

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A PUBLIC PARKLAND MAINTENANCE LICENSE AGREEMENT ON CERTAIN REAL PROPERTY WITHIN THE VERONA SUBDIVISION DEDICATED FOR PUBLIC PARKLAND, PURSUANT TO THE FIRST AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR NEW CELE SUBDIVISION (CREEKSIDE PARK), AND DESCRIBED AS LOT 11A, BLOCK L, VERONA SECTION 1, A SUBDIVISION IN THE TRAVIS COUNTY, TEXAS, RECORDED IN DOCUMENT NO. 201600055 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

WHEREAS, the City of Pflugerville entered into the New Cele Subdivision Development Agreement on April 28, 2004, which was subsequently amended pursuant the First Amended and Restated Development Agreement for New Cele Subdivision (Creekside Park) on May 15, 2007, which was approved by the City; and

WHEREAS, per Section 1.12 of the First Amended and Restated Development Agreement for New Cele Subdivision (Creekside Park), the Developer agrees to develop a playground and picnic pavilion on the parkland lot at its own cost and expense and further agrees to establish an assessment mechanism in deed restrictions for the Subdivision requirement the property owners to maintain said playground and amenity facility so long as the City allow the maintenance of said facilities within the parkland; and

WHEREAS, the subject property, described as Lot 11A, Block L, Verona Section 1 Subdivision was platted in 2016 and was designated as an open space, public drainage easement, and public parkland lot; and

WHEREAS, the City desires to enter into a Public Parkland Maintenance License Agreement, provided in Exhibit "A," pursuant to Section 1.12 of the First Amended and Restated Development Agreement; and

WHEREAS, per Section 4.01 (c) 10 of the City Charter, if authorized by the City Council, the City Manager may sign any contract, conveyance or other document;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE:

SECTION 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2. City Council directs and authorizes the City Manager and City Attorney or their respective designees to take all necessary actions to sign and execute the Public Parkland Maintenance License Agreement, in substantial form, as provided in Exhibit A.

SECTION 3. This Resolution shall become effective immediately upon its passage, approval, and publication as provided by law.

PASSED AND APPROVED this _____ day of _____ 2020.

Victor Gonzales, Mayor

ATTEST:

Karen Thompson, City Secretary

APPROVED AS TO FORM:

CHARLIE ZECH, City Attorney
DENTON NAVARRO ROCHA BERNAL & ZECH, PC