

COUNTY OF HIDALGO

CITY OF PENITAS

**ORDINANCE 2011- 011**

**AN ORDINANCE AUTHORIZING THE EXERCISING OF  
AN OPTION TO PURCHASE REAL PROPERTY;  
MAKING CERTAIN FINDINGS, AUTHORIZING THE MAYOR OF THE CITY  
OF PENITAS TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO  
EFFECTUATE THE PURCHASE OF THE SAID REAL PROPERTY, PROVIDING  
FOR SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.**

WHEREAS, the City of Penitas is a General Law City situated in Hidalgo County, Texas;

WHEREAS, the City of Penitas is interested in acquiring certain real property within its  
municipal boundaries;

WHEREAS, the real property will spur economic development within the City of Penitas;

WHEREAS, the owner of said real estate is amenable to offering the City of Penitas an option to  
purchase said real property;

WHEREAS, the City of Penitas has engaged the services of an appraiser and has obtained an  
appraisal to establish "fair market value" of said real property in compliance with, Texas Local  
Government Code; and

WHEREAS, the City of Penitas desires to obtain an option on the purchase of said real property  
conditioned upon the negotiation of the sale of said real property to a third party;


NOW, THEREFORE, BE IT ORDAINED BY A BOARD OF ALDERMAN OF THE CITY OF  
PENITAS AS FOLLOWS, TO WIT:

1. The Board of Alderman finds that all requirements of law have been met in the enactment of this ordinance;
2. The Board of Alderman authorizes the exercising of an option to purchase certain real property as described in and depicted in Exhibit "1";
3. The Board of Alderman authorizes its Mayor to execute any and all documents necessary to effectuate the option and possible purchase of said real property.

4. In the event that any provision or portion of this Ordinance and contract shall be found invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, its invalidity, unconstitutionality, or enforceability shall not effect the remaining portions of this contract and the remaining portion shall continue in full force and effect that such invalidity, unconstitutionality or enforceability never existed.

PASSED BY A 5 VOTE TO 0 VOTE; at REGULAR AND DULY CALLED MEETING OF THE BOARD OF ALDERMAN OF THE CITY OF PENITAS, TEXAS, at which a quorum was present and which was held in accordance with Chapter 551, of the Texas Government Code effective this 5<sup>th</sup> day of October, 2011.

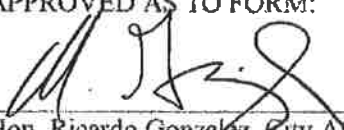
City of Penitas

  
Honorable Marcos Ochoa, Mayor

ATTEST:

  
Ana Cantu, City Secretary

APPROVED AS TO FORM:

  
Hon. Ricardo Gonzalez, City Attorney