

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS GRANTING THE CONVEYANCE OF A 2.0 ACRE TRACT OF LAND, BEING A PORTION OF A 72.883 ACRE TRACT OF LAND SITUATED IN THE SUMNER BACON SURVEY NO. 62, ABSTRACT 63, IN TRAVIS COUNTY, TEXAS; AND MORE SPECIFICALLY DESCRIBED IN A DEED TO THE CITY OF PFLUGERVILLE, OF RECORD IN DOCUMENT NO. 2008130172 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; PROVIDING FOR CONDITIONS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Charter, Section 3.14., requires a ordinance to convey or lease or authorize the conveyance or lease of any city land; and

WHEREAS, under threat of condemnation, the City of Pflugerville purchased 72.883 acres of land, more or less, out of the Sumner Bacon Survey No. 62, Abstract 63, in Travis County, Texas, from Clifton Gonzenbach on July 31, 2008 for the purpose of a future waste water treatment facility.

WHEREAS, the City authorized a temporary waterline easement to Cross County Water Supply Corporation (W.S.C.) as recorded in Document #2008176566, whereby such easement was replaced by a permanent waterline easement and a 50' temporary construction easement to Cross County W.S.C. recorded in Document #2012012024 of the Official Public Records of Travis County, Texas.

WHEREAS, Manville W.S.C. has entered into a wholesale water supply contract with Cross County W.S.C., and has subsequently connected to Cross County's water distribution line at the subject site, authorized by a Manville pre-existing waterline easement.

WHEREAS, Manville has purchased a 3.443 acre tract of land ("Property"), out of the 72.883 acres of land described in a deed to the City per Document #2008130172.

WHEREAS, Manville desires to purchase an additional 2.000 acre tract of land ("Property"), out of the 72.883 acres of land described in a deed to the City per Document #2008130172, further described in Exhibit A and depicted in Exhibit B.

WHEREAS, the City is willing to convey the Land, described in Exhibit A, with conditions set forth herein, in exchange for \$ 58,000.

WHEREAS, the City Council has determined the conveyance of said Property does not hinder the City's future use of the larger tract of land for purposes of a wastewater treatment facility, but further serves a public purpose by encouraging the improvement of water utility infrastructure in the City's Extra-Territorial Jurisdiction.

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

The City Council of the City of Pflugerville hereby authorizes the City Attorney to prepare all documents necessary to convey the Property to Manville Water Supply Corporation, in the form attached hereto and the City Manager to execute any such document on behalf of the City.

I. Description.

The Property attached and described by metes and bounds in Exhibit "A" and depicted in Exhibit "B" is a 2.000 acre tract of land situated in the Sumner Bacon Survey No. 62, Abstract 63, being a portion of a 72.883 acre tract of land conveyed in a Special Warranty Deed from Clifton Gonzenbach to City of Pflugerville recorded in Document No. 2008130172 of the Official Public Records, Travis County, Texas.

II. Conditions.

This conveyance is subject to Manville W.S.C. successfully amending the MWSC Pflugerville Subdivision plat to add the 2.000 acres being purchased by Manville to Lot 1 of the MWSC Pflugerville Subdivision, platting the property to City subdivision standards. The screening of utility improvements on the subject Property shall be in accordance with the City of Pflugerville standards.

III. 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.

IV. Effective Date.

This Ordinance will take effect upon its adoption by the City Council and publication of the caption hereof in accordance with Section 3.15(d) of the City Charter.

PASSED AND APPROVED this _____ day of _____, 2017.

CITY OF PFLUGERVILLE,
TEXAS

By: _____
Victor Gonzales, Mayor

ATTEST:

KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

City Attorney

