



# MARBLE FALLS

Independent School District

**Meeting Date:**

**Meeting Type:**

**LOVE & INSPIRE**

Marble Falls ISD has an unyielding commitment to love every child and inspire them to achieve their fullest potential.

**MARBLE FALLS INDEPENDENT SCHOOL DISTRICT  
BOARD OF TRUSTEES**

**RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY  
TO THE CITY OF MARBLE FALLS (Approx. 1.50 Acre Tract)**

**WHEREAS**, pursuant to Texas Education Code section 11.151, the Board of Trustees of the Marble Falls Independent School District (“MFISD” or “District”) is authorized to acquire and hold real and personal property;

**WHEREAS**, the District currently owns a 1.5 acre tract of land tract, located at 2101 Mustang Drive, Marble Falls, Texas, and fully described in **Exhibit A**, attached hereto and incorporated herein, (“Property”); and

**WHEREAS**, the City of Marble Falls (“City”) currently owns and operates a 500,000 gallon elevated storage tank in the Property based on a prior agreement between the District and the City; and

**WHEREAS**, the City has expressed its desire to purchase the Property to allow the City to expand the water storage capabilities and facilities (“Tank Improvements”) that service both Colt Elementary School and the Marble Falls High School as well as Northeast Marble Falls; and

**WHEREAS**, the City is only able to complete the Tank Improvements if it obtains the Property, and obtains an Access Easement from the District over a separate .015 acres tract (the “Easement”) more specifically described in **Exhibit B** and incorporated herein; and

**WHEREAS**, the District has determined that the Property is not necessary for facilities to meet the educational needs of the District, and that the best use of the Property is for the City to use it for the Tank Improvements for public purposes; and

**WHEREAS**, the District wishes to sell the Property to the City;

**WHEREAS**, the representatives for the District and the City have negotiated a Real Estate Purchase Agreement (“Agreement”), which includes the Easement and a form Special Warranty Deed for the conveyance of the Property; and

**WHEREAS**, the Board has determined that this property is suitable for the intended uses by the City and wishes to move forward and finalize the Agreement.

***Therefore, be it resolved,***

1. That the findings and recitals in the preamble of this Resolution are hereby found to be true and correct and are hereby approved and adopted.
2. That the Board of Trustees of the Marble Falls ISD approves and authorizes the sale of the Property described above to the City.

3. That the Superintendent and/or Superintendent's designee are each individually authorized to accept the purchase price of the Property and the amount of closing and other costs to the title company and to execute any documents necessary to finalize the sale of the Property, including extension of any Inspection Period if necessary and extension of any deadlines in the Agreement as appropriate as well as to authorize minor edits to the proposed documents that are not material to the Agreement.

4. That the Board of Trustees also delegates authority to the Superintendent and/or Superintendent's designee each individually to authorize any and all inspections and testing requested by the City to evaluate the Property to determine if it is suitable for the City's intended purposes, and the authority to negotiate and execute any agreement(s) for such services in a form approved by legal counsel.

5. That the Board of Trustees also authorizes the Superintendent or his designee to terminate the Agreement if deemed necessary.

6. That it is hereby found, determined, and declared that a sufficient written notice of the date, time, place, and subject of the meeting of the Board of Trustees of Marble Falls ISD at which this Resolution was adopted was posted at a place convenient and readily accessible at all times to the general public for the time required by law preceding this meeting as required by chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered, and formally acted upon. The Board of Trustees further ratifies, approves, and confirms such written notice and posting thereof.

FINALLY PASSED AND ADOPTED this 21<sup>st</sup> day of October, 2024.

By: \_\_\_\_\_  
Mr. Kevin Naumann  
President, Board of Trustees  
Marble Falls Independent School District

ATTEST:

By: \_\_\_\_\_  
Mr. Gary Boshears  
Secretary, Board of Trustees  
Marble Falls Independent School District

**Certificate for Resolution**

I hereby certify that the foregoing resolution was presented to the Board of Trustees of the Marble Falls Independent School District during a regularly scheduled meeting on the 21st day of October, 2024. A quorum of the Board of Trustees being then present, it was then duly moved and seconded that the resolution be adopted, and such resolution was then adopted according to the following vote:

Ayes: \_\_\_\_\_  
Noes: \_\_\_\_\_  
Abstentions: \_\_\_\_\_

To certify which, witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

By: \_\_\_\_\_  
Mr. Kevin Naumann  
President, Board of Trustees  
Marble Falls Independent School District

THE STATE OF TEXAS            §  
  §     ACKNOWLEDGMENT  
COUNTY OF BURNET           §

BEFORE ME, a Notary Public, on this day personally appeared MR. KEVIN NAUMANN known to me to be the person whose name is subscribed to the foregoing instrument, and having been sworn, upon his oath stated that he is the President of the Board of Trustees of the Marble Falls Independent School District; that he was authorized to execute such instrument pursuant to resolution of the Board of Trustees adopted on the 21<sup>st</sup> day of October, 2024; and that said instrument is executed as the free and voluntary act and deed of such governmental unit for the purposes expressed therein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Notary Public, State of Texas

**EXHIBIT A**  
**PROPERTY DESCRIPTION**

**CUPLIN & ASSOCIATES, Inc.**  
land surveyors & planners

Prepared For: City of Marble Falls  
Project No. 23247  
Date: 07/17/2023

**BEING 1.500 ACRES SITUATED IN THE CHARLES D. BALL SURVEY NO. 25, ABSTRACT NO. 126, BURNET COUNTY, TEXAS, BEING OUT OF THE REMNANT OF A CALLED 80.00 ACRE TRACT DESCRIBED IN A DOCUMENT TO MARBLE FALLS INDEPENDENT SCHOOL DISTRICT, RECORDED IN VOLUME 353, PAGE 904 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 1.500 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a 1/2" iron pin set with "CUPLIN" property cap along the westerly right-of-way line of Manzano Mile, having a variable width right-of-way, described in Document No. 200901786 of the Official Public Records of Burnet County, Texas, the easterly line of said 80.00 acre tract, and at the most southerly corner hereof, **WHENCE** a 1/2" iron pin found bears South 28°15'31" West, a distance of 281.38' for reference;

**THENCE** over and across said 80.00 acre tract and the outbounds hereof, the following three (3) courses and distances:

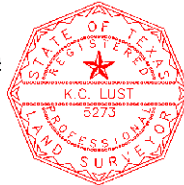
- 1) North 61°44'29" West, a distance of 180.16' to a 1/2" iron pin set with "CUPLIN" property cap;
- 2) North 28°15'31" East, a distance of 411.56' to a 1/2" iron pin set with "CUPLIN" property cap generally in a chain link fence line;
- 3) South 33°26'04" East along said chain link fence line, a distance of 204.63' to a 1/2" iron pin set with "CUPLIN" property cap along the westerly right-of-way line of said Manzano Mile, the easterly line of said 80.00 acre tract, and at the most easterly corner hereof, **WHENCE** a calculated point in power pole bears North 28°15'31" East, a distance of 17.55', from said calculated point a 1/2" iron pin found bears North 18°03'56" East, a distance of 56.48' for reference;

**THENCE** South 28°15'31" West, a distance of 314.53' to the **POINT OF BEGINNING**, containing 1.500 acres, more or less.

I HEREBY CERTIFY EXCLUSIVELY TO THE CITY OF MARBLE FALLS THAT THIS SURVEY WAS PERFORMED ON THE GROUND AND WAS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION. CUPLIN & ASSOCIATES, INC. ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE ABOVE REFERENCED PARTIES HEREBY CERTIFIED TO FOR THIS SPECIFIC TRANSACTION ONLY. COPYRIGHT 2023, CUPLIN & ASSOCIATES, INC. © BASIS OF BEARINGS ARE TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, CENTRAL ZONE. A PLAT OF SURVEY OF EVEN DATE WAS PREPARED AND IS INTENDED TO ACCOMPANY THE ABOVE DESCRIBED TRACT OF LAND.

  
K.C. LUST  
Registered Professional Land Surveyor No. 5273

Dated: 07/17/2023



**EXHIBIT B**  
**EASEMENT DESCRIPTION**

**CUPLIN & ASSOCIATES, Inc.**  
land surveyors & planners

Prepared For: The City of Marble Falls  
Project No.: 23247  
Date: 07/17/2023

**BEING 0.105 OF AN ACRE, ACCESS EASEMENT SITUATED IN THE CHARLES D. BALL SURVEY NO. 25, ABSTRACT NO. 126, BURNET COUNTY, TEXAS, BEING OUT OF THE REMNANT OF A CALLED 80.00 ACRE TRACT DESCRIBED IN A DOCUMENT TO MARBLE FALLS INDEPENDENT SCHOOL DISTRICT, RECORDED IN VOLUME 353, PAGE 904 OF THE OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, SAID 0.105 OF AN ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a 1/2" iron pin set with "CUPLIN" property cap along the westerly right-of-way line of Manzano Mile, having a variable width right-of-way, described in Document No. 200901786 of the Official Public Records of Burnet County, Texas, the easterly line of said 80.00 acre tract, and at the most southerly corner of a 1.500 acre tract surveyed on this date and being out of said 80.00 tract, **WHENCE** a 1/2" iron pin found bears South 28°15'31" West, a distance of 281.38' for reference;

**THENCE** South 28°15'31" West, along said westerly right-of-way line of Manzano Mile and the easterly line of said 80.00 acre tract, and hereof, a distance of 57.00' to a calculated point for the southeasterly corner hereof;

**THENCE** over and across said 80.00 acre tract, and along the outbounds hereof, the following two (2) courses and distances

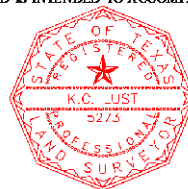
- 1) North 61°44'29" West, a distance of 80.00' to a calculated point for the southwesterly corner hereof;
- 2) North 28°15'31" East, a distance of 57.00' to a calculated point for the northwesterly corner hereof, and also the southwesterly line of the 1.50 acres; also being a northeasterly line of said 80.00 acres;

**THENCE** South 28°15'31" East, along said southwesterly line of 1.500 acre tract and an northeasterly line of said 80.00 acres hereof, a distance of 80.00' to the **POINT OF BEGINNING**, containing 0.105 of an acre, more or less.

I HEREBY CERTIFY EXCLUSIVELY TO THE CITY OF MARBLE FALLS THAT THIS SURVEY WAS PERFORMED ON THE GROUND AND WAS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION. CUPLIN & ASSOCIATES, INC. ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS SURVEY BY ANYONE OTHER THAN THE ABOVE REFERENCED PARTIES HEREBY CERTIFIED TO FOR THIS SPECIFIC TRANSACTION ONLY. COPYRIGHT 2023, CUPLIN & ASSOCIATES, INC. © BASIS OF BEARINGS ARE TO THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, CENTRAL ZONE. A PLAT OF SURVEY OF EVEN DATE WAS PREPARED AND IS INTENDED TO ACCOMPANY THE ABOVE DESCRIBED TRACT OF LAND.

  
K.C. LUST  
Registered Professional Land Surveyor No. 5273

Dated: 07/17/2023





LINE TABLE		
LINE	BEARING	DISTANCE
L1	N28°15'31"E	17.55'
L2	N18°03'56"E	56.48'

LINE TABLE		
LINE	BEARING	DISTANCE
EL1	S28°15'31"W	57.00'
EL2	N61°44'29"W	80.00'
EL3	N28°15'31"E	57.00'
EL4	S61°44'29"E	80.00'

