

RESOLUTION NO. {{item.sequential_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, ACCEPTING 0.1389-ACRE AND 0.014-ACRE WASTEWATER EASEMENTS FROM POLMER, LLC IN ACCORDANCE WITH A WATER AND WASTEWATER AGREEMENT BETWEEN THE CITY OF TEMPLE AND POLMER, LLC FOR THE CONSTRUCTION OF WATER AND WASTEWATER FACILITIES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Temple and Polmer, LLC (Polmer) entered into a Water and Wastewater Agreement (the “Agreement”), effective January 26, 2022;

Whereas, the purpose of the Agreement was as follows:

- To establish terms for the City to provide water and wastewater service to Polmer’s project through infrastructure systems;
- 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 and uninterrupted operation of the project; and
- 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 wastewater, the City needs to construct wastewater facilities on Polmer’s property - therefore, Polmer has agreed to grant to the City 0.1389-acre and 0.014-acre wastewater easements to construct the necessary facilities;

Whereas, Staff recommends Council accept 0.1389-acre and 0.014-acre wastewater 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 0.1389-acre and 0.014-acre wastewater easements from Polmer, LLC in accordance with a water and wastewater agreement between the City of Temple 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 18th day of **July, 2024**.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney