

CITY OF LAGO VISTA, TEXAS

RESOLUTION No. 21-1908

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS CLARIFYING THE CITY'S AUTHORITY REGARDING THE DECLARATION OF RESTRICTIVE COVENANTS EXECUTED ON APRIL 17, 2000, BY MARSHALL'S HARBOR LIMITED, INSTRUMENT NO. 2001100285 OF THE OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS.

WHEREAS, On April 17, 2000, Steve Morse, President of Marshall's Harbor Ltd. executed a Declaration of Restrictive Covenants (Declaration) for the Marshall's Harbor subdivision, recorded as instrument 2001100285 in the Travis County Deed Records; and

WHEREAS, the Declaration contains a provision requiring collective action of at least 50 percent of the members of the City Council of the City of Lago Vista to modify, amend, or terminate the Declaration; and

WHEREAS, the Declaration is a private agreement applicable to the property owners of the subject area; and

WHEREAS, the City of Lago Vista was not and is not a party to the Declaration; and

WHEREAS, the City of Lago Vista did not consent to or request the provision in the Declaration; and

WHEREAS, the City of Lago Vista takes no position regarding the enforceability, modification or termination of the Declaration.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS:

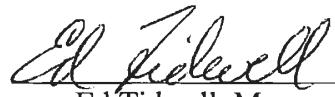
THAT, the facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct.

THAT, the City Council of the City of Lago Vista, Texas does hereby confirm that it has no authority or jurisdiction to require the City's consent or approval for modification or termination of the Declaration as specified in the Declaration.

THAT it is hereby officially found and determined that the meeting at which this resolution passed is open to the public and that public notice of the time, place and purpose of said meeting was given as required by law.

AND IT IS SO RESOLVED.

PASSED AND APPROVED this 21st day of October 2021.



Ed Tidwell, Mayor

ATTEST:



Sandra Barton, City Secretary

On a motion by Councilor Sullivan, seconded by Councilor Weatherly, the above and foregoing instrument was passed and approved.