

MINUTES
MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN SABA
June 12, 2023

Members in attendance were: Ken Jordan – Mayor
Robert Whitten – Mayor Pro-Tem
Oleta Behrens - Alderman
Shawn Oliver – Alderman
Marcus Amthor – Alderman
Michael Nelson – Alderman
Scott Edmonson – City Manager

Others present were: Sabrina Maultsby – City Secretary
Charlene Lindsay – Finance Director
Scott Glaze – Public Works Director
Jason Vogel – Animal Control Officer
Michael Wadsworth – Code Enforcement Officer
Chief John Bauer – San Saba Police Department
Buddy Whitley – Parks-Contract Labor
Luis Rios – Street Department Supervisor
Norman Pierce – Shop Maintenance Supervisor
Susan Kisko – San Saba Garden Club
Jan Beaver – San Saba Garden Club
Paul Beaver – San Saba Garden Club
Mark Amthor – San Saba Garden Club
Janice Behrens – San Saba Garden Club
Debbie Shahan – San Saba Garden Club
Kathleen Hawkins – San Saba Garden Club
Neal Alexander - San Saba Garden Club
Marjean Alexander - San Saba Garden Club
Stephen Owens - LEHNE Construction-Chase Pecan Project
Stephen Wilree - LEHNE Construction-Chase Pecan Project
Brian Rogers – Citizen

At 6:00 p.m. Mayor Jordan called the meeting to order, announced a quorum present, and Alderman Marcus Amthor gave the invocation and pledges.

PRESENTATIONS:

Susan Kisko with San Saba Garden Club addressed the City Council representing the San Saba Garden Club and there were several members in attendance supporting her. She gave a brief overview about the Garden Club and about Farrel Whitley and his dedication, hard work, and efforts he put forth with a vision to make Mill Pond Park a beautifully landscaped park. The San Saba Garden Club would like to honor Farrel Whitley by naming a road within Mill Pond Park after him. There were several suggestions made and a former Mayor was to name the road that runs beside the waterfalls after Farrel, another is to name the road beside the Garden Club's clubhouse/Old Mill

house after him. Susan reviewed Chapter 6.07 of the City Ordinances and do not see a problem regarding City Ordinances. She hopes the Council will agree that Farrel is deserving of this recognition. Mayor Jordan explained to Ms. Kisko and the Garden Club that the City Council will discuss this and bring it back for an agenda item and vote at the next Council meeting. He thanked the Garden Club for coming.

Stephen Owens with LEHNE Construction working on the Chase Pecan Project addressed the Council regarding a noise variance for early morning Cement pours, Discussion/Action agenda item no. 2 with the hours between of 1:00 am to 7:00 am. He also explained that the neighbors would be notified via email, text, or door hangers prior to the date and time of pours. Mr. Owens said they are looking to do eight pours.

Employee of the Month for June was moved to the July meeting.

Norman Pierce, Shop Maintenance Supervisor was selected as Supervisor of the Quarter for the second Quarter. Alderman Marcus Amthor, and Public Works Director Scott Glaze, presented Norman with a plaque with his name on it and a gift certificate to a local restaurant.

PUBLIC COMMENTS: Brian Rogers signed up to speak asking where the alleyway was located on the Discussion/Action item No. 3. Mayor Jordan explained that it is located North of the railroad tracks by Riggs Fuel and it will be discussed further when we get to item No. 3.

CONSENT AGENDA:

On a motion by Alderman Shawn Oliver, seconded by Alderman Marcus Amthor, Council unanimously approved the following: minutes from the May 9, 2023 Council meeting; and payment of bills.

DISCUSSION/ACTION ITEMS:

The first discussion/action item was to Discuss and take possible action to award a construction contract related to the TxCDBG #7220420 Water Improvements Project contingent upon TDA approval of Amendment #2 extension request submission. Mayor Pro-Tem Robert Whitten made a motion to award the Construction Contract to Llano Environmental and Energy Group, LLC dba Permian Energy related to the TxCDBG #7220420 Water Improvements Project contingent upon TDA approval of Amendment #2 extension request submission, seconded by Alderman Michael Nelson and was approved on a 5 to 0 vote.

The second discussion/action item was to Discuss and Consider approval of Resolution No. 2023-18 a Resolution waiving Ordinance defining noise nuisances for LEHNE Construction, Inc. conducting work on the Chase Pecan Project, located at 2803 W, Wallace Street, San Saba, Texas regarding early morning concrete pours from 1:00 a.m. till 7:00 a.m. for the dates of June 22nd, June 30th, July 6th, July 13th, July 19th, July 27th, August 4th, and August 10th, 2023. Alderman Shawn Oliver made a motion to approve Resolution No. 2023-18 a Resolution, seconded by Alderman Michael Nelson, and Council unanimously approved.

RESOLUTION 2023-18

**A RESOLUTION OF THE CITY OF SAN SABA TO WAIVE AN
ORDINANCE DEFINING NOISE NUISANCES**

WHEREAS, the City of San Saba desires to regulate and oversee any unreasonable loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity.

WHEREAS, the playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 10 p.m. and 7 a.m. as to annoy or disturb the quiet, comfort or repose of persons of ordinary sensibilities in any dwelling, hotel or other type of residence is prohibited.

WHEREAS, LEHNE Construction, 22111 State Hwy 71, Suite 101, Spicewood, Texas, has asked the City Council to waive Ordinance No. 1967-4 for construction on the Chase Pecan Project, located at 2803 W. Wallace Street, San Saba, Texas regarding early morning concrete pours from 1:00 a.m. till 7:00 a.m. for the dates of June 22nd, June 30th, July 6th, July 13th, July 19th, July 27th, August 4th, August 10th, 2023.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of San Saba is hereby authorizing **LEHNE Construction, 22111 State Hwy 71, Suite 101, Spicewood, Texas** to conduct early morning concrete pours from 1:00 a.m. till 7:00 a.m. for the dates of June 22nd, June 30th, July 6th, July 13th, July 19th, July 27th, August 4th, August 10th, 2023 on the Chase Pecan Project, located at 2803 W. Wallace Street, San Saba, Texas.

Passed and approved this 12th day of June, 2023.

The third discussion/action item was to Discuss, Consider, and Approve Ordinance No. 2023-05, an Ordinance of the City of San Saba, Texas, to permanently close for public use a portion of Santa Fe Street, also known as Alleyway per the San Saba County Appraisal District; making finding of a fact; providing for the vacation, abandonment, closure of this portion of platted right-of-way; providing for the sale of the right-of-way; and except for any public utility easement, releasing any and all public rights, title and interest in such right-of-way; providing for authorization for the City Manager to take necessary action; and providing a severability clause and an open meeting clause. Alderman Michael Nelson made a motion to approve Ordinance No. 2023-05, seconded by Alderman Oleta Behrens, and was unanimously approved by all.

ORDINANCE NO. 2023-05

AN ORDINANCE OF THE CITY OF SAN SABA, TEXAS, TO PERMANENTLY CLOSE FOR PUBLIC USE A PORTION OF SANTA FE STREET, ALSO KNOWN AS ALLEYWAY PER THE SAN SABA COUNTY APPRAISAL DISTRICT; MAKING FINDINGS OF FACT; PROVIDING FOR THE VACATION, ABANDONMENT, CLOSURE OF THIS PORTION OF PLATTED RIGHT-OF-WAY; PROVIDING FOR THE SALE OF THE RIGHT-OF-WAY; AND EXCEPT FOR ANY PUBLIC UTILITY EASEMENT, RELEASING ANY AND ALL PUBLIC RIGHTS, TITLE AND INTEREST IN SUCH RIGHT-OF-WAY; PROVIDING FOR AUTHORIZATION FOR THE CITY MANAGER TO TAKE NECESSARY ACTION; AND PROVIDING A SEVERABILITY CLAUSE AND AN OPEN MEETING CLAUSE.

WHEREAS, pursuant to Chapter 311 of the Texas Transportation Code, a general-law municipality such as the City of San Saba (“City”) has exclusive control over the highways, alleyways, and streets of the municipality; and

WHEREAS, pursuant to Chapter 311 of the Texas Transportation Code, the City has the authority to vacate, abandon, and close streets and alleyways within the City; and

WHEREAS, a street/alleyway located within the City is approximately 2,000 square foot and bordered on the north side by Lots 11 and 12 of Block 4 of the Riverside Addition and bordered on the South side by Lots 5 and 6 of Block 4 of the Riverside Addition, is approximately one hundred (100) feet in length by twenty (20) feet in width and is all as such closed street/alley which us contained in the legal description of a 0.677 acre tract as particularly shown on Exhibit “A,” attached hereto and incorporated herein for all purposes; and

WHEREAS, the owner of the property abutting the unopened street on both sides, petitioned the City to close the unopened Santa Fe Street, also known as Alleyway per the San Saba County Appraisal District as shown on Exhibit “B,” attached hereto and incorporated herein for all purposes; and

WHEREAS, the City Council desires to, subject to any public utilities that may lie within the street/right-of-way, close and sell such Unopened Santa Fe Street, also known as Alleyway per the San Saba County Appraisal District to the abutting landowner Joseph W. Sutton, with no other abutting landowner to purchase any portion of such street/alleyway.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN SABA, COUNTY OF SAN SABA, STATE OF TEXAS:

Section 1. Findings of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

Section 2. Abandonment. The City Council, subject to and conditioned upon the sale of the Unopened Santa Fe Street, also known as Alleyway per the San Saba County Appraisal District, hereby abandons any and all public rights, title and interest, if any, EXCEPT for retaining any public utility easement that may exist over the Entire Unopened Santa Fe Street, also known as Alleyway per the San Saba County Appraisal District.

Section 3. Offer to Purchase. The City Council desires to sell the Unopened Santa Fe Street/Alleyway, and hereby directs the City Manager to offer to sell the street/alleyway to its abutting property owner, Joseph W. Sutton, the other abutting landowners having no desire to purchase any portion of such street/alleyway.

Section 4. Purchase Price. The purchase price of the Unopened Santa Fe Street, also known as Alleyway per the San Saba County Appraisal District, based upon market value as determined by the San Saba County Appraisal District, is One Thousand Forty Dollars (\$1,040.00) as set forth in the letter they dated March 6, 2018 and attached hereto as Exhibit "C," and incorporated herein for all purposes, and buyer shall obtain a metes and bounds description and survey, will pay any and all other costs associated with the sale of property.

Section 5. Authorization for City Manager. The City Council hereby authorizes the City Manager to take any and all action necessary to effectuate the closure, abandonment, sale and transfer of the street/alleyway, including execution of Special Warranty Deed in substantially the same form as Exhibit "D," attached hereto and incorporated herein for all purposes.

Section 6. Conflicting Ordinances. All ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance as adopted herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other code or ordinance of the City, the terms and provisions of this Ordinance shall govern.

Section 7. Savings Clause. All rights and remedies of the City of San Saba are expressly saved as to any and all violations of the provisions of any ordinances affecting zoning within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

Section 8. Penalties. All relevant enforcement provisions and penalties in the San Saba Code of Ordinances, regarding the enforcement of ordinances or providing for a penalty for the violation of an ordinance apply to and are left intact by this Ordinance and the provisions adopted and amended herein.

Section 9. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code and the City Charter.

Section 10. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining

phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

Section 11. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is 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 12 day of June, 2023.

CITY OF SAN SABA, TEXAS

**Kenneth G. Jordan,
Mayor, City of San Saba**

ATTEST:

Sabrina Maultsby, City Secretary

EXHIBIT "A"

Survey

GMA ENGINEERING & SURVEYING
Engineering Firm No. F-6450
Surveying Firm No. 100983-00

George M. Amthor III
County Surveyor
Registered Professional Land Surveyor
Professional Engineer

Office
325-372-3028
1807 W. Wallace
San Saba, Texas 76877

Field Notes of a tract of land lying in the City of San Saba, County of San Saba, State of Texas containing 0.677 acres, more or less, and being all of Lots 4, 5, 6, 11, 12 of Block 4 of the Riverside Addition to the City of San Saba, and a "to be closed" section of a 20 foot wide alley that is bounded on the south by the north lines of said Lots 5 and 6 and bounded on the north by the south lines of said Lots 11 and 12 of said Block 4 of the Riverside Addition according to the official Plat and Designation of said Addition as shown in Volume 50, Page 140 of the San Saba County Deed Records. Said lots are the same lands as described in a deed from the Estate of Jerry Dean Sutton, Betty Jean Sutton, administrator, to Joseph William Sutton recorded in Volume 332, Page 694 of the San Saba County Official Public Records. Survey was made for Joseph William Sutton.

Beginning at a 1/2" capped iron pin (set) in the south line of Gulf Street for the northeast corner of Lot 12, the same being the northeast corner of said Block 4 of said Riverside Addition;

Thence S 00°30'03" E 240.00 feet along the west line of an approximate 25 foot (strip) alley, the same being the east line of Block 4, at 110.00 feet passing the southeast corner of said Lot 12, the same being the northeast corner of said 20 foot alley "to be closed", at 130.00 feet passing the southeast corner of said 20 foot alley "to be closed" and the northeast corner of said Lot 6, continuing a total distance of 240.00 feet to a 1/2" capped iron pin (set) in the north line of an unopened section of Santa Fe Street for the southeast corner of Lot 6, the same being the southeast corner of said Block 4;

Thence S 89°29'57" W 150.00 feet along the north line of said unopened section of Santa Fe Street and the south line of Block 4, the same being the south lines of Lots 6, 5, and 4, to a 3/8" iron pin (found) for the southwest corner of Lot 4, the same being the southeast corner of Lot 3;

Thence N 00°30'03" W 110.00 feet along the west line of Lot 4 and the east line of Lot 3 to a 3/8" iron pin (found) in the south line of said 20 foot alley for the northwest corner of Lot 4, the same being the northeast corner of Lot 3 of Block 4, from which another 3/8" iron pin (found) for the northwest corner of said Lot 3 of said Block 4 bears S 89°29'57" W 50.00 feet;

Thence N 89°29'57" E 50.00 feet along the north line of Lot 4 and the south line of said 20 foot alley to a 60d nail (found) for the northeast corner of said Lot 4 and the northwest corner of said Lot 5; said 60d nail (found) also being the southwest corner of the portion of said alley "to be closed";

Thence N 00°30'03" W, crossing said 20 foot alley, at 20.00 feet passing a 1/2" iron pin (found by a pipe post in concrete) for the southwest corner of said Lot 11, the same being the southeast corner of Lot 10, and the northwest corner of said portion of alley "to be closed"; continuing a total distance of 130.00 feet to a 1/2" iron pin (found by a pipe post in concrete) in the south line of Gulf Street for the northwest corner of said Lot 11, the same being the northeast corner of Lot 10;

Thence N 89°29'57" E 100.00 feet along the south line of said Gulf Street and the north lines of Lot 11 and Lot 12 of Block 4 to place of beginning.

GMA ENGINEERING & SURVEYING

Engineering Firm No. F-6450
Surveying Firm No. 100983-00

George M. Amthor III
County Surveyor
Registered Professional Land Surveyor
Professional Engineer

Office
325-372-3028
1807 W. Wallace
San Saba, Texas 76877

Basis of Bearings: Bearings are based on "True North" as determined by standard GPS Measurements/Observations.

NOTE: 1/2" capped iron pins (set) are capped with a pink plastic cap marked "G. AMTHOR - RPLS 2684".

I, George M. Amthor III, R.P.L.S., do hereby certify that the field notes shown hereon and accompanying plat represent an on-the-ground survey made under my direction and supervision on May 10, 2018 and to the best of my knowledge and belief represent the facts found at the time of survey.

WITNESS MY HAND AND SEAL,

George M. Amthor III
George M. Amthor III
R.P.L.S. 2684



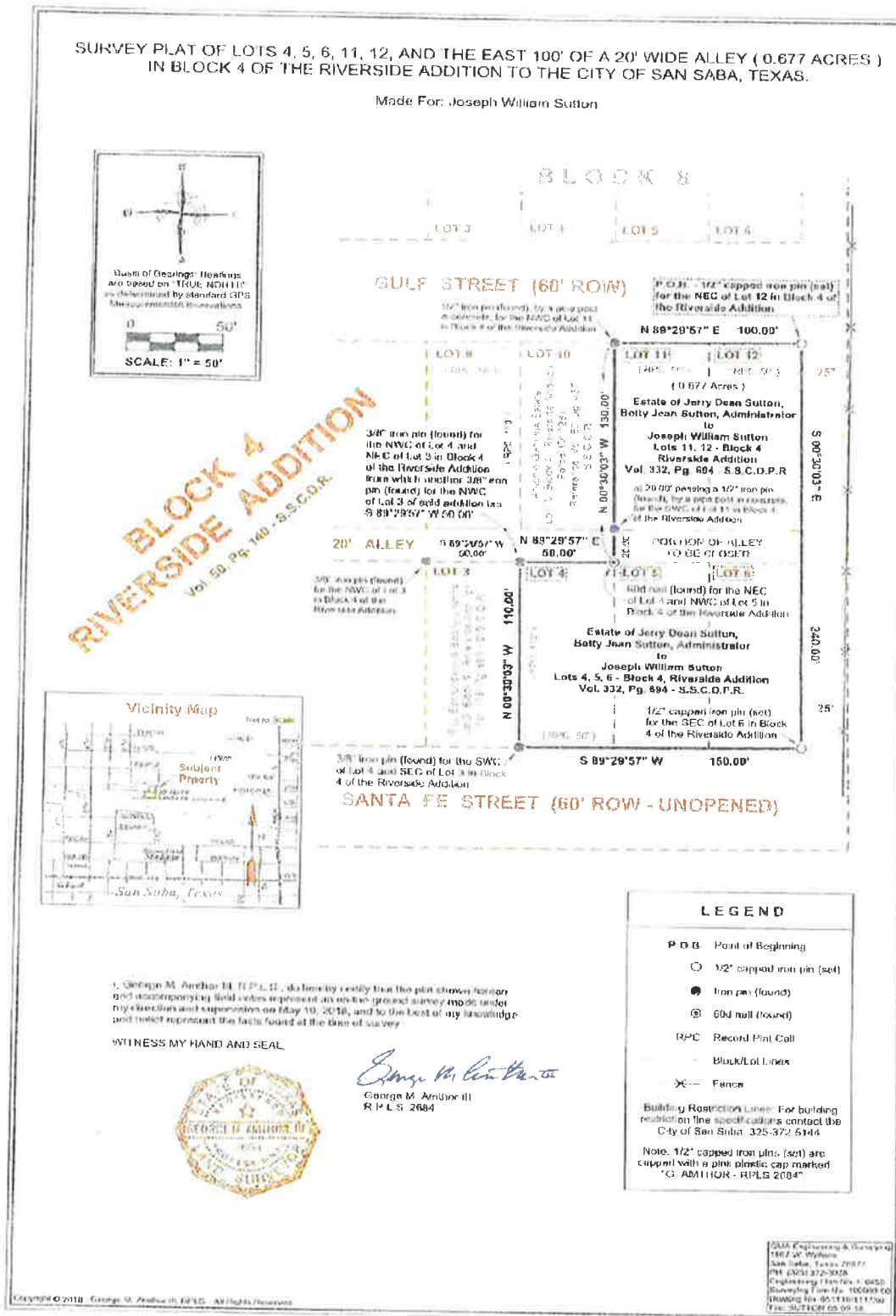


EXHIBIT "B"

Petition for Street/Alleyway Closing

JOSEPH (BILLY) SUTTON

**P.O. Box 297
San Saba, Texas 76877
(325) 372-4470**

February 15, 2018

City of San Saba
P.O. Box 788
San Saba, Texas 76877

RE: Petition to Close and Purchase an Unopened Platted Portion of Santa Fe Street

To City of San Saba Council Members:

I am petitioning the City Council to Close and Purchase an unopened Platted Portion of Santa Fe Street, San Saba, Texas (see attached plat). Please let me know if you need additional information or I can be of further assistance.

Sincerely,



Joseph (Billy) Sutton

EXHIBIT "C"

San Saba County Appraisal District Letter of March 6, 2018

sansaba@centex.net

From: Jan Vanderburg <jan.sscad@yahoo.com>
Sent: Tuesday, March 6, 2018 9:09 AM
To: Sabrina Maultsby
Subject: SUTTON PROPERTY

It figures 2,000 square feet at \$.52 per square foot making the total \$1,040 for the value. If you need anything else, don't hesitate to let me know.

Jan Vanderburg, RPA, RTA
Chief Appraiser

San Saba County Appraisal District
423 E. Wallace, San Saba TX 76877
phone 325.372.5031
fax 325.372.3325
website <http://www.sansabacad.org>

EXHIBIT "D"

Special Warranty Deed

SPECIAL WARRANTY DEED

STATE OF TEXAS §
COUNTY OF SAN SABA §

City of San Saba, Texas, a municipal corporation, hereinafter referred to as Grantor, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and confessed and for which no lien is retained, either express or implied, has this day Granted, Bargained, Sold and Conveyed and by these presents does Grant, Bargain, Sell and Convey unto Joseph William Sutton, hereinafter referred to as Grantee, all of Grantor's right, title and interest in and to that certain tract or parcel of land situated in San Saba County, Texas, said land being more particularly described as the alley that was closed by City of San Saba Ordinance No. 2023-05, containing approximately 2,000 square feet of land and bordered on the north side by Lots 11 and 12 of Block 4 of the Riverside Addition and bordered on the south side by Lots 5 and 6 of Block 4 of the Riverside Addition, is approximately one hundred (100) feet in length by twenty (20) feet in width and is all of such closed alley which is contained in the legal description of a 0.677 acre tract more particularly shown on Exhibit "A", attached hereto and incorporated herein for all purposes, together with all and singular, all of Grantor's right, title and interest in and to all rights, privileges, strips and gores, tenements, and appurtenances thereon and pertaining thereto.

This conveyance is subject to all matters of public record and to all easements, leases, agreements or licenses, or other interests which affect the Property, and to any matter which would be disclosed by title examination, survey, investigation or inquiry, including but not limited to the rights of parties in possession (collectively, the "Permitted Encumbrances").

BY THE ACCEPTANCE OF THIS DEED, GRANTEE ACKNOWLEDGES AND AGREES THAT GRANTEE HAS THOROUGHLY INSPECTED AND EXAMINED THE PROPERTY TO THE EXTENT DEEMED NECESSARY BY THE GRANTEE IN ORDER TO ENABLE THE GRANTEE TO EVALUATE THE PURCHASE OF THE PROPERTY. GRANTEE REPRESENTS THAT GRANTEE IS RELYING SOLELY ON GRANTEE'S OWN EXPERTISE AND THAT OF ITS CONSULTANTS, AND THAT GRANTEE HAS CONDUCTED SUCH INSPECTIONS AND INVESTIGATIONS OF THE PROPERTY, INCLUDING, BUT NOT LIMITED TO, THE PHYSICAL AND ENVIRONMENTAL CONDITIONS THEREOF, AND IS RELYING UPON SAME, AND HEREBY ASSUMES THE RISK OF ANY ADVERSE MATTERS, INCLUDING, BUT NOT LIMITED TO, ADVERSE PHYSICAL AND ENVIRONMENTAL CONDITIONS THAT MAY NOT HAVE BEEN REVEALED BY GRANTEE'S INSPECTIONS AND INVESTIGATIONS. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT GRANTEE IS ACQUIRING THE PROPERTY ON AN "AS IS, WHERE IS" AND "WITH ALL FAULTS" BASIS, WITHOUT REPRESENTATIONS, WARRANTIES OR COVENANTS, EXPRESS OR IMPLIED, OF ANY KIND OR NATURE, EXCEPT FOR THE SPECIAL WARRANTY OF TITLE HEREIN. GRANTEE HEREBY WAIVES AND RELINQUISHES ALL RIGHTS AND PRIVILEGES ARISING OUT OF, OR WITH RESPECT OR IN RELATION TO, ANY REPRESENTATIONS, WARRANTIES OR COVENANTS, WHETHER EXPRESS OR IMPLIED, WHICH MAY HAVE BEEN MADE OR GIVEN, OR WHICH MAY HAVE BEEN DEEMED TO HAVE BEEN MADE OR GIVEN, BY GRANTOR. GRANTEE HEREBY ASSUMES ALL RISK AND LIABILITY (AND AGREES THAT GRANTOR SHALL NOT BE

LIABLE FOR ANY SPECIAL, DIRECT, INDIRECT, CONSEQUENTIAL OR OTHER DAMAGES) RESULTING OR ARISING FROM GRANTEE'S USE, MAINTENANCE, REPAIR, OR OPERATION OF THE PROPERTY.

WITHOUT LIMITING THE GENERAL PROVISIONS ABOVE, IT IS UNDERSTOOD AND AGREED THAT GRANTOR IS NOT MAKING AND SPECIFICALLY DISCLAIMS ANY WARRANTIES OR REPRESENTATIONS OF ANY KIND OR CHARACTER, EXPRESS OR IMPLIED, AS TO (a) MATTERS OF TITLE, EXCEPT FOR THE SPECIAL WARRANTY OF TITLE; (b) ZONING; (c) TAX CONSEQUENCES; (d) PHYSICAL OR ENVIRONMENTAL CONDITIONS; (e) AVAILABILITY OF ACCESS, INGRESS OR EGRESS; (f) OPERATING HISTORY OR PROJECTIONS; (g) VALUATION; (h) AVAILABILITY AND ADEQUACY OF UTILITIES; (i) GOVERNMENTAL APPROVALS; (j) GOVERNMENTAL REGULATIONS OR ANY OTHER MATTER OR THING RELATING TO OR AFFECTING THE PROPERTY, INCLUDING, WITHOUT LIMITATION: (1) THE VALUE, CONDITION, MERCHANTABILITY, MARKETABILITY, PROFITABILITY, SUITABILITY, OR FITNESS OF THE PROPERTY FOR A PARTICULAR USE OR PURPOSE; (2) THE MANNER OR QUALITY OF THE CONSTRUCTION OR MATERIALS, IF ANY, INCORPORATED INTO ANY OF THE PROPERTY; AND (3) THE MANNER, QUALITY, STATE OF REPAIR OR LACK OF REPAIR OF THE PROPERTY. GRANTEE FURTHER EXPRESSLY ACKNOWLEDGES AND AGREES THAT GRANTOR IS NOT REPRESENTING OR WARRANTING THAT ANYTHING CAN OR WILL BE ACCOMPLISHED THROUGH GRANTEE'S OR GRANTOR'S EFFORTS WITH REGARD TO THE PLANNING, PLATTING OR ZONING PROCESS OF ANY GOVERNMENTAL AUTHORITIES, BOARDS OR ENTITIES. GRANTEE FURTHER ACKNOWLEDGES THAT GRANTOR HAS NOT WARRANTED, AND DOES NOT HEREBY WARRANT, THAT THE PROPERTY NOW OR IN THE FUTURE WILL MEET OR COMPLY WITH THE REQUIREMENTS OF ANY SAFETY CODE, ENVIRONMENTAL LAW OR REGULATION OF ANY STATE OR FEDERAL AUTHORITY OR JURISDICTION.

TO HAVE AND TO HOLD the Property unto Grantee, its successors and/or assigns, subject to the exceptions described herein FOREVER, and the Grantor does hereby bind itself and its successors and assigns to Warrant and Forever Defend all and singular the Property, subject to the exceptions described herein, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise.

Grantor and Grantee having pro rated ad valorem real estate taxes by all taxing authorities for the year 2023, the same are hereby assumed by Grantee, who by the acceptance of this deed has agreed to pay the same prior to any delinquency.

[The balance of this page has intentionally been left blank.]

Executed on the date of the acknowledgment below.

CITY OF SAN SABA, a Texas municipal corporation

By: 

Name: Scott Edmonson

Title: City Manager

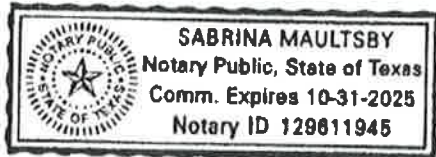
ACKNOWLEDGEMENT


STATE OF TEXAS

§
§
§

COUNTY OF SAN SABA

This instrument was acknowledged before me on June 12, 2023, by Scott Edmonson as City Manager of the City of San Saba, Texas, a Texas municipal corporation.




Notary Public, State of Texas
Notary's printed name: Sabrina Maultsby
My commission expires: October 31, 2025

After recording, return to:

City of San Saba
Attn: Sabrina Maultsby
PO Box 788
San Saba, Texas 76877

EXHIBIT "A"

Metes and Bounds Property Description and Survey

GMA ENGINEERING & SURVEYING

Engineering Firm No. F-6450
 Surveying Firm No. 100983-00

George M. Anthor III
 County Surveyor
 Registered Professional Land Surveyor
 Professional Engineer

Office
 325-372-3028
 1807 W. Wallace
 San Saba, Texas 76877

Field Notes of a tract of land lying in the City of San Saba, County of San Saba, State of Texas containing 0.677 acres, more or less, and being all of Lots 4, 5, 6, 11, 12 of Block 4 of the Riverside Addition to the City of San Saba, and a "to be closed" section of a 20 foot wide alley that is bounded on the south by the north lines of said Lots 5 and 6 and bounded on the north by the south lines of said Lots 11 and 12 of said Block 4 of the Riverside Addition according to the official Plat and Designation of said Addition as shown in Volume 50, Page 140 of the San Saba County Deed Records. Said lots are the same lands as described in a deed from the Estate of Jerry Dean Sutton, Betty Jean Sutton, administrator, to Joseph William Sutton recorded in Volume 332, Page 694 of the San Saba County Official Public Records. Survey was made for Joseph William Sutton.

Beginning at a 1/2" capped iron pin (set) in the south line of Gulf Street for the northeast corner of Lot 12, the same being the northeast corner of said Block 4 of said Riverside Addition;

Thence S 60°30'03" E 240.00 feet along the west line of an approximate 25 foot (strip/alley), the same being the east line of Block 4, at 110.00 feet passing the southeast corner of said Lot 12, the same being the northeast corner of said 20 foot alley "to be closed", at 130.00 feet passing the southeast corner of said 20 foot alley "to be closed" and the northeast corner of said Lot 6, continuing a total distance of 240.00 feet to a 1/2" capped iron pin (set) in the north line of an unopened section of Santa Fe Street for the southeast corner of Lot 6, the same being the southeast corner of said Block 4;

Thence S 89°29'57" W 150.00 feet along the north line of said unopened section of Santa Fe Street and the south line of Block 4, the same being the south lines of Lots 6, 5, and 4, to a 3/8" iron pin (found) for the southwest corner of Lot 4, the same being the southeast corner of Lot 3;

Thence N 00°30'03" W 110.00 feet along the west line of Lot 4 and the east line of Lot 3 to a 3/8" iron pin (found) in the south line of said 20 foot alley for the northwest corner of Lot 4, the same being the northeast corner of Lot 3 of Block 4, from which another 3/8" iron pin (found) for the northwest corner of said Lot 3 of said Block 4 bears S 89°29'57" W 50.00 feet;

Thence N 89°29'57" E 50.00 feet along the north line of Lot 4 and the south line of said 20 foot alley to a 60d nail (found) for the northeast corner of said Lot 4 and the northwest corner of said Lot 5; said 60d nail (found) also being the southwest corner of the portion of said alley "to be closed";

Thence N 00°30'03" W, crossing said 20 foot alley, at 20.00 feet passing a 1/2" iron pin (found by a pipe post in concrete) for the southwest corner of said Lot 11, the same being the southeast corner of Lot 10, and the northwest corner of said portion of alley "to be closed", continuing a total distance of 130.00 feet to a 1/2" iron pin (found by a pipe post in concrete) in the south line of Gulf Street for the northwest corner of said Lot 11, the same being the northeast corner of Lot 10;

Thence N 89°29'57" E 100.00 feet along the south line of said Gulf Street and the north lines of Lot 11 and Lot 12 of Block 4 to place of beginning.

GMA ENGINEERING & SURVEYING
Engineering Firm No. F-6450
Surveying Firm No. 100983-00

George M. Amthor III
County Surveyor
Registered Professional Land Surveyor
Professional Engineer

Office
325-372-3028
1807 W. Wallace
San Saba, Texas 76877

Basis of Bearings: Bearings are based on "True North" as determined by standard GPS Measurements/Observations.

NOTE: 1/2" capped iron pins (set) are capped with a pink plastic cap marked "G. AMTHOR - RPLS 2684".

I, George M. Amthor III, R.P.L.S., do hereby certify that the field notes shown hereon and accompanying plat represent an on-the-ground survey made under my direction and supervision on May 10, 2018 and to the best of my knowledge and belief represent the facts found at the time of survey.

WITNESS MY HAND AND SEAL,

George M. Amthor III
George M. Amthor III
R.P.L.S. 2684

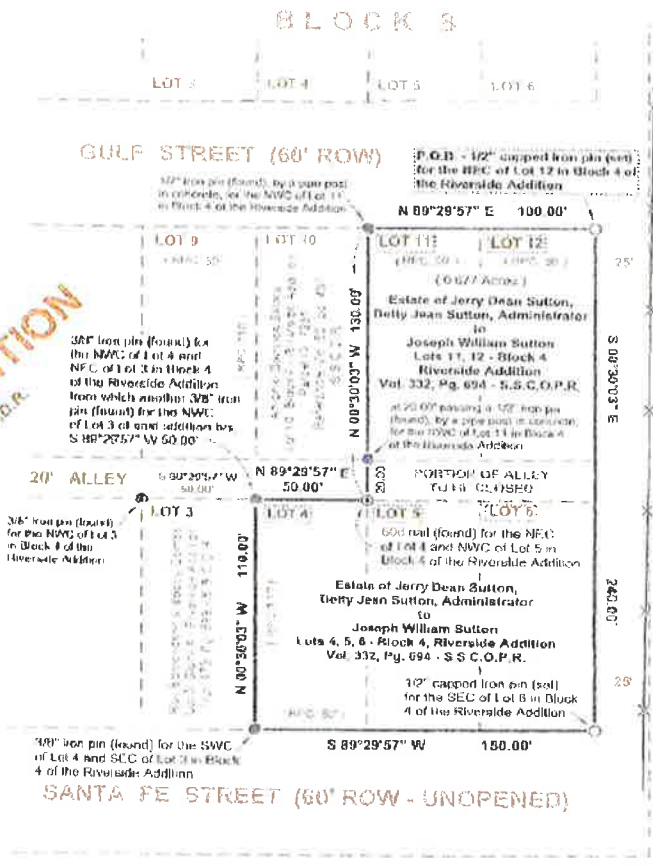


SURVEY PLAT OF LOTS 4, 5, 6, 11, 12, AND THE EAST 100' OF A 20' WIDE ALLEY (0.677 ACRES)
IN BLOCK 4 OF THE RIVERSIDE ADDITION TO THE CITY OF SAN SABA, TEXAS.

Made For: Joseph William Sutton



**BLOCK 4
RIVERSIDE ADDITION**
Vol. 332, Pg. 694 - S.S.C.O.P.R.



I, George M. Amthor II, R.P.L.S., do hereby certify that the plat shows the true and accompanying field notes represented on the ground survey made under my direction and supervision on May 10, 2018, and to the best of my knowledge and belief represent the facts found at the time of survey.

WITNESS MY HAND AND SEAL.



George M. Amthor II
George M. Amthor II
R.P.L.S. 2684

LEGEND

- P.O.B. Point of Beginning
- 1/2" capped iron pin (set)
- Iron pin (found)
- ⊙ 60d nail (found)
- R.P.C. Record Plat Call
- - - Block/Lot Lines
- - - Fence

Building Restriction Lines. For building restriction line specifications contact the City of San Saba, 325-372-5144

Note: 1/2" capped iron pins (set) are capped with a pink plastic cap marked "G AMTHOR - RPLS 2684"

GSMA Engineering & Surveying
1602 W. Dallas
San Saba, Texas 76881
PH (254) 322-5628
Engineering Firm No. F-8659
Surveying Firm No. 2008000
Drawing No. 051187/1120
File: SUT10245-05.DWG

The fourth discussion/action item was to Discuss, consider and approval of Resolution No. 2023-19, a Resolution of the City of San Saba, Texas, regarding a Finance Contract between Government Capital Corporation and the City of San Saba for the purchase of a Police Responder and Equipment for the Police Department. Mayor Pro-Tem Robert Whitten made a motion to approve Resolution No. 2023-19, seconded by Alderman Shawn Oliver and was unanimously approved by all on a 5 to 0 vote.

RESOLUTION NO. 2023-19

A RESOLUTION REGARDING A CONTRACT FOR THE PURPOSE OF FINANCING A **"POLICE RESPONDER & EQUIPMENT"**.

WHEREAS, City of San Saba (the "Issuer") desires to enter into that certain Finance Contract by and between the Issuer and Government Capital Corporation ("GCC") for the purpose of financing a "Police Responder & Equipment". The Issuer desires to designate this Finance Contract as a "qualified tax exempt obligation" of the Issuer for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

NOW THEREFORE, BE IT RESOLVED BY CITY OF SAN SABA:

Section 1. That the Issuer will enter into a Finance Contract with GCC for the purpose of financing a "Police Responder & Equipment".

Section 2. That the Finance Contract dated by and between the City of San Saba and GCC is designated by the Issuer as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Issuer appoints the City Manager or the City Manager's designee, as the authorized signer of the Finance Contract Number by and between the City of San Saba and GCC as well as any other ancillary exhibit, certificate, or documentation needed for the Contract.

Section 4. That should the need arise, if applicable, the City of San Saba will use loan proceeds for reimbursement of expenditures related to the Property, within the meaning of Treasury Regulation § 1.150-2, as promulgated under the Internal Revenue Code of 1986, as amended.

This Resolution has been PASSED upon Motion made by Council Member Robert Whitten, seconded by Council Member Shawn Oliver by a vote of 5 to 0 and is effective this 12th day of June, 2023.

Issuer: City of San Saba

Witness Signature

CITY MANAGER'S REPORT

City Manager Scott Edmonson gave a brief report on the following activities in the City of San Saba: ATMOS will be don a Safety Survey tomorrow from 7:00 p.m. until 6:00 a.m.; the Golf Course received fifteen (15) new Golf Carts today and I'm sure Michael is happy; the Golf Cart Sheds are complete and really look nice; we have been meeting with AT&T and Verizon regarding new Cell Phone service, but they won't be able to port the numbers until August; working on the Street Paving and how we plan to move forward; met with Mason to see how they did their paving project; working with the Youth Sports regarding the baseball and soccer fields; Splash Pad is moving along and the contractor will be meeting with us sometime in August to see where the electric, water, and sewer lines need to be extended to; been meeting with Supervisors regarding their budgets; still meeting about the Eclipse and we booked 25 port-a-potties; will be attending a Legislative Update Conference in Georgetown on Thursday.

OTHER REPORTS

Scott Glaze, Public Works Director reported: ATMOS is pressure testing the lines; Buddy Whitley is doing a great job in the Parks and with the flowers.

Michael Wadsworth, Code Enforcement Officer reported: the house on the property Riana Bass owns, there is more to it, there are four or five people involved and there is a tax lien on the property so the City isn't going to move forward at this time and waiting to see what transpires after July 5th.

Chief John Bauer reported: the District Attorney's Office seems to be stepping it up, they presented 30 years on a recent case for 139 gm of cocaine still in brick form to a known gang member and the District Judge gave him 10 years probation, which is unheard of. We are still dealing with the same people over and over due to not being prosecuted for the crime committed. It's a daily battle we are fighting. The Police Officers are doing their job, but what happens past that point, they have no control of.

As there was no further discussion, the meeting adjourned at 6:42 p.m. and Council Members took a brief recess before beginning the Budget Workshop and Executive Session was moved following the Budget Workshop.

The Budget Workshop began and Jason Vogel presented Animal Control Budget along with Michael Wadsworth presenting the budget for Code Enforcement, Norman Pierce presented the budget for the Shop Department, and Luis Rios, Street Department Supervisor presented the Street budget, expenses.

The next Budget Workshop is scheduled for Tuesday, June 27, 2023.

The Budget Workshop adjourned at 6:53 p.m.

At 6:54 p.m., the City Council convened into Executive Session pursuant to Section 551.074, Texas Government Code, to evaluate the City Manager's Performance.

CITY COUNCIL MINUTES

JUNE 12, 2023

At 7:08 p.m., the City Council adjourned from Executive Session back into open session. No action was taken.

The meeting adjourned at 7:08 p.m.



Kenneth G. Jordan, Mayor

ATTEST:



Sabrina Maulsby, City Secretary