

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY OF ELGIN, TEXAS APPROVING A DEVELOPMENT AND CONSENT AGREEMENT WITH CLAYTON PROPERTIES GROUP, INC. DBA BROHN HOMES AND ALTESSA MUNICIPAL UTILITY DISTRICT AND MAKING CERTAIN FINDINGS RELATED THERETO**

**WHEREAS**, the City Manager previously executed a Letter of Intent (LOI) with Clayton Properties Group, Inc. dba Brohn Homes in support of a conceptual plan for the development of certain real property within the City of Elgin Extraterritorial Jurisdiction; and,

**WHEREAS**, the LOI contemplated a project whereby Clayton Properties Group, Inc. dba Brohn Homes and Altessa Municipal Utility District would construct a master-planned, residential project that will include parks and recreational facilities to serve the community; and,

**WHEREAS**, the city staff is now recommending authorization of a Development and Consent Agreement, that shall be binding upon Clayton Properties Group, Inc. dba Brohn Homes and the associated Altessa Municipal Utility District; and,

**WHEREAS**, the City Council have found and determined that the proposed Development and Consent Agreement with Clayton Properties Group, Inc. dba Brohn Homes and Altessa Municipal Utility District will further the public interest and welfare and is necessary to promote opportunities for much needed new affordable housing.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS THAT:**

**Section 1. Findings.** The following recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2. Authorization.** The Mayor is hereby authorized to execute the *Development and Consent Agreement with Clayton Properties Group, Inc. dba Brohn Homes and Altessa Municipal Utility District*, a copy of said agreement being attached hereto and marked Exhibit A; and made part of this Resolution as if copied verbatim herein.

**Section 3. Open Meetings.** The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**Section 4. Effective Date.** This Resolution shall take effect immediately upon passage.

**PASSED AND ADOPTED** this 6<sup>th</sup> day of August, 2019.

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CHRIS CANNON, Mayor  
City of Egin, Texas

ATTEST:

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AMELIA SANCHEZ, City Secretary