

RESOLUTION NO. 2020-222R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING A REAL ESTATE SALES CONTRACT WITH RANDY N. AND PATRICE A. GREER FOR THE CITY TO PURCHASE LOTS 2 AND 3, BLOCK 12 OF THE ORIGINAL TOWN OF SAN MARCOS, LOCATED AT 128 AND 140 SOUTH GUADALUPE STREET, FOR A PRICE OF \$1,600,000.00, PLUS ANY ASSOCIATED CLOSING COSTS; APPROVING AMENDMENTS TO SAID CONTRACT INCLUDING AN AMENDMENT PROVIDING FOR THE WITHHOLDING OF FUNDS IN AN AMOUNT UP TO \$225,000.00 FOR EXPENSES ASSOCIATED WITH ENROLLING IN THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (“TCEQ”) VOLUNTARY CLEANUP PROGRAM; APPROVING A VOLUNTARY CLEANUP PROGRAM AGREEMENT WITH THE TCEQ IN CONNECTION WITH THE PURCHASE OF THE PROPERTY; APPROVING THE EXECUTION OF SAID REAL ESTATE SALES CONTRACT AND AMENDMENTS THERETO BY THE CITY MANAGER, OR HIS DESIGNEE, ON BEHALF OF THE CITY; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE CONTRACT AMENDMENT REGARDING THE WITHHOLDING OF FUNDS UNDER THE TCEQ VOLUNTARY CLEANUP PROGRAM, ANY RELATED CLOSING DOCUMENTS AND THE TCEQ VOLUNTARY CLEANUP PROGRAM AGREEMENT ON BEHALF OF THE CITY; AND DECLARING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. The attached Real Estate Sales Contract, as amended (the “Sales Contract”), amendment to the Sales Contract providing for the withholding of funds up to \$225,000.00 (the “Withholding Amendment”) and the Texas Commission on Environmental Quality Voluntary Cleanup Program Agreement (the “TCEQ Agreement”) are approved. The approval of the Sales Contract, however, is subject to the execution by the Sellers of the Withholding Amendment.

PART 2. The execution of the Sales Contract by the City Manager, or his designee, is approved.

PART 3. The City Manager, or his designee, is authorized to execute all closing documents associated with the Sales Contract, and to execute the Withholding Amendment and the TCEQ Agreement in substantially the forms attached on behalf of the City.

PART 4. This resolution shall be in full force and effect immediately from and after its passage.

ADOPTED on October 20, 2020.

Jane Hughson
Mayor

Attest:

Tammy K. Cook
Interim City Clerk