

RESOLUTION NO. {{item.sequential\_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ACCEPTING FOUR WATER METER EASEMENTS FROM POLMER, LLC IN ACCORDANCE WITH A WATER AND WASTEWATER AGREEMENT BETWEEN THE CITY AND POLMER, LLC FOR THE CONSTRUCTION OF WATER AND WASTEWATER FACILITIES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas,** the City and Polmer, LLC (Polmer) entered into a Water and Wastewater Agreement (Agreement) effective January 26, 2022 - the purpose of the Agreement was:

- (i) To establish terms for the City to provide water and wastewater service to Polmer's project through infrastructure systems;
- (ii) To confirm the availability of, and to guarantee, water and wastewater service for Polmer's project (upon completion of the Infrastructure Improvements and as described in the Agreement) of a quantity and quality that will support continuous, uninterrupted operation of the project; and
- (iii) To induce Polmer to acquire the property on which the project is located and develop the project on that property in reliance on such availability and guarantee.

**Whereas,** in order for the City to complete its obligation to provide water, the City needs to install water meters on Polmer's property - therefore, Polmer has agreed to grant the City four water meter easements to construct the necessary facilities;

**Whereas,** Staff recommends Council accept the four water meter easements from Polmer in accordance with the Agreement between the City and Polmer for the construction of water and wastewater facilities; and

**Whereas,** the City Council has considered the matter and deems it in the public interest to authorize this action.

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

**Part 1: Findings.** All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

**Part 2:** The City Council accepts four water meter easements from Polmer, LLC, as shown and being more particularly described in the Water Meters Easement Surveys, attached hereto and incorporated herein as Exhibit A, in accordance with a water and wastewater agreement between the City and Polmer, LLC for the construction of water and wastewater facilities, and authorizes the City Manager, or her designee, after approval as to form by the City Attorney's Office, to execute any necessary documents.

**Part 3:** 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.

PASSED AND APPROVED this the **19<sup>th</sup>** day of **September, 2024**.

THE CITY OF TEMPLE, TEXAS

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TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

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Jana Lewellen  
City Secretary

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Kathryn H. Davis  
City Attorney