

**RESOLUTION NO. 207-2018**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS APPROVING THE DEVELOPMENT CORPORATION OF ABILENE, INC. (“DCOA”) ASSISTANCE AGREEMENT WITH TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER (“TTUHSC”) INCLUDING A CONTRACT FOR SALE OF THE BUILDING AND PARKING LOT AT 842 PINE ST. AND 834 PINE ST., ABILENE, TEXAS.**

WHEREAS, TTUHSC established a campus in Abilene in 2007 that began with the construction of the School of Pharmacy (SOP) in the 1700 block of Pine St.; and,

WHEREAS, later the Department of Immunotherapeutics and Biotechnology, a School of Nursing and School of Public Health were added and DCOA assisted with infrastructure costs for each of three buildings; and,

WHEREAS, Hendrick Medical Center donated to DCOA the building at 842 Pine St., a 6,000 sq. ft. structure that DCOA then converted into laboratory space for use by TTUHSC researchers as a sister building to Abilene Laboratories (AbLabs) at 1325 Pine St., that was sold to Hardin-Simmons University in December 2017; and,

WHEREAS, the parking lot at 834 Pine was purchased in 2013 by DCOA for use by employees and researchers of TTUHSC; and,

WHEREAS, located within the building are heavy and light equipment pieces used by TTUHSC in its research activities; and,

WHEREAS, DCOA and TTUHSC entered into the Agreement for Operation of Abilene Vivarium #ALRW092970 whereby DCOA agreed to be responsible for daily operations and regulatory compliance for a research animal facility located at 842 Pine St., which expires on December 31, 2018; and,

WHEREAS, it is anticipated that the Texas Tech University Board of Regents will vote to purchase from DCOA the building at 842 Pine St. and accompanying parking at 834 Pine St. and continue operating the research facility that meets the applicable requirements for accreditation by the Association for Assessment and Accreditation of Laboratory Animal Care, International (AAALAC); and,

WHEREAS, on December 10, 2018, DCOA approved resolution DCOA-2019.04 authorizing assistance to TTUHSC including a Real Estate Sales Contract whereby DCOA will sell, in an “AS IS, WHERE IS” basis, the land, buildings and all of the DCOA’s rights in the equipment located at 842 Pine St., plus the parking lot located at 834 Pine St. in Abilene, Texas in exchange for TTUHSC’s pledge to continue for two (2) years conducting certain research activities related to science and employing two (2) full-time persons at the building; and,

WHEREAS, DCOA estimated the value of the building and parking lot to be \$770,000.00, which will be considered the incentive value for this project; and,

WHEREAS, the DCOA's Board of Directors finds that the sale of 842 and 834 Pine St. and all equipment located therein to TTUHSC will contribute to the expansion and/or retention of primary

employment and be suitable for the development, retention, or expansion of research and development facilities and other industries listed in Section 501.101(2) of the Texas Local Government Code; and,

WHEREAS, the DCOA requests that the City Council approve the DCOA's assistance to TTUHSC as described herein.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

PART 1. That hereby approved is DCOA's assistance to TTUHSC including a Real Estate Sales Contract (Contract of Sale) whereby DCOA will sell, in an "AS IS, WHERE IS" basis, the land, buildings and all of the DCOA's rights in the equipment located at 842 Pine St., plus the parking lot located at 834 Pine St. in Abilene, Texas. TTUHSC will continue for two (2) years conducting certain research activities related to science and employing two (2) full-time persons at the building.

PART 2. That this Resolution takes effect immediately upon its passage.

ADOPTED this the 20th day of December 2018.

ATTEST:

  
\_\_\_\_\_  
Rosa Rios, City Secretary

  
\_\_\_\_\_  
Anthony Williams, Mayor

APPROVED:  
  
\_\_\_\_\_  
Stanley Smith, City Attorney