ORDINANCE

AN ORDINANCE OF THE CITY OF BURLESON, TEXAS, RATIFYING THE APPROVAL OF A REAL ESTATE CONTRACT BETWEEN THE CITY OF BURLESON, AS SELLER, AND BTX FLEX, LLC, AS BUYER, TO SELL FEE SIMPLE TITLE TO A 2.453 ACRE, MORE OR LESS, TRACT OF LAND SITUATED IN JOHNSON COUNTY, TEXAS, COMMONLY KNOWN AS 112 SE GARDENS BLVD IN BURLESON, JOHNSON COUNTY, TEXAS, FOR THE SALES PRICE OF $500,000.00 AND OTHER CONSIDERATION, AS PRESCRIBED IN THE REAL ESTATE CONTRACT AS ATTACHED IN EXHIBIT "A" (THE "CONTRACT"); AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO CLOSE ON THE CONTRACT; AUTHORIZING THE EXPENDITURE OF FUNDS; INCORPORATING THE RECITALS; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Burleson, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City owns vacant land that has no building or City facility, such land is not part of a public square or park, and the City did not acquire the land from previous owner by the exercise of eminent domain or the threat of eminent domain, such real property being further described in the Contract; and

WHEREAS, the City Council finds and determines that City has entered or will soon enter into an economic development agreement authorized by Chapter 380 of Texas Local Government Code with the Buyer, and such agreement contains the consideration set forth in and meets the requirements of Section 253.0125 of the Texas Local Government Code; and

WHEREAS, the City Council finds and determines that the City published the notice required by Section 253.0125(e) of the Texas Local Government Code in the *Cleburne Times Review*, a newspaper of general circulation in the county in which the real property is located, on two separate days within the time period required by that section; and

WHEREAS, the City desires to approve and enter into the Contract; and

WHEREAS, the City desires to close the real estate transaction described in the Contract; and

WHEREAS, the City desires the City Manager execute all documents necessary to close the real estate transaction described in the Contract; and

WHEREAS, the City desires to expend funds pursuant to the Contract that are necessary to close the real estate transaction described therein; and

WHEREAS, the City Council finds that the Company and City entered into an original version of the Contract (CSO#6102-04-2026) at a duly called and noticed meeting on April 6, 2026, which the City Council authorized via ordinance; and

WHEREAS, the City Council finds that the City Council approved the Contract (CSO#6297-10-2026), which is an amended and restated version of the original contract, at a duly called and noticed meeting on October 5, 2026, but it did not approve the Contract via an ordinance; and

WHEREAS, the City Council desires to ratify the approval of the Contract via ordinance.

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

Section 1.

The approval of the Contract is hereby ratified and the City Manager, Tommy Ludwig, is authorized: (a) to execute on behalf of the City (i) the Contract between the City and the Buyer, substantially in the form attached as Exhibit "A", with the purchase price of $500,000 and other consideration, and (ii) any other documents necessary for closing the transaction contemplated by the Contract; and (b) to make expenditures in accordance with the terms of the Contract and in closing the transaction contemplated by the Contract.

Section 2.

The foregoing recitals are adopted and incorporated herein for all purposes.

Section 3.

It is hereby officially found and determined that the meeting at which this ordinance is 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.

Section 4.

The terms and provisions of this ordinance shall be deemed to be severable and that if any section, subsection, sentence, clause, or phrase of this ordinance shall be declared to be invalid or unconstitutional, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance and the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

Section 5.

This ordinance shall become effective immediately upon its passage and publication as required by law.

AND IT IS SO ORDAINED.

PASSED AND APPROVED this _____day of _____, 20_____.

First Reading: the _____day of _____, 20_____.

Final Reading: the _____day of _____, 20_____.

_____
Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

_____
Amanda Campos, City Secretary

APPROVED AS TO FORM:

_____
E. Allen Taylor, Jr., City Attorney

ATTACHMENTS:

Exhibit "A" – Real Estate Contract between the city of Burleson and BTX Flex, LLC