

## RESOLUTION

**A resolution of the City Council of the City of Bevil Oaks, Texas providing authority for Jefferson County Drainage District 6 to take appropriate measures to maintain easements, including the use of chemical herbicides; and providing an effective date.**

WHEREAS, the City Council of Bevil Oaks, Texas has been asked by Jefferson County Drainage District 6 to provide explicit permission to maintain various easements; and

WHEREAS, the City Council of Bevil Oaks, Texas desires its drainage easements, to be maintained in a manner that protects the utility of such easements for the general safety and welfare of its Citizens and their property;

WHEREAS, the City Council of Bevil Oaks, Texas has considered whether Jefferson County Drainage District 6 should be permitted to use reasonable, legal and safe measures, including the use of chemical herbicides, to maintain easements;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEVIL OAKS, TEXAS, THAT:

Section I: Jefferson County Drainage District 6 has a valid, legal right to enter onto, construct or maintain drainage easements, and may use whatever measure necessary to maintain its easement in a manner consistent with the purpose of such easement. Such measures may include the use of chemical herbicides. Any method used by Jefferson County Drainage District 6 shall comply with applicable city, state, or federal safety regulations and guidelines.

Section II: The City exercises no control over the decision of which measure Jefferson County Drainage District 6 shall utilize to enter onto, construct or maintain its easement. The method and manner of maintaining the easements, or otherwise exercising control over the easements, are exclusively the decision of Jefferson County Drainage District 6 but shall not exceed the rights granted by the underlying easement or other property right, including right of entry.

**PASSED AND APPROVED AND EFFECTIVE FROM this 21st day of November, 2013.**

**ATTEST:**

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Mayor,  
City of Bevil Oaks, Texas

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City Secretary  
City of Bevil Oaks