

CITY OF LAGO VISTA, TEXAS

RESOLUTION 18-1749

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS APPROVING THE BILL OF SALE CONVEYANCE AND ASSIGNMENT AND THEREBY ACCEPTING SUCH UTILITY INFRASTRUCTURE FROM HINES LAKE TRAVIS LAND II LIMITED PARTNERSHIP.

WHEREAS, on August 16, 2012, the City approved the Restated Development Agreement for Tessera on Lake Travis (“Restated DA”) regarding approximately 877 acres of land (the “Property”) owned by Hines Lake Travis Land II LP (“Owners”), and

WHEREAS, Restated DA covers various aspects of development of the Property, including but not limited to water and wastewater utility facilities and services; and

WHEREAS, the Owners desire to convey to the City portions of the completed utility infrastructure and improvements as are outlined in the Bill of Sale, Conveyance and Assignment; and

WHEREAS, the City Council, having been apprised by the City Engineer that such utility infrastructure and improvements are complete, hereby desires to accept such utility infrastructure and improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS:

THAT, the City shall be authorized to accept the completed utility infrastructure and improvements that are set out in the Bill of Sale, Conveyance and Assignment, a copy of which is attached hereto and incorporated herein for all purposes as Exhibit A;

THAT IT IS FURTHER RESOLVED to authorize the Mayor to sign the Bill of Sale, Conveyance and Assignment and the City Manager to effectuate any additional requisite actions required by the Bill of Sale, Conveyance and Assignment.

AND, IT IS SO RESOLVED.

PASSED AND APPROVED this 5th day of April, 2018.

ATTEST:


Sandra Barton, City Secretary




Ed Tidwell, Mayor

On a motion by Councilman Sullivan, seconded by Councilman Davila, the above and foregoing instrument was passed and approved.

BILL OF SALE, CONVEYANCE AND ASSIGNMENT

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS §

This Bill of Sale, Conveyance and Assignment (“Conveyance”) is made by and between Hines Lake Travis Land II Limited Partnership, a Texas limited partnership (“Grantor”), and City of Lago Vista, a home rule municipal corporation (“Grantee”), and is as follows:

RECITALS:

A. Grantor is current owner and holder of certain utility infrastructure and improvements located in Lago Vista, Travis County, Texas, as such utility infrastructure is more particularly described on **Exhibit “A,”** attached hereto and incorporated herein by reference (hereinafter collectively referred to as the “Utility Infrastructure”).

B. Grantor desires to dedicate, convey and assign all of its right, title and interest in and to the Utility Infrastructure to Grantee and Grantee desires to accept such conveyance subject to the terms more specifically set forth herein.

NOW, THEREFORE, for and in consideration of good and valuable consideration to Grantor given by Grantee, the receipt and sufficiency of which are hereby acknowledged, Grantor has BARGAINED, GRANTED, CONVEYED, SOLD AND DELIVERED, and by these presents does BARGAIN, GRANT, CONVEY, SELL AND DELIVER to Grantee all of its right, title and interest in and to the Utility Infrastructure.

TO HAVE AND TO HOLD all of Grantor’s right, title and interest, if any, and to the extent limited herein, in and to the Facilities unto Grantee, its successors and assigns forever.

EXECUTED to be effective this _____ day of _____, 2018.

[Signatures to follow on next page]

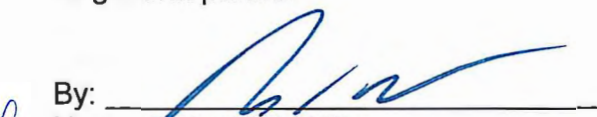
GRANTOR:

HINES LAKE TRAVIS LAND II LIMITED PARTNERSHIP,
a Texas limited partnership

By: Hines Lake Travis GP LLC,
a Delaware limited liability company, its general partner

By: Hines Interests Limited Partnership,
a Delaware limited partnership, its sole member

By: Hines Holdings, Inc., a Texas corporation,
its general partner

By: 
Name: Robert W. Witte
Title: Senior Managing Director

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

This instrument was acknowledged before me on March 8, 2018, by Robert W. Witte, Senior Managing Director of Hines Holdings, Inc., a Texas corporation, on behalf of said corporation in its capacity as general partner of Hines Interests Limited Partnership, a Delaware limited partnership, on behalf of said limited partnership, in its capacity as sole member of Hines Lake Travis GP LLC, a Delaware limited liability company, on behalf of said limited liability company, in its capacity as general partner of Hines Lake Travis Land II Limited Partnership, a Texas limited partnership, on behalf of said limited partnership.



Lorrie Kurrus
Notary Public, State of Texas

My Commission Expires: 7/3/21



GRANTEE:

CITY OF LAGO VISTA, TEXAS

BY: Ed Tidwell
Ed Tidwell, Mayor

ATTEST:

Sandra Barton
Sandra Barton, City Secretary

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on the 9th day of April, 2018, by Ed Tidwell, Mayor of City of Lago Vista, Texas, a home rule municipal corporation, on behalf of said City.

Robin Smith
Notary Public, State of Texas
My Commission Expires: _____

(SEAL)

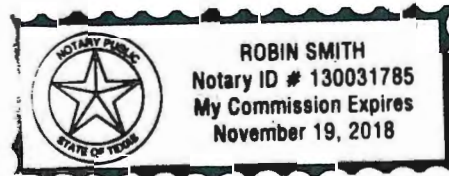


EXHIBIT "A"

DESCRIPTION OF UTILITY INFRASTRUCTURE

1. The Paseo-De-Vaca water main project consisting of approximately 3,500 linear feet of 18" water main and associated appurtenances.

The water main originated at the City of Lago Vista's existing Lohman Ford ground storage site, ran along Paseo-De-Vaca St., Cedar Ridge Dr., Deepwood Dr. and terminated at the existing 14" water main installed in the intersection of Brewer Ln. and Deepwood Dr.

The improvements were permitted, tested and inspected through the City and final documentation has been submitted to the City in anticipation of final acceptance.