

CITY OF LAGO VISTA, TEXAS

RESOLUTION 23-1982

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS ACCEPTING BY SPECIAL WARRANTY DEED 1.0300 ACRES OF PROPERTY CONVEYED BY MONTECHINO VENTURES GROUP LLC, DEDICATING THE PROPERTY AS PARKLAND, AND AUTHORIZING EXECUTION OF THE SPECIAL WARRANTY DEED.

WHEREAS, the City of Lago Vista, Texas is statutorily authorized to require parkland as part of the property development process as provided for in Chapter 212 of the Texas Local Government Code; and

WHEREAS, the parkland dedication requirements of Marshall's Harbor were met by an agreement dated July 13, 2000, by the previous owners to dedicate Lot C of that subdivision, being approximately 1.0300 acres or 44,866.80 square feet of land, pursuant to Section 5, Parkland Dedication, of Chapter 10 of the Lago Vista Code of Ordinances; and

WHEREAS, at that time that property was not formally conveyed to the City of Lago Vista or dedicated as public parkland; and

WHEREAS, the City Council of the City of Lago Vista finds that it is in the best interest of the City and its residents to accept the property described in the Special Warranty Deed attached as "**Exhibit A**" of this resolution as public parkland.

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

THAT, Lot C of Marshall's Harbor, being approximately 1.0300 acres of land as described in the Special Warranty Deed conveying the property from Montechino Ventures Group LLC to the City of Lago Vista and attached as "**Exhibit A**" of this resolution is hereby accepted; and

THAT, the property described herein shall be parkland of the City of Lago Vista; and

THAT, the Mayor is authorized to execute the Special Warranty Deed attached as "**Exhibit A**" of this resolution on behalf of the City of Lago Vista and that the City Manager is directed to take or cause all other appropriate action related to this agreement.

AND IT IS SO RESOLVED.

PASSED AND APPROVED this 5th day of January 2023.



Ed Tidwell, Mayor

ATTEST:





Lucy Aldrich, City Secretary

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

STATE OF TEXAS §

COUNTY OF TRAVIS §

**SPECIAL WARRANTY DEED DEDICATING
PROPERTY AS PUBLIC PARKLAND**

That **MONTECHINO VENTURES GROUP LLC**, a Texas limited liability company (“Grantor”), for and in consideration of the sum of **TEN DOLLARS (\$10.00)** and other good and valuable consideration to it paid, by the **CITY OF LAGO VISTA, TEXAS** (“Grantee”) whose address is 5803 Thunderbird Drive, Lago Vista, Texas, the receipt of which is hereby acknowledged and confessed, has **GRANTED, SOLD and CONVEYED**, and by these presents does **GRANT, SELL and CONVEY**, unto Grantee as dedicated public parkland and for all other purposes for which a public parkland is commonly used, including installing, repairing, maintaining, altering, replacing, relocating and operating facilities in, into, upon, over, across and under all that certain lot, tract, or parcel of land, lying and being situated in the County of Travis, State of Texas, and more particularly described in the “**Legal Description**” attached hereto (the “Property”), subject, however, to the following reservations from and exceptions to the conveyance and warranty:

Taxes and assessments by any taxing authority for the year 2022 and thereafter, together with subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership;

Easements, restrictions, reservations, covenants, and rights-of-way of record and/or apparent on the Property;

Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments, protrusions, or any overlapping of improvements;

Utility easements and prescriptive rights visible and apparent on the ground, including easements, or claims of easements, which are not recorded in the public records;

Rights to oil, gas and other minerals of every kind and character in, on and under the property, together with the rights, privileges and immunities relating thereto.

To have and to hold the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors and assigns forever, and it does hereby bind itself, its successors, and assigns, to warrant and forever defend, all and singular, the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by and through Grantor, but not otherwise.

Grantee further acknowledges and agrees that to the maximum extent permitted by law, the sale of the Property as is made "**AS IS**" **AND WITH ALL FAULTS** and Grantor has not made, does not make and specifically negates and disclaims any representations, warranties, promises, covenants, agreements or guaranties of any kind or character whatsoever, whether express or implied concerning or with respect to the Property regarding the Property's compliance with any environmental protection, pollution or land use laws, rules, regulations, orders or requirements, including the existence of hazardous substances in or on the Property, whether in the past or present.

EXECUTED by Grantor on December ____, 2022.

GRANTOR:

MONTECHINCO VENTURES GROUP LLC

a Texas limited liability company

By: _____
Ravi Polishetty, Managing Partner

STATE OF TEXAS §

COUNTY OF COLLIN §

BEFORE ME, a Notary Public, on this day personally appeared Ravi Polishetty, Managing Partner of **MONTECHINO VENTURES GROUP LLC**, a Texas limited liability company, on behalf of said company.

GIVEN UNDER MY HAND AND SEAL of office this ____ day of December 2022.

Notary Public, in and for the State of Texas

STATE OF TEXAS §

COUNTY OF TRAVIS §

The City of Lago Vista, Texas, a body politic and political subdivision of the State of Texas did at a regular meeting with a quorum being present, on January 5, 2023, vote to authorize the acceptance of this dedication of the Property as public parkland.

Ed Tidwell, Mayor

STATE OF TEXAS §

COUNTY OF TRAVIS §

BEFORE ME, a Notary Public, on this day personally appeared Ed Tidwell, in his capacity as Mayor of the City of Lago Vista, Texas.

GIVEN UNDER MY HAND AND SEAL of office this ____ day of January 2023.

Notary Public, in and for the State of Texas

AFTER RECORDING, PLEASE RETURN TO:

Lucy Aldrich, City Secretary
City of Lago Vista, Texas
P.O. Box 4727
Lago Vista, Texas 78645-0008

LEGAL DESCRIPTION
OF PROPERTY

Lot C, Marshall's Harbor, according to the subdivision plat recorded in Document No. 200000248, Official Public Records of Travis County, Texas.