

RESOLUTION NO. R-2017-4846

WHEREAS, Auspro Enterprise, LP. (“Owner”) is the owner of the tracts of land described in Exhibit “A,” the “Property,” and

WHEREAS, the Property was a part of a 14.78 acre annexation ordinance adopted on January 24, 2013, and

WHEREAS, the City subsequently filed a lawsuit for damages for nonpayment by Owner of municipal drainage utility fees, (the “lawsuit”) and

WHEREAS, the Owner counter-claimed against the City for inverse condemnation and for breach of the City’s Service Plan, and

WHEREAS, the City and Owner wish to compromise and settle the lawsuit, and

WHEREAS, the parties have negotiated the attached Development Agreement for the purpose of settling the lawsuit, Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute the Development Agreement, a copy of which is attached hereto as Exhibit “B”.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 12th day of October, 2017.

CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk