

CITY OF WILLOW PARK

RESOLUTION NO. 17-12

A RESOLUTION PROVIDING AUTHORIZATION FOR THE NEGOTIATION AND EXECUTION OF AN EASEMENT AGREEMENT BY AND BETWEEN THE CITY OF WILLOW PARK, TEXAS, AND SOUTHWESTERN BELL TELEPHONE COMPANY, D/B/A AT&T TEXAS, FOR UNDERGROUND COMMUNICATION, DATA VIDEO AND OTHER FACILITIES IN AND FOR THE CITY; AND, PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Willow Park, Texas (City) is a general law municipality located in Parker County, created in accordance with the Laws of the State of Texas; and

WHEREAS, it is intent of the City of Willow Park to protect the health, safety and welfare and well being of its citizens; and

WHEREAS, the municipal offices of the City perform certain functions related to the preservation of health, safety and general welfare of its citizens; and

WHEREAS, the City has the authority, pursuant to § 51.05, TEX. LOCAL GOV'T CODE, to convey property for certain municipal purposes; and

WHEREAS, the repair or improvement of communication infrastructure to provide voice, data, video, or other communication services or to facilitate said services is a municipal purpose.

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK THAT:

SECTION 1. AUTHORIZATION.

The Mayor, or the Mayor's designee, is hereby authorized and directed to implement the applicable provisions of this Resolution.

SECTION 2. CONTRACT.

The Mayor or City Administrator is hereby authorized to execute an agreement or easement, with concurrence of counsel, with Southwestern Bell Telephone Company, d/b/a AT&T Texas that contains the majority of the terms of use and conveyance as the agreement attached hereto as Exhibit "A" and included herein for all purposes that best protects the interests of the City.

SECTION 3. SEVERABILITY.

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Resolution shall be held invalid, it shall not affect any valid provisions of this or any other Resolution or Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 4. REPEALER.

To the extent any other ordinance or resolution is inconsistent with the provisions herein it is hereby repealed and superseded by the provisions herein.

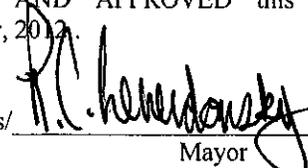
SECTION 5. RECITALS.

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Resolution.

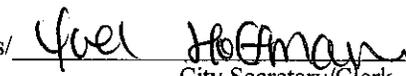
SECTION 6. EFFECTIVE DATE.

This Resolution shall take effect from and after its adoption.

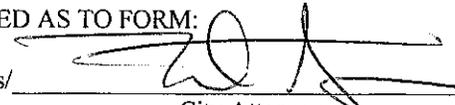
PASSED AND APPROVED this 13th day of November, 2012.

/s/ 
Mayor

ATTEST:

/s/ 
City Secretary/Clerk

APPROVED AS TO FORM:

/s/ 
City Attorney

The Willow Park City Council in acting on Resolution No 17-12, did on the 13th day of November, 2013, vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
Richard Neverdousky, Mayor	_____	_____
Brian Thonburg, Place 1	_____✓	_____
Gene Martin, Place 2	_____✓	_____
Amy Podany, Place 3	_____✓	_____
Dan Stalling, Place 4	_____✓	_____
Bernard Suchocki, Place 5	_____✓	_____