

**ORDINANCE NO. 2019-23**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AUTHORIZING THE CITY OF BASTROP TO CONVEY TO GARMENTS TO GO, INC. THAT CERTAIN 6.000 ACRE REAL PROPERTY LEGALLY DESCRIBED AS LOT 3, BLOCK A, BASTROP BUSINESS AND INDUSTRIAL PARK PHASE I SUBDIVISION, LOCATED IN BASTROP COUNTY, AS SET FORTH IN VOLUME 908, PAGE 275 OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; PROPER NOTICE AND MEETING.**

**WHEREAS**, the City of Bastrop, Texas is the owner in fee simple of that certain 6.000 acre real property legally described as Lot 3, Block A, Bastrop Business and Industrial Park Phase I Subdivision, located in Bastrop County, Texas as set forth in Volume 908, Page 275 of the Deed Records of Bastrop County, Texas (the "Property");

**WHEREAS**, on or about March 7, 1995, the City of Bastrop, Texas entered into an Economic Development Performance Agreement ("EDC Agreement") whereby the City agreed to provide certain economic development incentives to Garments to Go, L.P. ("Company") in exchange for the Company's development of certain property owned by the City;

**WHEREAS**, as a part of the EDC Agreement, the City agreed to grant the Company the right to lease the Property for a period of Two Hundred Forty (240) month amortization period for an amount specified therein, and following completion of the amortization payments and other terms and conditions under the Agreement, that the City will convey the Property including all improvements to the Company;

**WHEREAS**, City staff has determined that the Company has made all required payments and has satisfied all the terms and conditions of the Agreement and therefore recommends that the City Council authorize the conveyance of the Property to the Company;

**WHEREAS**, Section 272.001, Texas Local Government Code, provides that the bidding requirements of subsection (a) of this statute do not apply to a real property interest conveyed for economic development purposes; and

**WHEREAS**, the parties now desire to authorize the conveyance of the Property to the Company pursuant to the EDC Agreement.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, THAT:**

**SECTION 1: FINDINGS OF FACT:** The foregoing recitals are adopted as facts and incorporated fully herein.

**SECTION 2: ENACTMENT OF PROVISIONS:**

1. That the Mayor or his designee is authorized to sign any and all documents approved by the City Attorney or designee necessary to effectuate the conveyance of the Property, being that certain 6.000 acre real property legally described as Lot 3, Block A, Bastrop Business and Industrial Park Phase I Subdivision, located in Bastrop County, Texas as set forth in Volume 908, Page 275 of the Deed Records of Bastrop County, Texas.

2. Effective Date. This ordinance shall become effective immediately upon adoption.

**SECTION 3: REPEALER:** To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

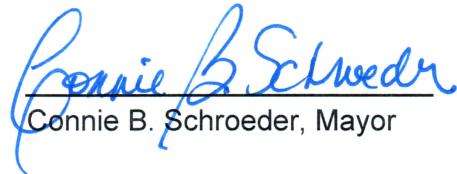
**SECTION 4: SEVERABILITY:** Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

**SECTION 5: PROPER NOTICE & MEETING:** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

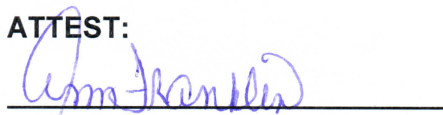
**READ and APPROVED** on First Reading on the 25<sup>th</sup> day of June 2019.

**READ and ADOPTED** on Second Reading on the 9<sup>th</sup> day of July 2019.


**APPROVED:**

  
Connie B. Schroeder, Mayor

**ATTEST:**

  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

  
Alan Bojorquez, City Attorney