

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

**RESOLUTION OF THE CITY OF PFLUGERVILLE APPROVING AN AMENDED AND  
RESTATED COMPREHENSIVE DEVELOPMENT AGREEMENT FOR NEW  
SWEDEN MUNICIPAL UTILITY DISTRICT NO. 3 OF TRAVIS COUNTY**

**WHEREAS**, the City, Wilson Family Communities, Inc. (“Wilson”), R.M.D. Holdings, L.P., and New Sweden MPC, L.P. (individually, a “Prior Developer” and collectively, the “Prior Developers”) entered into that certain “New Sweden Development Agreement” dated March 14, 2007 (the “Prior Development Agreement”) setting forth terms and conditions for development of certain real property described therein (the “Tract”);

**WHEREAS**, by its terms, the Prior Development Agreement provided that each of the Prior Developer’s rights and obligations under the Development Agreement pertain only to that portion of the Tract acquired by the Prior Developers; and

**WHEREAS**, Brita Olson Farms, LLP (“Developer”) previously acquired a portion of the Tract (the “Property”); and

**WHEREAS**, the Property is located within the boundaries of New Sweden Utility District No. 3; and

**WHEREAS**, Developer intends to develop the Property as a master-planned single family residential community in accordance with the terms of this Agreement (the “Project”); and

**WHEREAS**, since the date of the Prior Development Agreement was executed, there have been significant changes in circumstances that impact the proposed development of the Property and require revisions to the terms and conditions of the Prior Development Agreement as it relates to the Property; and

**WHEREAS**, each of the successor owners of the lands constituting the Tract have agreed that each such owner may terminate or amend the Prior Development Agreement as it relates to the lands owned by such owner without the joinder or participation of the other successor owners, and have authorized the City to enter into separate agreements with each such owner; and

**WHEREAS**, Developer and the City desire to amend and restate the Prior Development Agreement as it relates to the Property but not otherwise; and

**WHEREAS**, the City Council of the City of Pflugerville determines it appropriate to amend and restate the New Sweden Development Agreement.

**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.** The City Council directs and authorizes the City Manager to execute the amended and restated development agreement attached hereto as Exhibit A.

**SECTION 3.** This Resolution shall supersede all prior resolutions and understandings regarding the dedication and acceptance of the parkland described herein.

**SECTION 4.** This Resolution shall become effective immediately upon its passage, approval, and publication as provided by law.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

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Victor Gonzales, Mayor

ATTEST:

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Trista Evans, City Secretary

APPROVED AS TO FORM:

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CHARLIE ZECH, City Attorney

DENTON NAVARRO RODRIGUEZ BERNAL SANTEE & ZECH, PC

**EXHIBIT “A”**