

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING THE THIRD AMENDMENT TO THE CARMEL DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PFLUGERVILLE, TEXAS AND CE DEVELOPMENT, INC AUTHORIZING ADDITIONAL REVISIONS TO THE ORIGINAL AGREEMENT REGARDING LAYOUT ADJUSTMENTS AND ANNEXATION**

**WHEREAS**, on October, 13, 2015, the City of Pflugerville entered into a development agreement (the “Carmel Development Agreement”) with 130 Cactus Investment L.P., a Texas limited partnership; ARP Autumn Ridge Partners, L.P., a Texas limited partnership; SBJV Investments Ltd, a Texas limited partnership; and CE Development, Inc., a Texas corporations, governing the development of approximately 791.89 acres of property; and

**WHEREAS**, the First Amendment to the Carmel Development Agreement was entered in on June 8, 2017, to require that all subdivision development be reviewed and approved through the City in accordance with the Unified Development Code, as amended from time to time; and

**WHEREAS**, the Second Amendment to the Carmel Development Agreement was entered in on February 12, 2019, to require that all subdivision development be reviewed and approved through the City in accordance with the Unified Development Code, as amended from time to time; and

**WHEREAS**, the City of Pflugerville and CE Development, Inc. now desire to further amend the Carmel Development Agreement as more particularly set forth in **Exhibit “A”**.

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

Section 1. That 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 and findings of fact.

Section 2. That the City Council of the City of Pflugerville, Texas, hereby approves of the content of the Third Amendment to the Carmel Development Agreement, as set forth in **Exhibit “A”** attached hereto and incorporated herein, and, further, hereby authorizes the City Manager to execute the Second Amendment to the Carmel Development Agreement on behalf of the City of Pflugerville, Texas.

PASSED AND APPROVED on the 25<sup>th</sup> day of January, 2022.

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Victor Gonzales, Mayor

**ATTEST:**

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Trista Evans, City Secretary

APPROVED AS TO FORM:

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Charles Zech, City Attorney  
Denton Navarro Rocha Bernal & Zech, PC