

## **RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON SUPPORTING ENTERING INTO AN AGREEMENT TO CONTRIBUTE RIGHT OF WAY FUNDS (FIXED PRICE) FOR THE COST OF ACQUIRING THE RIGHT OF WAY AND RELOCATION OR ADJUSTMENT OF UTILITIES FOR CERTAIN HIGHWAY IMPROVEMENTS ON FM ROAD 3391 FROM IH 35W TO EAST OF CR 602, BY AND BETWEEN THE CITY AND THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION; AND PROVING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Burleson (“City”) is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the City is authorized to enter into contracts with the State of Texas, including advance funding agreements with the Texas Department of Transportation; and

**WHEREAS**, the City Council has been presented a proposed agreement to contribute right of way funds (fixed price) by and between the City and the State of Texas, acting by and through the Texas Department of Transportation, which provides funding for the cost of acquiring the right of way and relocation or adjustment of utilities for certain highway improvements on FM Road 3391 from IH 35W to east of CR 602 (hereinafter the “Project”); and

**WHEREAS**, a copy of the proposed agreement to contribute right of way funds (fixed price) by and between the City and the State of Texas, acting by and through the Texas Department of Transportation is attached hereto as Exhibit “A” and incorporated herein by reference for all purposes (the “Agreement”); and

**WHEREAS**, the City Council supports entering into the Agreement; and

**WHEREAS**, the City possesses the funds on hand to participate in the Agreement, and is committed, subject to the terms and conditions of the Agreement;

**NOW, THEREFORE, BE IT RESOLVED THAT WE, THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:**

### **Section 1.**

The City Council hereby designates the City Manager, Bryan Langley, as the City’s authorized official with the authority to execute the Agreement on behalf of the City, and directs the City Manager, Bryan Langley, to execute the Agreement on behalf of the City. The City Council further directs that the City Manager submit a copy of this resolution to the Texas Department of Transportation.

**Section 2.**

The findings, determinations, and recitations set out in the preambles of this resolution are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

**Section 3.**

This resolution shall be effective immediately upon final passage.

PASSED, APPROVED, AND DULY RESOLVED by the City Council of the City of Burleson, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Chris Fletcher, Mayor  
City of Burleson, Texas

ATTEST:

APPROVED AS TO FORM & LEGALITY:

\_\_\_\_\_  
Amanda Campos, City Secretary

\_\_\_\_\_  
E. Allen Taylor, Jr., City Attorney