Agenda Date: 9/28/2021	**Version:** 1	**Status:** ATS Review
In Control: Development Services		**File Type:** Agenda Item

Title
Consider and take action on a resolution authorizing an Acceptance and Assumption Agreement with Galveston County Municipal District No. 80 and CND-Westleigh, LLC for assumption of the development obligations in the Utility Agreement and the Transportation Development Agreement for MUD 80 (Executive Director of Development Services)

..Background:
The City entered into a Utility Agreement on April 28, 2020, and a Transportation Agreement on April 27, 2020 (the "Agreements"). These agreements were related to the approximately 157 acres at the western terminus of League City Parkway, west of the Westwood Subdivision. The Agreements were executed by the developer, Wilbo-Westleigh LLC ("Wilbo") on behalf of Galveston County Municipal District No. 80 ("MUD 80"), as MUD 80 had not been activated by TCEQ at the time of execution.

After MUD 80 had been activated by the TCEQ, Wilbo decided to back out of the project. A new developer, CND-Westleigh, LLC ("CND"), has approached the City about assuming the development obligations of Wilbo. CND is a newly created entity that operates under David Weekly Homes. CND will build and market homes for sale under the "David Weekley Homes" brand and/or its "Imagination by David Weekley Homes" brand.

Approval of this resolution will authorize an acceptance and assumption agreement between MUD 80, CND and the City.

Attachments:
1. Data Sheet
2. Proposed Resolution
3. Exhibit A - Acceptant and Assumption Agreement
4. MUD 80 Utility Agreement
5. MUD 80 Transportation Development Agreement

CONTRACT ORIGINATION:
Development Services

FUNDING
{ } Funds are available from Account #_____
{ } Requires Budget Amendment to transfer from Account #_____ to Account #_____

{x} NOT APPLICABLE

STRATEGIC PLANNING
{ } Addresses Strategic Planning Critical Success Factor # _____ and Initiative # _____
{x} NOT APPLICABLE