

ORIGINAL

City of Cottonwood Shores

ORDINANCE 3014

AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES, TEXAS, PROVIDING REGULATIONS FOR THE PUBLIC UTILITY EASEMENT (PUE) RELINQUISHMENT AND REPLATTING PROCESS WITHIN THE CITY; PROVIDING SEVERABILITY, OPEN MEETINGS AND EFFECTIVE DATE CLAUSES; PROVIDING FOR RELATED MATTERS.

Whereas, the City Council of the City of Cottonwood Shores, Texas feels it is in the best interest of the City to regulate the relinquishment of easements on combined lots within the City limits and calls for combined lots to be replatted and registered with Burnet County before the relinquishment of easements will become effective and building permits issued.

History: October 1, 2015 – Amended requirement for non-City public utilities letter or easement relinquishment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, THAT:

The Public Utility Easement (PUE) and Replatting Process as described in Exhibit 1 attached to this Ordinance become effective upon the passage of this Ordinance.

Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Code of Ordinances. It is the intention of the Council that this ordinance shall become a part of the Code of Ordinances of the City of Cottonwood Shores, Texas, and codified therein accordingly.

Effective Date. This ordinance shall take effect immediately from and after its passage.

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, Chapt. 511, Tex. Gov't. Code.

AMENDED ORDINANCE PASSED THIS THE 1<sup>ST</sup> DAY OF OCTOBER 2015, AT A MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, THERE BEING A QUORUM PRESENT, BY 3 YEAS, 0 NAYS AND 1 ABSTAIN.

  
Donald Orr, Mayor



ATTEST:

  
Sheila C. Moore

City Administrator/City Secretary

# City of Cottonwood Shores

## PUBLIC UTILITY EASEMENT (PUE) RELINQUISHMENT AND REPLATTING PROCESS

### LOT INFORMATION:

Lot Numbers: \_\_\_\_\_

Section(s) / Subdivision(s): \_\_\_\_\_

Address: \_\_\_\_\_ Cottonwood Shores \_\_\_\_\_ Texas \_\_\_\_\_ 78657

Legal Owner(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

\_\_\_\_\_  
(Address) (Apt/ #s) (City) (State) (Zip Code)

Res Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Email address: \_\_\_\_\_

### APPLICANT MUST CHECK BOX A OR BOX A AND B:

A  Desire to relinquish PUE easement

B  Desire to construct a building over existing easement(s)

### A Requirements to be provided to CWS (no replat required)

- 1 Completed Agenda Item Request Form
- 2 Reason for PUE request
- 3 Property description (map, survey, location)
- 4 Evidence of ownership
- 5 Pay fees (Calculated at \$100.00 + \$50.00 for each lot line)

After requirements are provided, City will issue a work order to have easements inspected, all information will be presented at the next Council meeting \*you or an authorized representative must be in attendance\*.

*Council will determine if request is to be granted. A formal letter of their decision regarding the easement relinquishment will be mailed to applicant.*

### B Requirements to be provided to CWS with Items 1-5 above (replat required)

- 1 Indicate where property/structure will be located (on map)
- 2 Structure must conform to existing CWS Ordinances i.e., setbacks, zoning and building
- 3 Copy of the replat from Burnet County

After requirements are provided, City will issue a work order to have easements inspected, all information will be presented at the next Council meeting \*you or an authorized representative must be in attendance\*.

*Council will determine if request is to be granted. A formal letter of their decision regarding the easement relinquishment will be mailed to applicant.*

**NOTE: PUE EASEMENT ABANDONMENT WILL NOT BE EFFECTIVE UNTIL COPY OF REPLAT FROM BURNET COUNTY IS PROVIDED.**

Official Use Only

\_\_\_\_\_  
Date Approved

\_\_\_\_\_  
Date Denied

\_\_\_\_\_  
Affiant for City