



## **NOTICE OF MEETING OF THE BURNET ECONOMIC DEVELOPMENT CORPORATION**

Notice is hereby given that a **Regular Meeting** will be held by the Burnet Economic Development Corporation (BEDC) on the **21<sup>st</sup> day of November, 2023** at **3:00 p.m.** in the Council Chambers, Burnet Municipal Airport, 2402 S. Water, Burnet, TX. at which time, the following subjects will be discussed, to-wit:

This notice is posted pursuant to the Texas Government Code, Chapter §551-Open Meetings.

### **1. CALL TO ORDER:**

### **2. CONSENT AGENDA:**

2.1) Approval of the October 17, 2023 BEDC Regular Meeting minutes.

2.2) Approval of the October 24, 2023 BEDC Special Meeting minutes.

### **2. ACTION ITEMS:**

3.1) Discuss and consider action: Replat of lots 1A & 1B, at the Crossings at 281 South Commercial Park.

3.2) Discuss and consider action: Replat of lot 7-F, at Eastside Commercial Park.

3.3) Discuss and consider action: Related to the potential sale of all or portions of the Crossings at 281 South Commercial Park.

3.4) Discuss and consider action: Related to the sale of all or portions of the Eastside Commercial Park located on Highway 29 East.

3.5) Discuss and consider action: Related to the potential sale of all or portions of 118 S. Polk Street (Old Bealls Building).

3.6) Discuss and consider action: Related to the purchase of 112 S. Polk Street and 400 N. West Street (known as the Kroeger Properties).

3.7) Discuss and consider action: Related to the Coke Street Re-Alignment Project.

3.8) Discuss and consider action: Related to the Jackson Street Public Restroom Project.

3.9) Discuss and consider action: A RESOLUTION BY THE DIRECTORS OF THE BURNET ECONOMIC DEVELOPMENT CORPORATION APPROVING THE EXTENSION OF THE PAYMENT DATE FOR THE PROMISSORY NOTE FOR THE PURCHASE OF THE BEALLS PROPERTY FROM THE CITY OF BURNET. H. Erkan Jr.

3.10) Discuss and consider action: Related to the findings of the Burnet Community Coalition.

#### **4. CONVENE TO EXECUTIVE SESSION:**

The Board of Directors of the Burnet Economic Development Corporation shall convene in executive session to:

4.1) Pursuant to Section 551.072 Texas Government Code deliberate the purchase, exchange, lease, or value of real property in order to minimize the detrimental effect of such discussion in open session on the position of the Board in negotiations with third parties for property located at Eastside Commercial Park: D. Vaughn

4.2) Pursuant to Section 551.072 Texas Government Code to deliberate the purchase, exchange, lease, or value of real property in order to minimize the detrimental effect of such discussion in open session on the position of the Board in negotiations with third parties for property located at the Crossings at 281 South Commercial Park: D. Vaughn

4.3) Pursuant to Section 551.072 Texas Government Code to deliberate the purchase, exchange, lease, or value of real property in order to minimize the detrimental effect of such discussion in open session on the position of the Board in negotiations with third parties for the potential sale of all or portions of 118 S. Polk Street (Old Bealls Building): D. Vaughn

#### **5. RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION:**

5.1) Discuss and consider action: Regarding deliberations of the purchase, exchange, lease, or value of real property located at Eastside Commercial Park: D. Vaughn

5.2) Discuss and consider action: Regarding deliberations of the purchase, exchange, lease, or value of real property located at the Crossings at 281 South Commercial Park: D. Vaughn

5.3) Discuss and consider action: Regarding deliberations of the purchase, exchange, lease, or value of real property located at 118 S. Polk Street (Old Bealls Building): D. Vaughn

#### **6. REQUESTS FROM BEDC FOR FUTURE REPORTS:**

#### **7. ADJOURN:**

Dated this 15<sup>th</sup> day, of November, 2023

I, the undersigned authority, do hereby certify that the above NOTICE OF MEETING of the Burnet Economic Development Corporation, is a true and correct copy of said NOTICE and that I posted a true and correct copy of said NOTICE on the bulletin board, in the City Hall of said City, BURNET, TEXAS, a place convenient and readily accessible to the general public at all times, and said NOTICE was posted on November 15<sup>th</sup>, 2023, at or before 3 o'clock p.m. and remained posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

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Kelly Dix, City Secretary

**NOTICE OF ASSISTANCE AT THE PUBLIC MEETINGS:**

*The City Council Chamber is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as interpreters for persons who are deaf or hearing impaired, readers, or large print, are requested to contact the City Secretary's office (512.756.6093) at least two working days prior to the meeting. Requests for information may be faxed to the City Secretary at 512.756.8560.*

**RIGHT TO ENTER INTO EXECUTIVE SESSION:**

The Board of Directors for the Burnet Economic Development Corporation reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development

STATE OF TEXAS            {}  
COUNTY OF BURNET        {}

On this the 17<sup>th</sup> day of October, 2023, the Burnet Economic Development Corporation of the City of Burnet convened in Regular Session, at 3:00 p.m., at the Burnet City Council Chambers, 2402 S. Water Street, Burnet, with the following members present, to-wit:

Board Members:     David Vaughn, Philip Thurman, Cary Johnson, Brad Zehner, Katy Randall

Absent:             Mary Jane Shanes, Ricky Langley

Guests: Adrienne Feild, Carly Kehoe-Pearson, Habib Erkan Jr.,

CALL TO ORDER: The meeting was called to order by Board President Cary Johnson at 3:00 p.m. and quorum was established.

CONSENT AGENDA:

Approval of the September 21, 2023 BEDC Special Meeting minutes: Board Member Philip Thurman moved to approve the July 18, 2023 Regular Meeting minutes as presented. Board Member Brad Zehner seconded. The motion carried unanimously.

ACTION ITEMS:

Discuss and consider action: Related to the potential sale of all or portions of the Crossings at 281 South Commercial Park. Board Member David Vaughn informed all present that Quatro Engineering was preparing an opinion of probable costs for the drainage channel to be presented to the board at a later date. Staff is currently working on the replat for lot 1A & 1B and will be presented at a future meeting of the BEDC Board for approval. No action taken.

Discuss and consider action: Related to the sale of all or portions of the Eastside Commercial Park located on Highway 29 East: Board Member David Vaughn informed all present that the Tractor Supply project is moving along as scheduled. Mr. Vaughn shared a discussion that he had with the owners of El Charro Restaurant and their interest in possible property acquisition at Eastside Commercial Park. Updates will be provided as received. No action taken.

Discuss and consider action: Related to the potential sale of all or portions of 118 S. Polk Street (Old Bealls Building): No action taken.

Discuss and consider action: Related to the purchase of 112 S. Polk Street and 400 N. West Street (known as the Kroeger Properties): Board Member David Vaughn reported that Phase Two environmental is underway, results will be provided to the board upon receipt. No action taken.

Discuss and consider action: Related to the Coke Street Re-Alignment Project: Board Member David Vaughn reported that staff is working with the engineers on schematics for driveways of the properties effected by the re-alignment of Coke Street for review and discussion at a future meeting. No action taken.

Discuss and consider action: Related to the Jackson Street Public Restroom Project: Board Member David Vaughn reported that construction is underway but moving slowly. No action taken.

Discuss and consider action: Wedding Oak Winery lease renewal: No action taken.

Discuss and consider action: Related to the findings of the Burnet Community Coalition: No action taken.

Discuss and consider action: A RESOLUTION OF BOARD OF DIRECTORS OF THE BURNET ECONOMIC DEVELOPMENT CORPORATION APPROVING AMENDMENTS TO THE UNIMPROVED COMMERCIAL PROPERTY CONTRACT FOR THE SALE OF A LOT WITHIN THE CROSSING AT 281 SUBDIVISION FOR A HOTEL PROJECT; AND AUTHORIZING THE BOARD PRESIDENT TO EXECUTED NECESSARY INSTRUMENTS: Board Member Philip Thurman moved to approve and adopt Resolution BEDC R2023-12 as presented. Board Member Katy Randall seconded. The motion carried unanimously.

Discuss and consider action: Request for funding for Marketing and holiday decorations: Board Member Philip Thurman moved to approve and authorize the funding of \$25,000.00 for marketing and holiday decorations as presented. Board Member Brad Zehner seconded. A roll vote was conducted with the following results: Board Members Cary Johnson, David Vaughn, and Brad Zehner voted in favor, Board Member Katy Randall was opposed, Board Members Ricky Langley and Mary Jane Shanes were absent. The motion carried with three in favor, one opposed and two absent.

CONVENE TO EXECUTIVE SESSION: The Board did not convene to Executive Session.

The Board of Directors of the Burnet Economic Development Corporation shall convene in executive session to: Pursuant to Section 551.072 Texas Government Code deliberate the purchase, exchange, lease, or value of real property in order to minimize the detrimental effect of such discussion in open session on the position of the Board in negotiations with third parties for property located at Eastside Commercial Park: D. Vaughn

Pursuant to Section 551.072 Texas Government Code to deliberate the purchase, exchange, lease, or value of real property in order to minimize the detrimental effect of such discussion in open session on the position of the Board in negotiations with third parties for property located at the Crossings at 281 South Commercial Park: D. Vaughn

Pursuant to Section 551.072 Texas Government Code to deliberate the purchase, exchange, lease, or value of real property in order to minimize the detrimental effect of such discussion in open session on the position of the Board in negotiations with third parties for the potential sale of all or portions of 118 S. Polk Street (Old Bealls Building): D. Vaughn

RECONVENE TO REGULAR SESSION FOR POSSIBLE ACTION:

Discuss and consider action: Regarding deliberations of the purchase, exchange, lease, or value of real property located at Eastside Commercial Park: D. Vaughn: No action taken.

Discuss and consider action: Regarding deliberations of the purchase, exchange, lease, or value of real property located at the Crossings at 281 South Commercial Park: D. Vaughn: No action taken.

Discuss and consider action: Regarding deliberations of the purchase, exchange, lease, or value of real property located at 118 S. Polk Street (Old Bealls Building): D. Vaughn: No action taken.

REQUESTS FROM BEDC FOR FUTURE REPORTS: None.

ADJOURN: There being no further business a motion adjourn was made by Board Member Philip Thurman at 4:21 p.m., seconded by Board Member Katy Randall. The motion carried unanimously.

**ATTEST:**

\_\_\_\_\_  
Kelly Dix, City Secretary

\_\_\_\_\_  
Cary Johnson, President  
Burnet Economic Development Corporation

STATE OF TEXAS            {}  
COUNTY OF BURNET        {}

On this the 23<sup>rd</sup> day of October, 2023, the Burnet Economic Development Corporation of the City of Burnet convened in Special Session, at 10:00 a.m., at the Burnet City Council Chambers, 2402 S. Water Street, Burnet, with the following members present, to-wit:

Board Members:     David Vaughn, Philip Thurman, Cary Johnson, Brad Zehner, Ricky Langley, Katy Randall  
                          Mary Jane Shanes

City Secretary: Kelly Dix

Guests: Adrienne Feild, Carly Kehoe-Pearson

CALL TO ORDER: The meeting was called to order by Board President Cary Johnson at 10:00 a.m. and quorum was established.

ACTION ITEMS:

THE BURNET ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS SHALL CONDUCT A PUBLIC HEARING AND DELIBERATE AND ACT ON A RESOLUTION DESIGNATING THE EXPANSION OF THE LITTLE TEXAN LEARNING CENTER AS AN ECONOMIC DEVELOPMENT PROJECT; APPROVING A PERFORMANCE AGREEMENT INCENTIVIZING THE PROJECT IN AN AMOUNT NOT TO EXCEED \$10,000.00; AND AUTHORIZING THE BOARD PRESIDENT TO EXECUTED NECESSARY INSTRUMENTS:

Presentation: Board Member David Vaughn informed everyone present that City Staff was informed that the Little Texans Daycare was having to hastily close down their childcare facility in Burnet due to a large, unexpected, increase in monthly rent by the owners for the facility that the childcare operation uses. Due to the current issue of lack of childcare facilities in the City of Burnet Mr. Vaughn invited the Little Texans business owner and Burnet Site Director to speak and share what the issue is with the childcare operation in Burnet to see if the Burnet Economic Development Corporation could incentivize the operation to assist with continued operations of the facility.

Public Hearing: Board President Cary Johnson opened the public hearing at 10:35 a.m. There being no one wishing to speak, the Public Hearing was closed at 10:36 a.m.

Board deliberation and action: Board Member David Vaughn moved to approve Resolution BEDC R2023-13 funding Little Texans Daycare in an amount not to exceed \$9,999.00 in equal disbursements over a five month period as presented. Board Member Brad Zehner seconded. The motion carried unanimously.

ADJOURN: There being no further business a motion adjourn was made by Board Member Philip Thurman at 10 p.m., seconded by Board Member Mary Jane Shanes. The motion carried unanimously.

**ATTEST:**

\_\_\_\_\_  
Kelly Dix, City Secretary

\_\_\_\_\_  
Cary Johnson, President  
Burnet Economic Development Corporation



## ITEM 3.1

### Agenda Item Brief

<b>Meeting Date:</b>	November 21, 2023
<b>Agenda Item:</b>	Discuss and consider action: Replat of lots 1A & 1B, at the Crossings at 281 South Commercial Park.
<b>Background:</b>	The replat of these two lots will eliminate the flood zone issue on the property for the proposed hotel.
<b>Information:</b>	
<b>Fiscal Impact:</b>	
<b>Recommendation:</b>	To be determined by the board.



## ITEM 3.2

### Agenda Item Brief

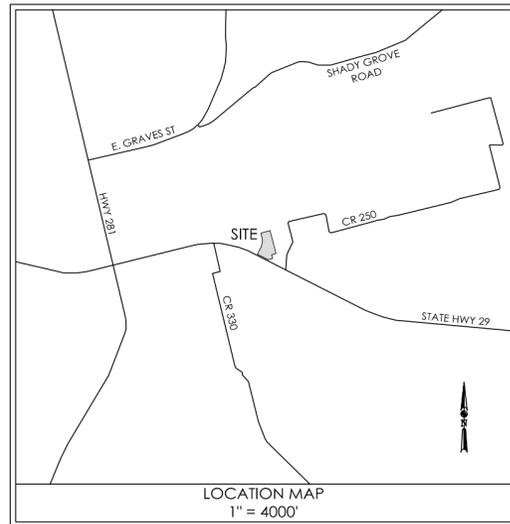
- Meeting Date:** November 21, 2023
- Agenda Item:** Discuss and consider action: Replat of lot 7-F, at Eastside Commercial Park.
- Background:** The replat of lot 7-F divides the existing lot into two lots. Lot 7-F-1 will consist of 5.719 acres where the new Tractor Supply will be built. Lot 7-F-2 will be a 2.555 acre marketable lot.
- Information:**
- Fiscal Impact:**
- Recommendation:** To be determined by the board.

# REPLAT OF LOT NO. 7-F OF THE REPLAT OF LOT 7-C OF EAST SIDE COMMERCIAL PARK

A SUBDIVISION IN THE CITY OF BURNET, BURNET COUNTY, TEXAS.

BEING LOT 7-F, OF THE REPLAT OF LOT 7-C, OF EAST SIDE COMMERCIAL PARK, A SUBDIVISION IN THE CITY OF BURNET, BURNET COUNTY, TEXAS, ACCORDING TO THE PLAT OF RECORD IN DOCUMENT NO. 201902804, OFFICIAL PUBLIC RECORDS, BURNET COUNTY, TEXAS.

PURPOSE STATEMENT: THE PURPOSE OF THIS REPLAT IS TO SUBDIVIDE LOT 7-F INTO 2 LOTS.

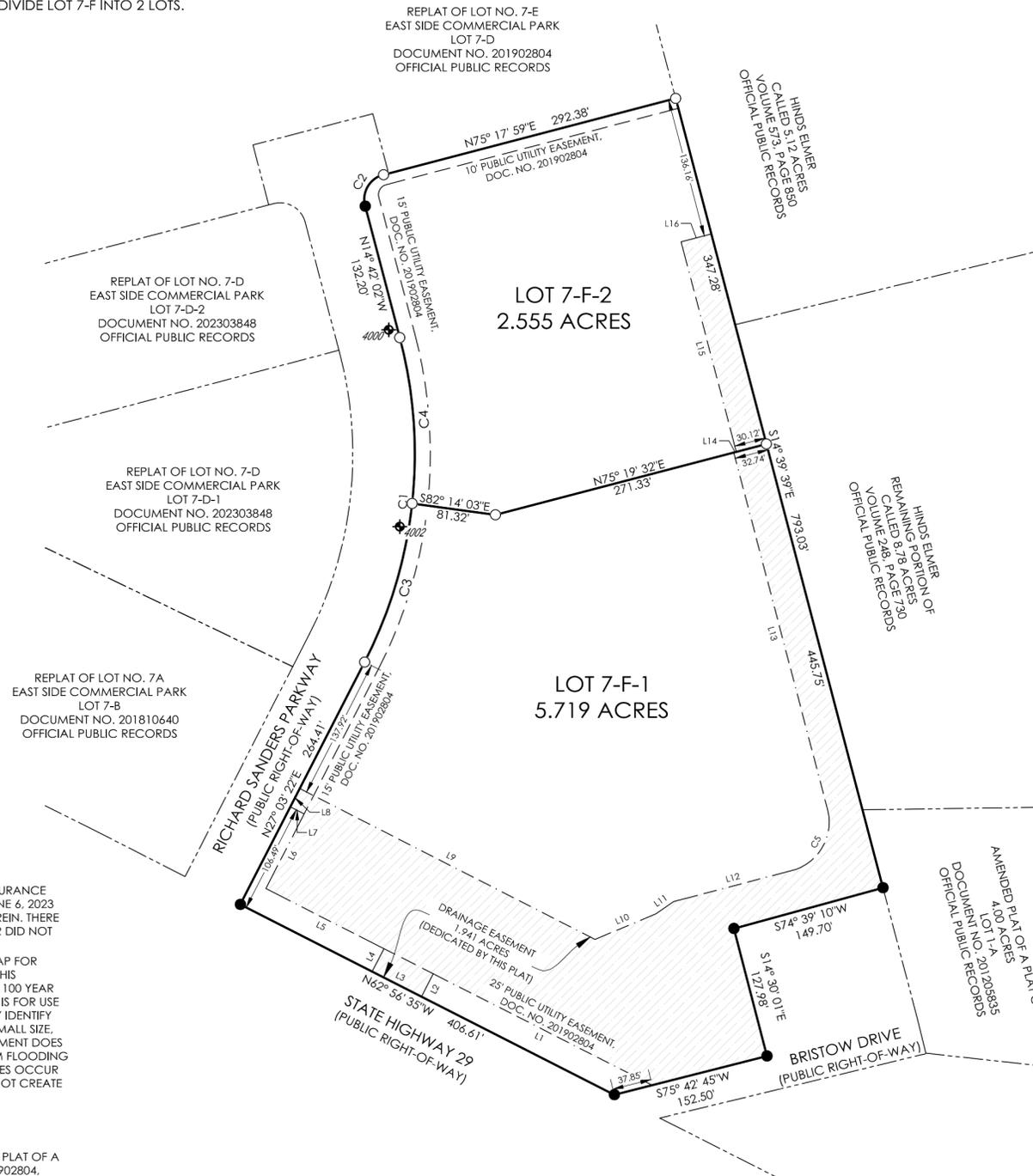


**LEGEND**

( )	RECORD CALL PER DOCUMENT NO. 201902804
⊕	BENCHMARK
●	1/2" IRON ROD FOUND
○	SET 1/2" IRON ROD WITH A BLUE "QUICK INC RPLS 6447" PLASTIC CAP

- NOTES:**
- FIELD WORK PERFORMED ON: JULY 19, 2023
  - OWNER: BURNET ECONOMIC DEVELOPMENT CORPORATION
  - ADDRESS: RICHARD SANDERS PARKWAY, BURNET, TEXAS
  - BASIS OF BEARING: TEXAS STATE PLANE, CENTRAL ZONE, NAD83, GRID
  - THIS SURVEY IS BASED ON A TITLE COMMITMENT ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, G.F. NUMBER 05-23-15207, ISSUED DATE OF JUNE 8, 2023, EFFECTIVE DATE OF JUNE 6, 2023 AND IS SUBJECT TO ALL TERMS, CONDITIONS, LEASES AND ENCUMBRANCES STIPULATED THEREIN. THERE MAY BE OTHER EASEMENTS, RESTRICTIONS, OR ENCUMBRANCES NOT SHOWN. THE SURVEYOR DID NOT COMPLETE AN ABSTRACT OF TITLE.
  - ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BURNET COUNTY, TEXAS, MAP NUMBER 48053C0339G, EFFECTIVE DATE NOVEMBER 1, 2019, THIS PROPERTY LIES IN ZONE "X", WHICH IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE OF THE 100 YEAR FLOOD PLAIN. THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP IS FOR USE IN ADMINISTERING THE NATIONAL FLOOD INSURANCE PROGRAM; IT DOES NOT NECESSARILY IDENTIFY ALL AREAS SUBJECT TO FLOODING, PARTICULARLY FROM LOCAL DRAINAGE SOURCES OF SMALL SIZE, OR ALL PLANIMETRIC FEATURES OUTSIDE SPECIAL FLOOD HAZARD AREAS. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR STRUCTURES LOCATED THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. THE FLOOD HAZARD AREA IS SUBJECT TO CHANGE AS DETAILED STUDIES OCCUR AND/OR WATERSHED OR CHANNEL CONDITIONS CHANGE. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

- PLAT NOTES:**
- THIS SUBDIVISION IS SUBJECT TO ALL GENERAL NOTES AND RESTRICTIONS APPEARING ON THE PLAT OF A REPLAT OF LOT NO. 7-C, EAST SIDE COMMERCIAL PARK, RECORDED IN DOCUMENT NO. 201902804, OFFICIAL PUBLIC RECORDS, BURNET COUNTY, TEXAS, AND THOSE LISTED IN THE SUBDIVISION RESTRICTIONS, RECORDED IN DOCUMENT NO. 202208240, OFFICIAL PUBLIC RECORDS, BURNET COUNTY, TEXAS.
  - THE DRAINAGE EASEMENT SHOWN ACROSS LOT 7-F, ON THE PLAT OF RECORD RECORDED IN DOCUMENT NO. 201902804, OFFICIAL PUBLIC RECORDS, BURNET COUNTY, TEXAS, IS HEREBY ABANDONED BY THE RECORDING OF THIS PLAT, AND REPLACED WITH THE 1.941 ACRES DRAINAGE EASEMENT SHOWN HEREON.
  - ALL PROPERTY HEREIN IS SUBJECT TO THE CITY OF BURNET, NON POINT-SOURCE POLLUTION CONTROL ORDINANCE. WRITTEN NOTIFICATION AND/OR PERMITS ARE REQUIRED. PRIOR TO COMMENCING ANY DEVELOPMENT ACTIVITIES, CONTACT THE CITY OF BURNET, ITS ASSIGNS, OR OTHER GOVERNMENTAL ENTITY WITH PROPER AUTHORITY.
  - ALL PROPERTY HEREIN IS SUBJECT TO THE CURRENT ADOPTED CITY OF BURNET SUBDIVISION REGULATIONS, LAND USE AND/OR ZONING ORDINANCE.
  - BUILDING SETBACKS ARE SUBJECT TO THE CITY OF BURNET CURRENT ZONING AND LAND USE REGULATIONS. CONSULT WITH THE CITY OF BURNET PRIOR TO DEVELOPMENT OF ANY PORTION OF THIS SUBDIVISION.



**LINE TABLE**

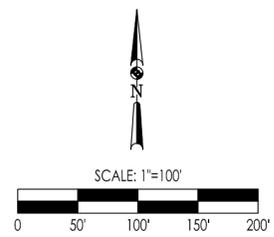
LINE	BEARING	DISTANCE
L1	N62° 56' 35\"W	238.08'
L2	S27° 03' 25\"E	25.00'
L3	N62° 56' 35\"W	53.60'
L4	N27° 03' 25\"E	25.00'
L5	N62° 56' 35\"W	128.34'
L6	N27° 03' 22\"E	81.47'
L7	N62° 51' 16\"W	15.00'
L8	N27° 03' 22\"E	20.00'

**LINE TABLE**

LINE	BEARING	DISTANCE
L9	S62° 51' 16\"E	321.30'
L10	N67° 09' 42\"E	64.16'
L11	N55° 09' 44\"E	20.69'
L12	N75° 10' 15\"E	122.84'
L13	N14° 40' 37\"W	359.82'
L14	N75° 19' 32\"E	2.61'
L15	N14° 40' 34\"W	211.12'
L16	N75° 19' 26\"E	30.18'

**CURVE TABLE**

CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	445.00'	324.31'	41°45'23\"	N06° 10' 40\"E	317.18'
C2	25.00'	39.28'	90°00'54\"	N30° 17' 59\"E	35.36'
C3	445.00'	161.85'	20°50'19\"	N16° 38' 12\"E	160.96'
C4	445.00'	162.46'	20°55'04\"	N04° 14' 30\"W	161.56'
C5	49.08'	70.46'	82°15'13\"	N28° 17' 01\"E	64.57'



STATE OF TEXAS  
COUNTY OF BURNET

NOW, THEREFORE, I KNOW ALL MEN BY THESE PRESENTS:

THAT THE BURNET ECONOMIC DEVELOPMENT CORPORATION, BEING THE OWNER OF THAT CERTAIN LOT 7-F AS SHOWN ON THE PLAT OF A REPLAT OF LOT NO. 7-C, EAST SIDE COMMERCIAL PARK, RECORDED IN DOCUMENT NO. 201902804, OFFICIAL PUBLIC RECORDS, BURNET COUNTY, TEXAS, AND BEING OUT OF THE JOHN HAMILTON SURVEY, ABSTRACT NO. 405, BURNET COUNTY, TEXAS, DOES HEREBY REPLAT SAME AND DOES DEDICATE THE ATTACHED REPLAT TO BE KNOWN AS "A REPLAT OF LOT NO. 7-F, EAST SIDE COMMERCIAL PARK" AS THE OFFICIAL PLAT OF SAME AND DOES HEREBY DEDICATE THE STREETS AND EASEMENTS TO THE USE OF THE PUBLIC FOREVER.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES REGULATIONS AND RESOLUTIONS OF THE CITY OF BURNET, TEXAS.

WITNESS, MY HAND, THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

BURNET ECONOMIC DEVELOPMENT CORPORATION

BY: CARY JOHNSON, PRESIDENT

STATE OF TEXAS

BEFORE ME, THE UNDERSIGNED AUTHORITY, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED CARY JOHNSON, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

PRINTED NAME OF NOTARY AND NOTARY STAMP

DATE NOTARY COMMISSION EXPIRES

STATE OF TEXAS  
COUNTY OF BURNET

THE ATTACHED MINOR REPLAT OF LOT NO. 7-C, EAST SIDE COMMERCIAL PARK, HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION ORDINANCES OF THE CITY OF BURNET, TEXAS, I, THE DIRECTOR OF DEVELOPMENT FOR THE CITY OF BURNET, TEXAS, HAVE APPROVED THIS PLAT ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES REGULATIONS AND RESOLUTIONS OF THE CITY OF BURNET, TEXAS.

DIRECTOR OF DEVELOPMENT SERVICES  
CITY OF BURNET, TEXAS

STATE OF TEXAS  
COUNTY OF BURNET

I, TRAVIS L. QUICKSALL, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS PLAT OF "A REPLAT OF LOT NO. 7-F, EAST SIDE COMMERCIAL PARK", WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAME AS I LOCATED ITS COMPONENT PARTS ON THE GROUND.

WITNESS, MY HAND, THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

TRAVIS L. QUICKSALL  
REGISTERED PROFESSIONAL LAND SURVEYOR  
REGISTRATION NO. 6447

COUNTY CLERK RECORDING:

OWNER:  
BURNET ECONOMIC  
DEVELOPMENT CORPORATION  
P.O. BOX 1369  
BURNET, TX 78611

**Quick Inc.**  
Land Surveying, Development.  
Firm: 10194104 • 512-915-4950  
Physical Address: 831 N. Main Street, Salado 76571  
Mailing Address: P.O. Box 798, Salado 76571

DATE: NOVEMBER 7, 2023  
JOB NO. 23-0161  
SHEET 1 OF 1



## ITEM 3.3

### Agenda Item Brief

<b>Meeting Date:</b>	November 21, 2023
<b>Agenda Item:</b>	Discuss and consider action: Related to the potential sale of all or portions of the Crossings at 281 South Commercial Park.
<b>Background:</b>	To be presented at the meeting.
<b>Information:</b>	
<b>Fiscal Impact:</b>	
<b>Recommendation:</b>	To be determined by the board.



## ITEM 3.4

### Agenda Item Brief

<b>Meeting Date:</b>	November 21, 2023
<b>Agenda Item:</b>	Discuss and consider action: Related to the potential sale of all or portions of the Eastside Commercial Park located on Highway 29 East.
<b>Background:</b>	To be presented at the meeting.
<b>Information:</b>	
<b>Fiscal Impact:</b>	
<b>Recommendation:</b>	To be determined by the board.



## ITEM 3.5

### Agenda Item Brief

<b>Meeting Date:</b>	November 21, 2023
<b>Agenda Item:</b>	Discuss and consider action: Related to the potential sale of all or portions of 118 S. Polk Street (Old Bealls Building).
<b>Background:</b>	
<b>Information:</b>	To be presented at the meeting.
<b>Fiscal Impact:</b>	
<b>Recommendation:</b>	To be determined by the Board.



## ITEM 3.6

### Agenda Item Brief

**Meeting Date:** November 21, 2023

**Agenda Item:** Discuss and consider action: Related to the purchase of 112 S. Polk Street and 400 N. West Street (know as the Kroger Properties).

**Background:**

**Information:**

**Fiscal Impact:**

**Recommendation:** To be determined by the board.



## ITEM 3.7

### Agenda Item Brief

<b>Meeting Date:</b>	November 21, 2023
<b>Agenda Item:</b>	Discuss and consider action: Related to the Coke Street Re-Alignment Project.
<b>Background:</b>	To be presented at the meeting.
<b>Information:</b>	
<b>Fiscal Impact:</b>	
<b>Recommendation:</b>	To be determined by the board.



## ITEM 3.8

### Agenda Item Brief

**Meeting Date:** November 21, 2023

**Agenda Item:** Discuss and consider action: Related to the Jackson Street Public Restroom Project.

**Background:** To be presented at the meeting.

**Information:**

**Fiscal Impact:**

**Recommendation:** To be determined by the board.



## ITEM 3.9

Habib Erkan Jr.  
Assistant City Manager  
512-715-3201  
herkan@cityofburnet.com

### Agenda Item Brief

**Meeting Date:** November 21, 2023

**Agenda Item:** Discuss and consider action: A RESOLUTION BY THE DIRECTORS OF THE BURNET ECONOMIC DEVELOPMENT CORPORATION APPROVING THE EXTENSION OF THE PAYMENT DATE FOR THE PROMISSORY NOTE FOR THE PURCHASE OF THE BEALLS PROPERTY FROM THE CITY OF BURNET.

**Background:** On January 10, 2023, the City Council authorized the sale of the Bealls Property to the Burnet Economic Development Corporation. On January 23, 2023, the Corporation's Board of Directors approved the purchase. Pursuant to said authorization the Mayor, on behalf of City, and the Board President, on behalf of the Corporation, executed the transaction documents (special warranty deed, deed of trust, promissory note). The promissory note obligates the Corporation to pay the full purchase price (\$1,115,000.00) on or before January 31, 2024. The Corporation has requested an extension to the due date.

**Information:** This resolution approves an extension of the promissory note due date.

**Fiscal Impact:** The Corporation shall be liable to make payment to the City of the purchase price amount in full no later than the new promissory note due date.

**Recommendation:** Approve Resolution No. BEDC R2023-14 as presented

**BEDC RESOLUTION NO. BEDC R2023-14**

**A RESOLUTION BY THE DIRECTORS OF THE BURNET ECONOMIC DEVELOPMENT CORPORATION APPROVING THE EXTENSION OF THE PAYMENT DATE FOR THE PROMISSORY NOTE FOR THE PURCHASE OF THE BEALLS PROPERTY FROM THE CITY OF BURNET**

**Whereas**, on January 10, 2023, City Council authorized the sale of the Bealls Property located at 118 E Polk St, Burnet, TX 78611, to the corporation; and

**Whereas**, On January 23, 2023, the Corporation's Board of Directors approved the purchase; and

**Whereas**, the purchase was financed by a promissory note in the amount of \$1,115,000.00 payable to the City on or before January 31, 2024; and

**Whereas**, the Corporation's Board of Directors have requested an extension to the due date.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE BURNET ECONOMIC DEVELOPMENT CORPORATION, THAT:**

**Section one. Approval.** The amendment to that certain promissory note by and between the City of Burnet, as seller, and the Burnet Economic Development Corporation, as buyer, extending the promissory note due date is hereby approved.

**Section two. Authorization.** The board president is hereby authorized to execute an instrument in substantial form as the attached amendment to the promissory note; and execute such ancillary documents, and take such actions, as may be reasonably necessary to facilitate the purpose of this resolution.

**Section three. Findings.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this resolution for all purposes and are adopted as a part of the judgment and findings of the board of directors.

**Section four. Open Meetings.** It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

**Section five. Effective Date.** That this resolution shall take effect immediately upon its passage, and approval as prescribed by law.

**PASSED AND APPROVED** this the day of November 21, 2023.

**ATTEST:**

**BURNET ECONOMIC DEVELOPMENT CORPORATION**

\_\_\_\_\_  
Kelly Dix, City Secretary

\_\_\_\_\_  
Cary Johnson, President

**FIRST AMENDMENT TO PROMISSORY NOTE**

THIS FIRST AMENDMENT (“First Amendment”) to that certain promissory note given by the Burnet Economic Development Corporation, as borrower, to the City of Burnet, as lender, for the purchase price of that approximately 1.177-acre lot legally described in the Subdivision Plat known as Lot 1-B, Block No. 17, Peter Kerr Portion, City of Burnet, recorded as Document No. 202213519 in the Public Records of Burnet County, Texas, is amended as follows:

**Terms of Payment (principal and interest):** The entire Principal Amount shall be payable in full on September 30, 2024.

**Other provisions not affected** All other provisions of the promissory note not expressly amended shall remain in full force and effect, and shall in no way be impaired by this First Amendment.

This First Amendment to be effective on passage of a resolution of approval by lender’s city council as evidenced by lender’s authorized agent’s signature below.

Borrower:

Lender:

**Burnet Economic Development Corp.**

**City of Burnet**

By: \_\_\_\_\_  
Cary Johnson, President

By: \_\_\_\_\_  
Gary Wideman, Mayor

Date:

Date:

Witnessed

By: \_\_\_\_\_  
Kelly Dix, Secretary to the Board

By: \_\_\_\_\_  
Kelly Dix, City Secretary



## ITEM 3.10

### Agenda Item Brief

**Meeting Date:** November 21, 2023

**Agenda Item:** Discuss and consider action: Related to the findings of the Burnet Community Coalition.

**Background:** To be presented at the meeting.

**Information:**

**Fiscal Impact:**

**Recommendation:** To be determined by the board.



## ITEM 4.1

### Agenda Item Brief

**Meeting Date:** November 21, 2023

**Agenda Item:** Executive Session: Pursuant to Section 551.072 Texas Government Code deliberate the purchase, exchange, lease, or value of real property in order to minimize the detrimental effect of such discussion in open session on the position of the Board in negotiations with third parties for property located at Eastside Commercial Park: D. Vaughn

**Background:**

**Information:**

**Fiscal Impact:**

**Recommendation:** To be determined by the board.



## ITEM 4.2

### Agenda Item Brief

**Meeting Date:** November 21, 2023

**Agenda Item:** Executive Session: Pursuant to Section 551.072 Texas Government Code to deliberate the purchase, exchange, lease, or value of real property in order to minimize the detrimental effect of such discussion in open session on the position of the Board in negotiations with third parties for property located at the Crossings at 281 South Commercial Park: D. Vaughn

**Background:**

**Information:**

**Fiscal Impact:**

**Recommendation:** To be determined by the board.



## ITEM 4.3

### Agenda Item Brief

**Meeting Date:** November 21, 2023

**Agenda Item:** Executive Session: Pursuant to Section 551.072 Texas Government Code to deliberate the purchase, exchange, lease, or value of real property in order to minimize the detrimental effect of such discussion in open session on the position of the Board in negotiations with third parties for the potential sale of all or portions of 118 S. Polk Street (Old Bealls Building): D. Vaughn.

**Background:**

**Information:**

**Fiscal Impact:**

**Recommendation:** To be determined by the board.



## ITEM 5.1

### Agenda Item Brief

**Meeting Date:** November 21, 2023

**Agenda Item:** Discuss and consider action: Regarding deliberations of the purchase, exchange, lease, or value of real property located at Eastside Commercial Park: D. Vaughn

**Background:**

**Information:**

**Fiscal Impact:**

**Recommendation:** To be determined by the board.



## ITEM 5.2

### Agenda Item Brief

**Meeting Date:** November 21, 2023

**Agenda Item:** Discuss and consider action: Regarding deliberations of the purchase, exchange, lease, or value of real property located at the Crossings at 281 South Commercial Park: D. Vaughn

**Background:**

**Information:**

**Fiscal Impact:**

**Recommendation:** To be determined by the board.



## ITEM 5.3

### Agenda Item Brief

**Meeting Date:** November 21, 2023

**Agenda Item:** Discuss and consider action: Regarding deliberations of the purchase, exchange, lease, or value of real property located at 118 S. Polk Street (Old Bealls Building): D. Vaughn

**Background:**

**Information:**

**Fiscal Impact:**

**Recommendation:** To be determined by the board.