Texas, has determined that the Drainage Easement is no longer necessary or desired and should be abandoned and terminated.

NOW THEREFORE, the City Council, by Resolution No. 2019-R146 duly made and adopted at its regular meeting of September 24, 2019, has abandoned and terminated and does hereby evidence abandonment and termination of the Easement.

EXECUTED this the ____ day of September, 2019.

CITY OF BOERNE, TEXAS

Tim Handren, Mayor

ATTEST:

Lori Carroll, City Secretary

(signatures continue on following page)

THE STATE OF TEXAS §
 §
COUNTY OF KENDALL §

 This instrument was acknowledged before me on this the _____ day of September, 2019, by
Tim Handren, Mayor, City of Boerne, Texas, on behalf of said City.

Notary Public in and for the State of Texas