

PUBLIC NOTICE
AGENDA
LOCKHART CITY COUNCIL
SPECIAL MEETING
August 14, 2025
CLARK LIBRARY ANNEX-COUNCIL CHAMBERS
217 SOUTH MAIN STREET, 3RD FLOOR
LOCKHART, TEXAS

6:45 P.M. SPECIAL MEETING

1. CALL TO ORDER

Mayor Lew White

2. DISCUSSION/ACTION ITEMS

- A. Discuss and consider approval of Resolution 2025-25 authorizing the acquisition and purchase of four permanent utility easements necessary for the Lockhart Square Project, approving settlement of pending condemnation proceedings, authorizing closing costs associated with the purchases in an estimated amount of \$367,000.00, and authorizing the City Manager to execute all necessary documents. **2-5**

3. ADJOURNMENT

City Council shall have the right at anytime to seek legal advice in Executive Session from its Attorney on any agenda item, whether posted for Executive Session or not.

Posted on the bulletin board in the Municipal Building, 308 West San Antonio Street, Lockhart, Texas, on the August 11, 2025 at 4:50 p.m.

City of Lockhart, Texas

Council Agenda Item Cover Sheet

COUNCIL MEETING DATE: August 14, 2025

AGENDA ITEM CAPTION: Discuss and consider approval of Resolution 2025-25 authorizing the acquisition and purchase of four permanent utility easements necessary for the Lockhart Square Project, approving settlement of pending condemnation proceedings, authorizing closing costs associated with the purchases in an estimated amount of \$367,000.00, and authorizing the City Manager to execute all necessary documents.

ORIGINATING DEPARTMENT AND CONTACT: City Attorney - Brad Bullock

ACTION REQUESTED: Resolution

BACKGROUND/SUMMARY/DISCUSSION: The Lockhart Square Utility Project is a public infrastructure effort to relocate and upgrade electric utility facilities serving the southern block of the downtown Lockhart Square. The work is necessary to maintain service to approximately eight existing commercial properties and to provide electric service to a new mixed-use infill development. This development will increase the electric load demand in the area, requiring new poles, transformers, service lines, and related equipment.

Further, a portion of the existing utility line lies within the property boundaries of the new project, necessitating the removal of an existing pole and the installation of three new poles and appurtenances. To support construction and long-term operation, the City Attorney has recommended securing dedicated permanent utility easements—rather than relying on prescriptive easements—to ensure clear legal authority for installation, maintenance, and replacement of electric, water, sewer, drainage, and other utility facilities.

The project requires easements from seven private property owners, affecting eight tracts. Contract Land Staff (CLS) has assisted with appraisals and negotiations. Agreements have been reached with three property owners to date.

Resolution 2025-25 authorizes the City of Lockhart to acquire the four remaining permanent utility easements needed for the Lockhart Square Project, which relocates public utilities in the downtown square. These easements will allow the City to construct, operate, maintain, and repair electric, water, sewer, drainage, and telecommunication facilities with full access rights. The acquisitions are the result of negotiated settlements following previously initiated eminent domain proceedings. The resolution also authorizes payment of the agreed purchase amounts and associated closing costs, for a total estimated amount of \$367,000. Once the transactions close, the condemnation lawsuits will be dismissed.

PROJECT SCHEDULE (if applicable):

AMOUNT & SOURCE OF FUNDING:

City of Lockhart, Texas

Council Agenda Item Cover Sheet

Funds Required:
Account Number:
Funds Available:
Account Name:

FISCAL NOTE (if applicable):

PREVIOUS COUNCIL ACTION:

COMMITTEE/BOARD/COMMISSION ACTION:

STAFF RECOMMENDATION/REQUESTED MOTION:

LIST OF SUPPORTING DOCUMENTS: Resolution 2025-25 - Authorize acquisition and purchase of utility easements for the Lockhart Square Project

RESOLUTION NO. 2025-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOCHART, TEXAS, AUTHORIZING THE ACQUISITION OF FOUR UTILITY EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE LOCKHART SQUARE PROJECT AND AUTHORIZING CLOSING COSTS ASSOCIATED WITH THE PURCHASES IN AN ESTIMATED AMOUNT OF \$367,000.00; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, the City of Lockhart, Texas (“City”) desires to acquire necessary utility easements to relocate public utilities in the Lockhart Square (“the Project”);

Whereas, the design requires easements from eight properties and with the assistance of Contract Land Staff, the right of way agent contracted with the City to assist with the Project, the City has acquired three of the necessary easements. At its May 20, 2025 meeting Council authorized the use of eminent domain to condemn the remaining four easements;

Whereas, the City Attorney, filed Petitions in Condemnation on behalf of the City on May 30, 2025 for the subject easement interests - after further negotiations, agreements have been reached to settle the condemnation cases and acquire the utility easements for \$367,000.00 including associated closing costs;

Whereas, after the parties close, the condemnation lawsuits will be dismissed;

Whereas, the address of the properties are 215 S COMMERCE ST/111 E PRAIRIE LEA ST, 110 E MARKET ST, 112 MARKET ST, 116 E MARKET ST, Lockhart, TX and Caldwell County Tax Appraisal District ID Numbers 45506/45508, 16886, 16885, and 16888, respectively;

Whereas, Staff recommends Council authorize the acquisition of the four remaining permanent utility easements on approximately five (5) separate tracts of real property which are required to (a) construct, reconstruct, and perpetually maintain, repair and operate electricity, water, sewer, and/or drainage lines and facilities and other utilities, including but not limited to, telecommunication facilities with all necessary appurtenances thereto, together with the right to make connections and such other construction and improvements incidental to the construction, maintenance, operation and repair of such lines, and (b) together with the right to use roads, driveways, and access ways and the right of ingress and egress at all times across the Easement Properties necessary for the construction of the Lockhart Square Project and authorizing closing costs associated with the purchases in an estimated amount of \$367,000;

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOCKHART, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Lockhart, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes the acquisition of four easements necessary for the construction of the Lockhart Square Project and authorizing closing costs associated with the purchases in an estimated amount of \$367,000.00 and authorizes the City Manager, or his designee, to execute any necessary documents.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was 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 _____ day of **August, 2025**.

CITY OF LOCKHART

Lew White, Mayor

ATTEST:

Julie Bowermon, City Secretary