

ORDINANCE NO. 2018-09

AN ORDINANCE AUTHORIZING AN AMENDED AND RESTATED
UTILITY AGREEMENT BETWEEN THE CITY OF LEAGUE CITY
AND FORESTAR (USA) REAL ESTATE GROUP, INC. REGARDING
GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT #36

WHEREAS, on July 11, 2006, the City of League City ("City") consented to the creation of Galveston County Municipal Utility District #36 (MUD 36) through Resolution 2006-33; and

WHEREAS, on July 25, 2006, the City authorized a utility agreement with MUD 36 and Land Funds Two & Three, J.V. (the original Developer) through Ordinance 2006-77;

WHEREAS, on September 1, 2015, Chapter 7930 of the Special Districts Local Laws Code was added to grant road powers to MUD 36; and

WHEREAS, Forestar (USA) Real Estate Group, Inc., a subsequent developer, acquired all interest from Land Funds Two & Three, J.V. and requested that City amend certain provisions of the utility agreement;

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

Section 1. The facts and opinions in the preamble are true and correct and hereby incorporated into this ordinance.

Section 2. The City approves and authorizes the amended and restated utility agreement, attached and incorporated as Exhibit A, with Forestar (USA) Real Estate Group, Inc.

Section 3. The City grants written consent to MUD 36 for the issuance of bonds to finance water, sanitary sewer, drainage, park and recreational, and road facilities within the City of League City, Texas, subject to MUD 36 obtaining prior individual approval from the City Council for each bond issuance pursuant to the terms of the utility agreement, attached as Exhibit A.

Section 4. The Mayor is hereby authorized to execute all documents necessary to complete this transaction.

Section 5. All ordinances and agreements and parts of ordinances and agreements in conflict herewith, are hereby repealed to the extent of the conflict only.

Section 6. It is hereby found and determined that the meeting at which this resolution was passed was open to the public and that advance public notice of the time, place and purpose of said meeting was given as required by law.

PASSED first reading the 10th day of April, 2018.

PASSED second reading the ____ day of _____, 2018.

PASSED AND ADOPTED the ____ day of _____, 2018.

PAT HALLISEY
Mayor

ATTEST:

DIANA M. STAPP
City Secretary

APPROVED AS TO FORM:

NGHIEM V. DOAN
City Attorney