

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS ACCEPTING STORMWATER FACILITIES MAINTENANCE COVENANTS, LICENSES AND AGREEMENTS FOR LIFESTYLE COMMUNITIES POND MAINTENANCE BETWEEN LC PFLUGERVILLE, LLC (“OWNER”) AND THE CITY OF PFLUGERVILLE (“CITY”)

WHEREAS, the OWNER of the property possesses full authority to execute deeds, mortgages, and other covenants affecting the property and desires to enter into a two Stormwater Facilities Maintenance Covenants, Licenses and Agreements for the two detention ponds located within Lifestyle Communities (“Agreements”), attached as **Exhibits “A” and “B”**, as required by the City of Pflugerville’s Code of Ordinances, including without limitation the Unified Development Code and associated Engineering Design and Construction Standards Manual, and the City’s Texas Commission on Environmental Quality-issued Municipal Separate Storm Sewer System (“MS4”) TPDES General Permit (TXR040000), collectively, the “Regulations”; and

WHEREAS, the OWNER acknowledges and agrees that, in order to ensure perpetual compliance with the Regulations, the property must be impressed with certain covenants and restrictions; and

WHEREAS, the Regulations generally and specifically require the design, construction and perpetual maintenance of permanent post construction storm water best management practices (“BMPs”) developed and included within a Storm Water Management Site Plan (“SWMSP”) required as a part of, and incident to, development, and OWNER acknowledges that compliance therewith by virtue of these Agreements; and

WHEREAS, the Agreements shall comply with all city standards and regulations and it shall be the OWNER’S responsibility to maintain the facilities in accordance with the Agreement; and

WHEREAS, the CITY is charged with the responsibility of protecting the public health, safety and welfare through implementation of storm water pollution prevention measures, including ensuring that SWMSPs are developed, and post construction storm water BMPs are implemented and perpetually maintained by property owners.

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

The City Council of the City of Pflugerville hereby authorizes the City Manager to execute the two Agreements and record said Agreements in the real property records of Travis County, Texas.

PASSED AND APPROVED this ___ day of _____ 2021.

Victor Gonzales, Mayor

ATTEST:

Trista Evans, City Secretary

Exhibit A
Lifestyle Communities Pond Maintenance Agreement
for
Detention Pond in Amenities Area

Exhibit B
Lifestyle Communities Pond Maintenance Agreement
for
Detention Pond in Residential Area