

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS GRANTING THE AMENDMENT TO A LEASE OF CITY PROPERTY ON APPROXIMATELY 27.76 ACRES, A PORTION OF TWO TRACTS OF LAND TOTALING APPROXIMATELY 48.97 ACRES OF LAND OUT OF THE JOSEPH WIEHL SURVEY NO. 8, ABSTRACT NO. 802, IN TRAVIS COUNTY, TEXAS; MORE SPECIFICALLY DESCRIBED IN TWO DEEDS TO THE CITY OF PFLUGERVILLE, OF RECORD IN DOCUMENT NUMBERS 2003038258 AND 2003038259 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

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

WHEREAS, the City entered into an agricultural lease agreement with Norman Weiss, effective August 31, 2003, and ending on August 30, 2004, with automatic annual renewals until either party gives notice to the other party of their intent not to renew said lease agreement for the next year; and

WHEREAS, the City has agreed to amend and transfer the current agricultural lease agreement, provided in Exhibit A, to Virginia Weiss, Independent Executor and widow of Norman Weiss, in exchange and consideration for all necessary maintenance and compliance with certain terms and conditions of the lease; and

WHEREAS, the City Council has determined the granting of said lease agreement does not hinder the long-term use or development of the city-owned property for public purposes; and

WHEREAS, the City finds providing this agricultural lease agreement substantially advances a legitimate interest of the City by reducing short-term operations and maintenance costs on an annual basis.

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 and City Manager to prepare all documents necessary to amend and transfer the agricultural lease agreement in the form attached hereto and as further modified if and as required in connection with the lease and the City Manager to execute any such document on behalf of the City.

I. Description.

The lease agreement attached in Exhibit "A" is a limited use agreement for the sole purpose of farming and pasture land, subject to additional limitations and conditions

pursuant to the lease agreement. All such use of the leased premises shall be consistent with any and all applicable City ordinances, standards and policies.

II. 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.

III. 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 _____, 2019.

CITY OF PFLUGERVILLE, TEXAS

By: _____
VICTOR GONZALES, Mayor

ATTEST:

KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

City Attorney

Exhibit “A”
Agricultural Lease Agreement