

## **RESOLUTION NO. R2025-72**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, AUTHORIZING A CIVIL CAUSE OF ACTION BE BROUGHT TO RESOLVE A LAND DISPUTE INVOLVING THE ROCK WALL LOCATED ON THE NORTH SIDE OF DELAWARE SPRINGS BLVD. AT ITS INTERSECTION WITH US ROUTE 281; AND APPOINTING THE BOJORQUEZ LAW FIRM TO REPRESENT THE CITY**

**WHEREAS**, for a number of years the City has maintained two rock entry walls located on the north and south sides of Delaware Springs Blvd. at its intersection with US ROUTE 281; and

**WHEREAS**, the owner of real property located on the north side of Delaware Springs Blvd., has challenged the City's right to maintain the north rock wall (the "Rock Wall"); and

**WHEREAS**, the rock walls are the gateway to the Burnet Municipal Golf Course and recognized by the public as part of the identity of the golf course.

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

**Section One. Authorization.** A civil action in a court of competent jurisdiction protecting the City's interest in the Rock Wall is hereby authorized.

**Section Two. Appointment.** The Bojorquez Law Firm, PC, is hereby appointed to provide legal representation to the City in the matter authorized in section one.

**Section Three. Coordination.** The law firm is directed to look to the City Manager, or his assigned, as the client representative with decision-making authority regarding all matters related to the litigation, including the litigation budget, prosecution, and settlement of this matter.

**Section Four. Findings.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this resolution for all purposes and are adopted as a part of the judgment and findings of the Council.

**Section Five. TOMA.** City Council, finds, determines, and declares that the meeting at which this resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this resolution, was given as required by Chapter 551 of the Texas Government Code.

**PASSED AND APPROVED** this the 23<sup>rd</sup> day of September, 2025.

**CITY OF BURNET, TEXAS**

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Gary Wideman, Mayor

**ATTEST:**

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Maria Gonzales, City Secretary