

RESOLUTION NO. 561

A RESOLUTION OF THE CITY OF TERRELL, TEXAS, APPROVING A STRATEGIC PARTNERSHIP AGREEMENT BETWEEN THE CITY OF TERRELL AND LAS LOMAS MUNICIPAL UTILITY DISTRICT NO. 4; AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY TO EXECUTE THE STRATEGIC PARTNERSHIP AGREEMENT AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a notice of publication was published in the Terrell Tribune, a newspaper of general circulation in Terrell, Kaufman County, Texas, on September 28, 2006, giving notice of two public hearings to be held in the City Council Chamber at Terrell City Hall, 201 E. Nash Street, Terrell, Texas, on October 3, 2006, and October 17, 2006, at 7:00 p.m.; and

WHEREAS, the City of Terrell, Texas, and Las Lomas Municipal Utility District No. 4 of Kaufman County ("MUD 4) have negotiated a Strategic Partnership Agreement setting forth the terms and conditions for annexation of commercial use areas for the sole and exclusive purpose of imposing and collecting sales and use taxes within such districts, and which contains the District's consent to such annexation, which Strategic Partnership Agreement is authorized pursuant to the authority of Section 43.0751 of the Texas Local Government Code; and

WHEREAS, the City Council of the City desires to approve the Strategic Partnership Agreement and authorize and direct the Mayor of the City to execute the Strategic Partnership Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS AS FOLLOWS:

Section 1. That the Strategic Partnership Agreement (a copy of which is incorporated by reference herein and attached hereto as Exhibit A) between the City of Terrell, Texas, and Las Lomas Municipal Utility District No. 4 covering the property more particularly described in the Strategic Partnership Agreement is hereby approved.

Section 2. That the Mayor of the City of Terrell, Texas is hereby authorized and directed to execute the Strategic Partnership Agreement for and on behalf of the City immediately upon the passage and adoption by the City Council of this Resolution whereupon the Strategic Partnership Agreement shall become effective and binding on the Parties to the Agreement and the owners of the Property subject to the Agreement.

Section 3. That this Resolution shall take effect immediately upon passage.

Section 4. If any portion of this Resolution shall be determined to be invalid , that invalidity does not affect the effectiveness of this Resolution.

PASSED AND APPROVED this 17th day of October, 2006.

CITY OF TERRELL, TEXAS

By: _____
Frances Anderson, Mayor

ATTEST:

John Rounsavall, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Mary Gayle Ramsey, City Attorney