

RESOLUTION NO. 703

“Dedicating proceeds the sale of portions of Lot 51 and Lot 56 to the improvement of Timberhill Park”

A RESOLUTION OF THE CITY OF GRANITE SHOALS, TEXAS, DEDICATING PROCEEDS OF THE SALE OF PORTIONS OF LOT 51 AND LOT 56 TO THE IMPROVEMENT OF TIMBERHILL PARK; AND PROVIDING FOR THE FOLLOWING: SAVINGS, SEVERABILITY, REPEALER, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING

WHEREAS, the City Council of the City of Granite Shoals, Texas (“Council”) seeks to provide for the health, safety, and welfare of its citizens; and

WHEREAS, pursuant to Section 2.04 of the City Charter, the City of Granite Shoals, Texas (the “City”) has the power to establish and maintain ordinances and resolutions governing the use of lands within the City; and

WHEREAS, the City owns certain narrow strips of land, or land that because of its shape, lack of access to public roads, or small area cannot be used independently under its current zoning or other applicable subdivision or other development control ordinances; and

WHEREAS, such land, for the purposes of this resolution, is described as follows: The City-owned real property located between the platted waterfront property lines and the 825’ contour representing the normal pool elevation of Lake Lyndon Baines Johnson; and

WHEREAS, the Council finds that some lakefront property owners have, over the years, improved their water-front through the construction of man-made walls or other barriers along the waterfront or through the accretion of land past the 825’ contour line, which is often known in the City as City-owned “fill” areas; and

WHEREAS, Timberhill Park was acquired by the City as part of Lots 51 and 56; and

WHEREAS, a small portion of Lots 51 and 56 lie across the water from Timberhill Park on land that is adjacent to property owners fronting Cedarhill Drive and South Timberhill Drive within the City, and that over the years have been created as fill area by property owners (the “Lot 51 and Lot 56 fill areas”); and

WHEREAS, on February 28, 2023, at a public meeting, the Council adopted Ordinance 839, which authorized the City Manager to convey the Lot 51 and Lot 56 fill areas, as described above, to adjacent property owners located along Cedarhill Drive and South Timberhill Drive, by a Deed Without Warranty, for fair market value; and

WHEREAS, the Parks Committee and the City Council have considered the most appropriate use of the proceeds of the sales of the Lot 51 and Lot 56 fill areas that is of the greatest benefit to the public and most closely matches the prior purpose of the Lot 51 and Lot 56 fill areas; and

WHEREAS, the City Council believe that the proceeds of the sale of Lot 51 and Lot 56 fill areas should be used to improve Timberhill Park, which is adjacent to these properties, and will enhance the park as a public amenity for use by the Granite Shoals community, and

WHEREAS, pursuant to the laws of the State of Texas, including Chapter 51 of the Texas Local Government Code, the Board may adopt ordinances and resolutions and rules that are for good government and necessary for carrying out the power granted by law to the municipality;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE SHOALS, TEXAS:

SECTION I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council and are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

SECTION II. DEDICATING PROCEEDS OF THE SALE OF LOT 51 AND LOT 56 FILL AREAS TO THE IMPROVEMENT OF TIMBERHILL PARK

The Council hereby resolves that proceeds from the sale of the Lot 51 and Lot 56 fill areas, as described above, to adjacent property owners located along Cedarhill Drive and South Timberhill Drive, shall be dedicated to the improvement of Timberhill Park, a municipal park that is owned and maintained by the City of Granite Shoals.

SECTION III. SAVINGS

The repeal of any resolution or part of resolutions effectuated by the enactment of this Resolution shall not be construed as abandoning any action now pending under or by virtue of such resolution or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the City under any section or provisions of any resolutions at the time of passage of this Resolution.

SECTION IV. SEVERABILITY

Should any sentence, paragraph, subdivision, clause, phrase, or section of this Resolution be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Resolution in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION V. REPEALER

The provisions of this Resolution shall be cumulative of all other resolutions or parts of resolutions governing or regulating the same subject matter as that covered herein; provided, however, that all prior resolutions or parts of resolutions inconsistent or in conflict with any of the provisions of this Resolution are hereby expressly repealed to the extent that such inconsistency is

apparent. This Resolution shall not be construed to require or allow any act that is prohibited by any other resolution.

SECTION VI. EFFECTIVE DATE

This Resolution shall take effect immediately from and after its passage and publication as may be required by law.

SECTION VII. PROPER NOTICE AND MEETING

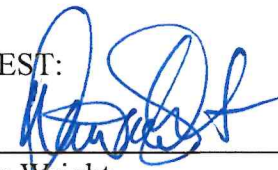
It is hereby officially found and determined that the meeting at that this Resolution was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED this 23rd day of July, 2024.



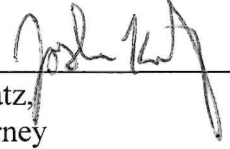
Ron Munos
Mayor

ATTEST:



Dawn Wright,
City Secretary

APPROVED AS TO FORM:



Joshua Katz,
City Attorney

