RESOLUTION OF THE BOARD OF TRUSTEES OF MARBLE FALLS INDEPENDENT SCHOOL DISTRICT CONCERNING UTILITY EASEMENT WITH PEDERNALES ELECTRIC COOPERATIVE

WHEREAS, the Board of Trustees of Marble Falls Independent School District (the "District") is authorized to manage and control the real property of the District and to take such actions concerning District property as are permitted by applicable law;

WHEREAS, the District owns a property comprised of a total of 150.00-acre tract of land described in a document to Marble Falls Independent School District, recorded in Document Number 0707329, deed of records of Burnet County, Texas (the "subject property");

WHEREAS, the Board wishes to convey certain portions, more particularly described in **Exhibit A** for portions of right-of-way and temporary easement to the Pedernales Electric Cooperative, INC. (the "PEC Easement");

WHEREAS, the Board has considered the location and nature of the PEC Easement and has determined that conveying the property to the PEC serves a legitimate public purpose, will allow for the productive use of the adjacent District property, and will be in the best interest of the District;

WHEREAS, the Board desires to authorize the District to accept and convey the PEC Easement upon terms and conditions consistent with this Resolution and applicable law.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. *Findings.* The recitals and findings set forth above are hereby adopted by the Board and incorporated into this Resolution for all purposes.

2. *Public Purpose Determination.* The Board finds and determines that accepting the PEC Easement serves a legitimate public purpose, will allow for the productive use of the adjacent District property, and will be in the best interest of the District.

3. *Approval of Easement And Right of Way*. The Board hereby approves Administration to negotiate an Easement and Right of Way with the terms and conditions agreed to by PEC and the District.

4. A*uthorization to Finalize and Execute.* The Board authorizes the Superintendent or designee, in consultation with the District's legal counsel, to negotiate the Easement and Right of Way and any related documents on behalf of the District required for the conveyance provided that the final documents are substantially consistent with this Resolution. Such authority includes approval of the final metes-and-bounds description, survey, and other exhibits and nonmaterial revisions necessary to complete and record the transaction. The Board further authorizes the Board President to execute the Easement and Right of Way, as required by law. The Superintendent or designee is authorized to execute all other documents.

5. *Open Meetings Compliance.* The Board finds, determines, and declares that sufficient written notice of the date, hour, place, and subject of this meeting was posted in accordance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law.

Passed the day of _____ 20__.

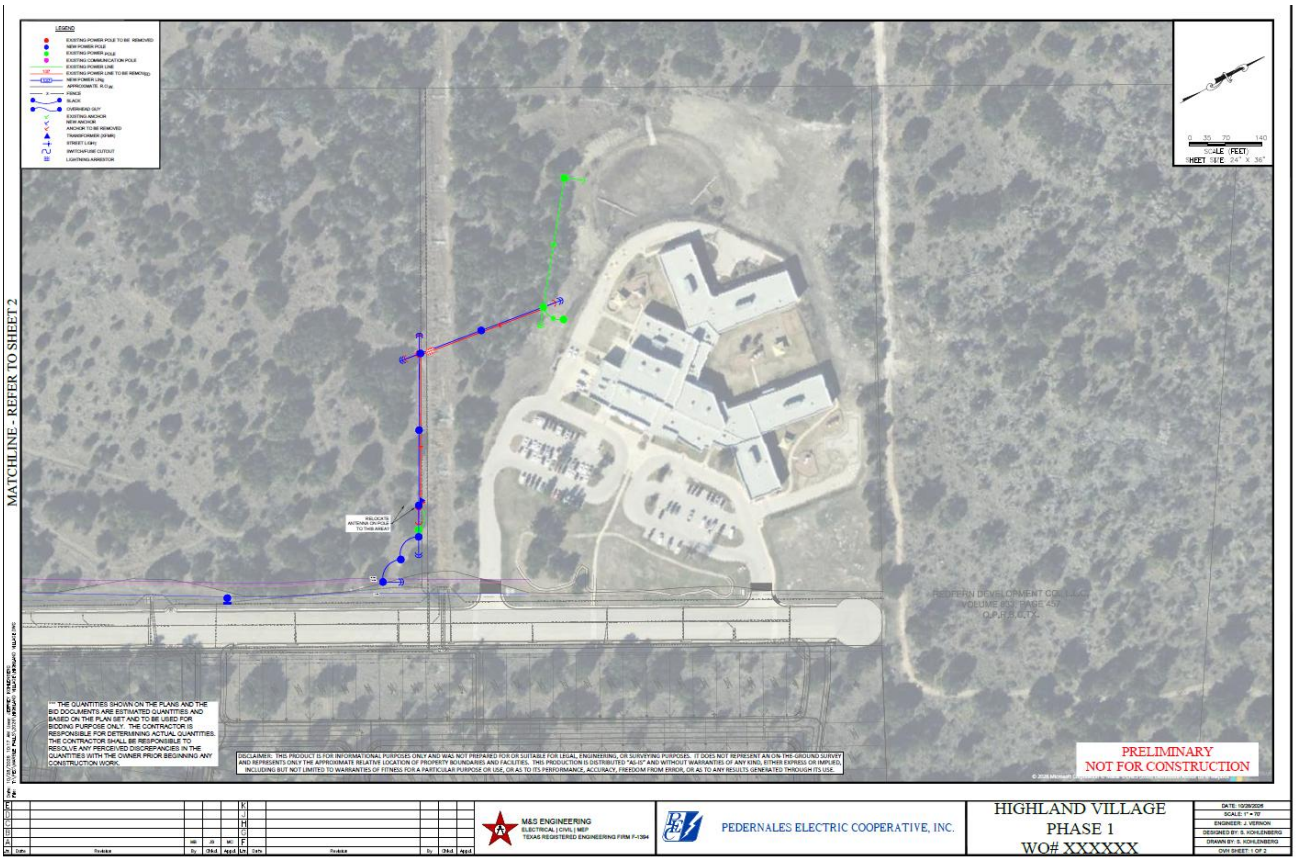
Alex Payson
President, Board of Trustees Marble Falls Independent School District

Attest: _____

Crystal Tubig
Secretary, Board of Trustees Marble Falls Independent School District

Exhibit A
To Board Resolution

fifteen (15) feet in width, being seven and one-half (7.5) feet on each side of the centerline of the Facilities as built (or fifteen (15) feet in total if Facilities are built less than seven and one-half (7.5) feet from a property line (the "Easement Area") or as more particularly described in Exhibit A if attached hereto. Any Facilities (guys and anchors or pads, transformers or switches) if installed outside the Easement Area shall be considered part of the Easement Area.




RELOCATE
ANTENNA ON POLE
TO THIS AREA?