

A RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS, ACCEPTING A 14.00 FOOT RIGHT-OF-WAY DEDICATION CONTAINING 0.234 ACRES DESCRIBED HEREIN ON EXHIBIT "A" FROM THE CITY OF BOERNE TO THE CITY OF FAIR OAKS RANCH

WHEREAS, the City of Fair Oaks Ranch adopted a Water, Wastewater and Reuse Master Plan in 2019; and

WHEREAS, the 2019 Master Plan requires the installation of an elevated storage tank in the vicinity of the property described in Exhibit "A" attached hereto; and

WHEREAS, Public Works staff have determined the property is an ideal location for an elevated storage tank; and

WHEREAS, the property is owned by the City of Boerne, next to and outside the City of Fair Oaks Ranch; and

WHEREAS, this right-of-way dedication will be used to connect the proposed elevated storage tank with the City of Fair Oaks Ranch water distribution system; and

WHEREAS, this right-of-way dedication will be used to align the City of Fair Oaks Ranch's planned Ammann Road Reconstruction project with Kendall County's planned Ammann Road Reconstruction project at the northern bounds of the City and the Kendall County line; and

WHEREAS, the City of Fair Oaks Ranch wishes to accept the right-of-way dedication for public services.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:

SECTION 1. The City of Fair Oaks Ranch accepts the right-of-way dedication described herein on Exhibit "A" attached hereto from the City of Boerne to the City of Fair Oaks Ranch for the purposes of establishing and maintaining public services.

SECTION 2. 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 City Council.

SECTION 3. All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this resolution are hereby repealed to the extent of such conflict, and the provision of this resolution shall be and remain controlling as to the matters resolved herein.

SECTION 4. This resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 5. If any provision of this resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this resolution would have been enacted without such invalid provision.

SECTION 6. It is officially found, determined, and declared that the meeting at which this resolution is adopted was open to the public and that public notice of the time, place and subject matter of the public business to be considered at such meeting, including this resolution, was given, all as required Chapter 551, Texas Government Code, as amended.

SECTION 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED, APPROVED, and ADOPTED on this 5th day of September 2024.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, TRMC, City Secretary

Denton Navarro Rocha Bernal & Zech, P.C.,
City Attorney