

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS AUTHORIZING THE EXECUTION OF A TAX RESALE DEED FOR THE CONVEYANCE OF PROPERTY ORIGINALLY PLATTED IN 1910 AND HISTORICALLY RECOGNIZED AS LOTS 3 AND 4, BLOCK E, THE COLORED ADDITION TO PFLUGERVILLE SUBDIVISION, PFLUGERVILLE, TRAVIS COUNTY, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds that Section 3.14 of the City Charter requires an ordinance to authorize the conveyance of any city land; and

WHEREAS, the City Council finds Section 10.01 of the City of Pflugerville City Charter requires that the right of control or use of city public property can be transferred only by ordinance; and

WHEREAS, the City Council finds the city, along with other taxing entities, obtained an interest in the following lots in a tax foreclosure sale held under Cause No. D-1-GN-14-002776, District Court, Travis County, Texas:

Lots 3 and 4, Block E, Colored Addition to Pflugerville, Plat No. 2/204 as described in Volume 258, Page 656 of the Deed Records of Travis County, Texas (Property); and

WHEREAS, the City Council finds Travis County, Texas sold the Property to JAR Tax Services, Inc. for the sum of \$9,500.00 under Section 34.04 of the Texas Tax Code. The \$9,500 will be shared among the taxing entities according to State law; and

WHEREAS, the City Council finds that this subdivision is recognized by the Texas State Historical Association as a subdivision placed in the deed records by the Travis County Commissioner's Court in 1910 to provide for the settlement of black American workers during a period of legal segregation, which was ultimately abolished by the United States Civil Rights Act of 1964; and

WHEREAS, the City Council finds the conveyance of its interest in the Property to JAR Tax Services, Inc. is in the best interest of the city.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, THAT:

SECTION 1. Findings of Fact.

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. Authorization to convey.

The City Council hereby authorizes the City Manager to execute all documents necessary to complete the conveyance of the City's interest in the Property to JAR Tax Services, Inc. as described herein and as shown in the attached Tax Resale Deed (as if recited verbatim) on behalf of the City. *See Exhibit A.*

SECTION 3. Description.

The legal description of the Property is recited above and reflected in the attached Tax Resale Deed. *See Exhibit A.*

SECTION 4. Severability.

If any provision of the Ordinance is illegal, invalid, or unenforceable under present or future laws, the remainder of the Ordinance will not be affected and, in lieu of each illegal, invalid, or unenforceable provision, a provision as similar in terms to the illegal, invalid, or unenforceable provision as is possible and is legal, valid, and enforceable will be added to this Ordinance.

SECTION 5. Effective Date.

This Ordinance will take effect upon its passage and adoption in accordance with the provisions of Section 3.15(d) of the City Charter.

PASSED, APPROVED, AND ADOPTED this ____ day of _____
2016.

CITY OF PFLUGERVILLE, TEXAS

By: _____
JEFF COLEMAN, Mayor

ATTEST:

KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

George E. Hyde, City Attorney
DENTON NAVARRO ROCHA BERNAL HYDE & ZECH, PC

EXHIBIT A