

RESOLUTION NO. R2026-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, REPUDIATING AN UNRECORDED SPECIAL WARRANTY DEED RECEIVED FROM THE BURNET FOUNDATION INDUSTRIAL COMPANY FOR THE CONVEYANCE OF A TOTAL OF 3.45 ACRES AND DATED OCTOBER 17, 2008

WHEREAS, an unrecorded Special Warranty Deed from the Burnet Foundation Industrial Company, a copy of which, without attachments, is attached hereto as Exhibit "A," was discovered in the records of the City; and

WHEREAS, upon examination of the Special Warranty Deed it has been determined that it had never been expressly accepted by the City; and

WHEREAS, upon review of the minutes of City Council around the time the Special Warranty Deed is dated it has been determined that City Council did not deliberate, or take action, on acceptance of the Special Warranty Deed; and

WHEREAS, the Burnet Foundation Industrial Company has not been dissolved and is no longer a viable corporate entity; and

WHEREAS, City Council understands before its dissolution, the Burnet Foundation Industrial Company conveyed all or part of the land described in the Special Warranty Deed to other entities; and

WHEREAS, City Council finds, determines, and declares that the acceptance and recordation of the Special Warranty Deed some 17 years after it was tendered may cause unintended consequences including the placement of a cloud on the title to the land that is the subject of the Special Warranty Deed; and

WHEREAS, City Council finds, determines, and declares the acceptance of the land described in the Special Warranty Deed would be of de minimis public benefit; and

WHEREAS, City Council finds, determines, and declares that any benefit that may be achieved by accepting and recording the Special Warranty Deed now is outweighed by the detrimental effect on the current status of title to the land described therein.

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

Section One. 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 Two. Repudiation. The deed referenced in the above recitals is hereby repudiated for all purposes.

Section Three. Public Records. The City Manager is hereby authorized and directed to memorialize this resolution in the Official Public Records of Burnet County, Texas; and may take such actions as may be reasonably necessary to accomplish this task.

Section Four. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapter 551, Tex. Gov't Code*.

Section Five. Effective Date. This resolution shall take immediate effect after approved on second reading.

PASSED, APPROVED AND ADOPTED this the 10th day of March 2026.

CITY OF BURNET

Gary Wideman, Mayor

ATTEST:

Maria Gonzales, City Secretary