

RESOLUTION NO. 8-2010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE TEXAS, DEDICATING FIVE (5) ACRES OF CITY PROPERTY ALONG THE CREEK/DRAINAGE WAY AT LAKE FORT PHANTOM HILL AS DESCRIBED IN EXHIBIT A, ATTACHED, AS WETLAND FOR PERPETUITY, AS REQUIRED BY THE TEXAS PARKS AND WILDLIFE DEPARTMENT; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Abilene desires to provide quality park facilities for the residents of Abilene, and

WHEREAS, by Resolution 27-2008, the City Council authorized the application for a grant from the Texas Parks and Wildlife Department and resolved that the City of Abilene commit “to dedicating non park portions of the area near Sea Bee Park . . . upon award of a Texas Parks and Wildlife Grant, for public park and recreation purposes or as natural preserves in perpetuity.”

WHEREAS, in 2009 the Texas Parks and Wildlife Department approved the grant proposal for the for the improvement of the Lake Fort Phantom Parks, and the City of Abilene entered into a project agreement with the Texas Parks and Wildlife Department.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

- PART 1:** In order to fulfill the requirements of the Texas Parks and Wildlife Department’s grant to the City of Abilene, the City Council of Abilene, Texas hereby dedicates five acres of property, as described in Exhibit A, as a wetland preserve in perpetuity.
- PART 2:** Any prior Resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.
- PART 3:** That the City Manager is authorized to execute all necessary documents to implement this Resolution or fulfill the requirements of the grant from the Texas Parks and Wildlife Department.
- PART 4:** Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

PART 5: This Resolution shall take effect immediately from and after its passage, and it is so duly resolved.

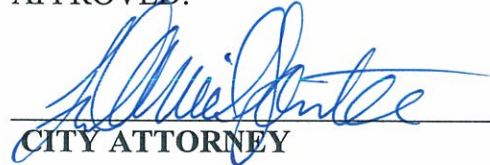
DULY PASSED AND ADOPTED by the City Council of the City of Abilene, Texas, on this the 25 day of February, 2010.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY



**FIELD NOTES
FOR
A 5.000-ACRES TRACT
OUT OF
LOUIS LANDANT SURVEY NO. 18
JONES COUNTY, TEXAS**

BEING a 5.000-acre tract out of the Louis Landant Survey No. 18, Jones County, Texas, and being part of a 76.73-acre tract out of the Louis Landant Survey No. 18 conveyed to The City of Abilene, Taylor County, Texas, recorded in Volume 223, Page 68, Deed Records, Jones County, Texas, said 5.000-acre tract being more particularly described as follows:

Bearings are based on grid north as determined by RTK GPS observation using the City of Abilene's base station. Said base station is a National Geodetic Survey Antenna Reference Point, designated as ABILENE COOP CORS ARP, PID = DE8143. From the said base station, the Point of Beginning bears 31573.13' North 13 degrees 13 minutes 12 seconds East.

BEGINNING at a point within Fort Phantom Hill Lake on the south section line of the Louis Landant Survey No. 18, same being the north section line of the Z. B. Buckholtz Survey No. 19, for the southeast corner of this tract, where the calculated southeast corner of the Louis Landant Survey No. 18 bears 733' South 89 degrees 30 minutes 00 seconds East;

THENCE North 89 degrees 30 minutes 00 seconds West (being the Reference Bearing for this description, called WEST) along the south section line of the Louis Landant Survey No. 18, for a distance of 200.00 feet to a point;

THENCE North 46 degrees 58 minutes 37 seconds West for a distance of 521.03 feet to a set 1/2" iron rod with cap, stamped "H&T", at the spillway elevation of 1636.4 feet;

THENCE with the meanders of the spillway elevation of 1636.4 feet:

North 77 degrees 04 minutes 15 seconds East for a distance of 84.74 feet;

North 34 degrees 07 minutes 10 seconds East for a distance of 86.11 feet;

North 14 degrees 40 minutes 04 seconds East for a distance of 194.70 feet to a set 1/2" iron rod with cap, stamped "H&T";

THENCE South 63 degrees 00 minutes 00 seconds East for a distance of 250.00 feet to a point;

THENCE South 34 degrees 43 minutes 21 seconds East for a distance of 449.33 feet to a point;

THENCE South 27 degrees 00 minutes 00 seconds West for a distance of 171.76 feet to the Point of Beginning, containing 5.000 acres or 217800 square feet.



George A. Forbis-Stokes

George A. Forbis-Stokes, RPLS #4325

Date: *Dec. 22, 2009*

Environmental, Civil & Geotechnical Engineers

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