

RESOLUTION NO. 572

A RESOLUTION OF THE CITY OF TERRELL, TEXAS, APPROVING A WATER MASTER PLAN AND WASTEWATER MASTER PLAN FOR TWO TRACTS OF LAND IN THE CITY OF TERRELL'S ETJ AND GENERALLY LOCATED ADJACENT TO AND WEST OF THE CITY OF TERRELL'S CORPORATE LIMITS AND EAST AND WEST OF BRUSHY CREEK, AND PROVIDING FOR RELATED MATTERS.

WHEREAS, by City of Terrell Resolution No. 549, the City of Terrell (the "City") approved a development agreement with Livorno Investments, LLLP, an Arizona limited liability limited partnership, and Spezia Investments, LLLP, an Arizona limited liability limited partnership (collectively, the "Large Tract Owner") pursuant to Texas Local Government Code Section 212.171 *et seq.* governing an approximately 4,533.11-acre tract of land (the "Large Tract Development Agreement"); and

WHEREAS, in Section 2.5(a)(1) of the Large Tract Development Agreement, Large Tract Owner was required within 60 days of the execution of the Large Tract Development Agreement to submit to the City a Water Master Plan; and

WHEREAS, in Section 2.5(c)(2) of the Large Tract Development Agreement, the Large Tract Owner was required within 60 days of the execution of the Large Tract Development Agreement to submit to the City a Wastewater Master Plan; and

WHEREAS, by City of Terrell Resolution No. 555, the City approved a development agreement with Spezia Investments, LLLP, an Arizona limited liability limited partnership (the "Forney Tract Owner") pursuant to Texas Local Government Code Section 212.171 *et seq.* governing an approximately 612.9-acre tract of land (the "Forney Tract Development Agreement"); and

WHEREAS, in Section 2.6(b) of the Forney Tract Development Agreement, the Forney Tract Owner was required within 60 days of the execution of the Forney Tract Development Agreement to submit to the City a Wastewater Master Plan; and

WHEREAS, the water and wastewater master plan attached to this Resolution as Exhibit A (the "Water and Wastewater Master Plan") complies with the submittal requirements of the Large Tract Development Agreement and the Forney Tract Development Agreement (collectively, the "Development Agreements"); and

WHEREAS, the Water and Wastewater Master Plan was submitted to the City in a timely fashion and covers all of the acreage that is the subject of the Development Agreements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL:

Section 1. That, pursuant to the requirements of the Development Agreements, the City hereby acknowledges that the Water and Wastewater Master Plan was submitted to the City in compliance with the requirements of the applicable development agreements.

Section 2. That the City approves the Water and Wastewater Master Plan as submitted in the attached **Exhibit A**.

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

PASSED AND APPROVED on this 27th day of March, 2007.

ATTEST:

CITY OF TERRELL, TEXAS

John Rounsavall
Printed Name
City Secretary

By: _____
Frances Anderson
Printed Name
Title: Mayor

APPROVED AS TO FORM AND
LEGALITY

Mary Gayle Ramsey, City Attorney

Exhibit “A”
Water And Wastewater Master Plan

(Attached Binder)