

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AUTHORIZING THE ACCEPTANCE OF SPECIAL WARRANTY DEED, DESCRIBED AS A 1-ACRE TRACT OF LAND SITUATED OUT OF THE J.P. KEMPE SURVEY NO. 27, ABSTRACT NO. 462, AND BEING A PORTION OF A 186.629 ACRE TRACT OF LAND CONVEYED TO EAST BLACKLAND SOLAR PROJECT 1 LLC BY DEED RECORDED IN DOCUMENT NO. 2018102864 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND DIRECTING THE CITY MANAGER AND CITY ATTORNEY, OR THEIR RESPECTIVE DESIGNEES, TO TAKE ALL NECESSARY ACTIONS TO COMPLETE THE LAND CONVEYANCE TO THE CITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, per Section 4.01 (c) 10 of the City Charter, if authorized by the City Council, the City Manager may sign any contract, conveyance or other document; and

**WHEREAS**, the City of Pflugerville entered into an Amended and Restated Non-Annexation Development Agreement between the City of Pflugerville and Sarvi, LLC, a Texas limited liability company, Yajat, LLC, a Texas limited liability company, Sarvi Yajat Partnership, a Texas general partnership, and RRE Austin Solar, a Texas limited liability company, executed on November 21, 2017, recorded as Document No. 2017192538 in the Official Records of Travis County, Texas, and subsequently amended by the First Amendment to the Amended and Restated Non-Annexation Development Agreement entered into on February 20, 2019, recorded as Document No. 2019024578 in the Official Public Records of Travis County, Texas; and

**WHEREAS**, the City of Pflugerville entered into a Joinder to the City of Pflugerville Amended and Restated Non-Annexation Development Agreement between the City of Pflugerville and East Blackland Solar Project LLC, a Delaware limited liability company, on May 10, 2019, recorded as Document No. 2019068333, effectively including additional property under the terms of the agreement; and

**WHEREAS**, pursuant to Section 8(b) of the Amended and Restated Non-Annexation Development Agreement, the City desires to accept the conveyance a one (1) acre tract out of the property governed under the Agreement, by a Special Warranty Deed, as provided in Exhibit "A," to the City of Pflugerville.

**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.** City Council directs and authorizes the City Manager and City Attorney or their respective designees to take all necessary actions to complete the land conveyance to City, including authorizing the City Manager to execute the Special Warranty Deed, in substantial form, as provided in Exhibit A.

**SECTION 3.** This Resolution shall become effective immediately upon its passage, approval, and publication as provided by law.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

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Victor Gonzales, Mayor

ATTEST:

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Karen Thompson, City Secretary

APPROVED AS TO FORM:

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CHARLIE ZECH, City Attorney  
DENTON NAVARRO ROCHA BERNAL & ZECH, PC