

**ORDINANCE NO. 2006-96**

**AN ORDINANCE AMENDING ORDINANCE NO. 2003-53  
APPROVING SECOND AMENDMENT TO THE UTILITY  
AGREEMENT BY AND BETWEEN GALVESTON COUNTY  
MUNICIPAL UTILITY DISTRICT NO. 45, LEAGUE CITY  
INVESTORS, LTD. AND THE CITY OF LEAGUE CITY, TX**

WHEREAS, by Ordinance No. 2003-53, the City of League City, Texas approved a Utility Agreement by and between Galveston County Municipal Utility District No. 45 (the "District"), League City Investors, Ltd. and the City of League City, Texas, providing for the terms and conditions regarding construction, acquisition, ownership, operation and maintenance of a waterworks, sanitary sewer and drainage system to serve area within the District comprising 593.48 acres, more or less, in Galveston County, Texas; and

WHEREAS, by Resolution No. 2006-09, City Council of the City of League City, Texas has granted its consent to the annexation by the District of an additional 256.382 acres of land, more or less, as described in the Petition for Consent to Annex Land Into Galveston County Municipal Utility District No. 45; and

WHEREAS, by Resolution No. 2006- 43, City Council of the City of League City, Texas has granted its consent to the annexation by the District of an additional 65.44 acres of land, more or less, as described in the Petition for Consent to Annex Land Into Galveston County Municipal Utility District No. 45; and

WHEREAS, the City and District wish to approve a Second Amendment to the Utility Agreement in order to clarify that the terms and conditions of the Agreement shall also apply to the additional 65.44 acres being annexed by the District;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

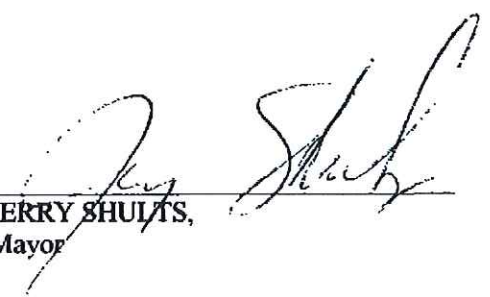
Section 2. That the Mayor is authorized to execute the Second Amendment to Utility Agreement by and between Galveston County Municipal Utility District No. 45 (the "District"), League City Investors, Ltd. and the City of League City, Texas as shown in substantially the same form as Exhibit "A."

Section 3. All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

PASSED first reading the 10<sup>th</sup> day of October, 2006.

PASSED second reading the 24<sup>th</sup> day of October, 2006.

PASSED AND ADOPTED the 24<sup>th</sup> day of October, 2006.



JERRY SHULTS,  
Mayor

ATTEST:

  
BARBARA F. LONG,  
City Secretary