

CITY OF LAGO VISTA, TEXAS

RESOLUTION No. 21-1911

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS APPROVING THE RELEASE OF THE SUBDIVISION CONSTRUCTION AGREEMENT AND DEVELOPMENT AGREEMENT FOR THE MONTECHINO SUBDIVISION AS PREVIOUSLY TERMINATED PURSUANT TO THE 2018 MUTUAL SETTLEMENT AND RELEASE AGREEMENT IN CAUSE NO. D-1-GN-16-002483.

WHEREAS, on November 30, 2006, the City executed a Subdivision Construction Agreement with Brian Atlas on behalf of Villa Montechino LP recorded in the Travis County Records as instrument 2006248234; and

WHEREAS, on September 26, 2014, the City executed a Development Agreement with Brian Atlas on behalf of Villa Montechino recorded in the Travis County Records as instrument 2014145046; and

WHEREAS, on October 4, 2018 the City, Brian Atlas and others executed a Mutual Settlement and Release Agreement in Cause No. D-1-GN-16-002483, wherein as consideration the parties agreed to termination of all development agreements and agreements of any kind related to Plaintiff's project; and

WHEREAS, the Agreements, although previously terminated remain as an encumbrance on the title to the Villa Montechino Property until an instrument is filed in the deed records reflecting release of such agreements; and

WHEREAS, the City finds it necessary and proper to execute the Release of Subdivision Construction Agreement and Development Agreement for the Montechino Subdivision to reflect the previously agreed Settlement Agreement terms.

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

THAT, the facts and matters set forth in the preamble of this Resolution are hereby found to be true and correct.

THAT, the City Council of the City of Lago Vista, Texas does hereby authorize execution of the Release of Subdivision Construction Agreement and Development Agreement for the Montechino Subdivision.

THAT it is hereby officially found and determined that the meeting at which this resolution passed is open to the public and that public notice of the time, place and purpose of said meeting was given as required by law.

AND IT IS SO RESOLVED.
PASSED AND APPROVED this 21st day of October 2021.




Ed Tidwell, Mayor

ATTEST:


Sandra Barton, City Secretary

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