

RESOLUTION NO. 2023- R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS GRANTING AN EASEMENT TO BLUEBONNET ELECTRIC COOPERATIVE FOR ELECTRICAL SYSTEM UPGRADES BENEFITTING THE CITY, INCLUDING CONVERTING THE SURFACE WATER TREATMENT PLANT TO A 3-WIRE SYSTEM; APPROVING THE FUNDING OF ELECTRICAL UPGRADES AND LINE RELOCATION IN AN AMOUNT NOT TO EXCEED \$250,000, WITH GUADALUPE BLANCO RIVER AUTHORITY FUNDING THE PROJECT EQUALLY FOR A TOTAL PROJECT COST NOT TO EXCEED \$500,000; AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO EXECUTE SAID EASEMENT AND DOCUMENTS NECESSARY FOR THE PROJECT FUNDING ON BEHALF OF THE CITY; AND DECLARING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. The attached easement to Bluebonnet Electric Cooperative (“Bluebonnet”) for the purpose of installing electrical system upgrades benefitting the city is hereby approved.

PART 2. The funding of electrical upgrades and line relocation, in an amount not to exceed \$250,000, is approved, with Guadalupe Blanco River Authority funding an equal amount for a total project cost not to exceed \$500,000.

PART 3. The City Manager, or her designee, is hereby authorized to execute said easement on behalf of the City and deliver to the executed easement to Bluebonnet.

PART 4. The City Manager is authorized to execute documents for the funding of the project.

PART 5. This resolution shall become effective immediately from and after its passage.

ADOPTED on June 6, 2023.

Jane Hughson
Mayor

Attest:

Elizabeth Trevino
City Clerk

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

ELECTRIC UTILITY EASEMENT

DATE: _____, 2023

GRANTOR: City of San Marcos, a home rule municipal corporation

GRANTOR'S ADDRESS: 630 East Hopkins Street, San Marcos, Hays County, TX 78666

GRANTEE: Bluebonnet Electric Cooperative, Inc.

GRANTEE'S ADDRESS: 650 Highway 21 E, Bastrop, Bastrop County, TX 78602

CONSIDERATION: Ten Dollars (\$10.00) and other good and valuable consideration.

EASEMENT AREA: [Insert legal description from survey metes and bounds preamble], Texas and being more particularly described in Exhibit "A", attached hereto and made a part hereof.

Grantor, for the Consideration, grants, sells and conveys to Grantee, its successors and assigns, a non-exclusive easement, over, across, through and under the Easement Area for the purposes of installing, erecting, constructing, operating, repairing, replacing, upgrading, enlarging, relocating, inspecting and maintaining underground electric distribution lines or systems, telecommunication lines or systems, and associated above-ground appurtenances and equipment (the "Electric Facilities"), together with the right of ingress and egress over the Easement Area for such purposes. The foregoing grant and rights are collectively referred to herein as (the "Easement").

TO HAVE AND TO HOLD the Easement and rights and interests herein granted to Grantee and Grantee's successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, successors and assigns to warrant and forever defend this Easement to Grantee and Grantee's successors and assigns against every person whomever lawfully claiming or to claim the same or any part thereof, when the claim is by, through or under Grantor, but not otherwise.

Grantee shall restore the surface of and plant new grass in any portions of the Easement Area and adjacent property damaged as a result of excavation or other activities of Grantee in connection with this Easement. Grantee, however, shall have the right to cut, trim, and control the growth of trees and other vegetation, which interferes with or threatens the operation and maintenance of the Electric Facilities.

When the context requires, singular nouns and pronouns include the plural.

GRANTOR: City of San Marcos

By: _____
Stephanie Reyes, Interim City Manager

ACKNOWLEDGMENT

THE STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me on _____, 2023 by
Stephanie Reyes, Interim City Manager of the City of San Marcos, in such capacity, on behalf of
said municipality.

Notary Public, State of Texas

After recording, return to:

City of San Marcos
630 East Hopkins Street
San Marcos, Texas 78666

EXHIBIT "A"
Legal Description of Property
(next page)

DRAFT

