

ORDINANCE 2022-07_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CUERO, TEXAS, AUTHORIZING AND APPROVING A RIGHT OF WAY EASEMENT FOR WATER AND WASTEWATER UTILITIES FROM DONALD M. STILES, JR AND WIFE, LINDA CANNON STILES, AND CLINTON R. STILES AND WIFE, SUE BLACKWELL STILES AS GRANTORS TO THE CITY OF CUERO, AS GRANTEE, ON, OVER, UNDER AND ACROSS REAL PROPERTY, BEING ACROSS THAT CERTAIN 101.8 ACRE TRACT OF LAND IN THE JOHN J. TURLINSON SURVEY, ABSTRACT 45, IN DEWITT COUNTY, TEXAS AND AUTHORIZING THE MAYOR’S EXECUTION OF SAID RIGHT OF WAY EASEMENT AND DECLARING AN EMERGENCY.

WHEREAS, DONALD M. STILES, JR. and WIFE, LINDA CANNON STILES AND CLINTON R. STILES AND WIFE, SUE BLACKWELL STILES(“OWNERS”) are the owners of that 101.8 acre tract of land in the John J. Turlinson Survey, Abstract 45, in DeWitt County, Texas and being called that 101.8 acre tract styled Tract 2, in that Distribution Deed dated December 31, 2013 from Stiles Cattle Company Partnership to Clinton R. Stiles recorded in Volume 495, Page 477 of the Official Public Records of DeWitt County, Texas; and

WHEREAS, the City of Cuero provides utility services to the public, which includes water and waste water, including sewer services, and is in need of a right of way easement for those public utilities on, over, across and under the OWNER’S property described above; and

WHEREAS, the City does hereby approve the right of way easement for utility service in the form attached hereto as **Exhibit “A”**; and

WHEREAS, this City Council does hereby authorize and direct the Mayor of the City of Cuero to execute the Easement attached hereto as Exhibit “A”.

NOWHEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CUERO, TEXAS:

SECTION ONE. That the City Council of the City of Cuero does hereby APPROVE the Right of Way Easement for Utility Service from DONALD M. STILES, JR AND WIFE, LINDA CANNON STILES AND CLINTON R. STILES AND WIFE, SUE BLACKWELL STILES to the City of Cuero in the form attached hereto as Exhibit “A”;

SECTION TWO. That the Mayor of the City of Cuero, he and she is hereby authorized and directed to sign on behalf of the City of Cuero, the Right of Way Easement attached hereto as Exhibit “A”.

SECTION THREE. In order for the grant of this easement to take place in a timely manner it is necessary that this Ordinance be adopted immediately. Such facts constitute an emergency for the preservation of the public health, safety, and business demanding that the Rule which requires ordinances to be read at more than one meeting of the City Council be and the same is

hereby suspended and this Ordinances shall take effect immediately upon and after its passage on first reading.

UPON MOTION OF COUNCILMEMBER _____, SECONDED BY COUNCILMEMBER _____, THAT THE ORDINANCE BE PASSED ON EMERGENCY READING THE _____ DAY OF _____, 2022, AYES: _____ NAYES: _____ MOTION CARRIED.

FINALLY ADOPTED AND APPROVED THE _____ DAY OF _____, 2022.

Sara Post Meyer
MAYOR

ATTEST:

JENNIFER ZUFELT
CITY SECRETARY

APPROVED AS TO LEGALITY:

JAMES K. CRAIN, III
CITY ATTORNEY