

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE A TERMINATION OF ANNEXATION DEVELOPMENT AGREEMENTS WITH THE CLAYTON PROPERTIES GROUP, INC. DBA BROHN HOMES AND MAKING CERTAIN FINDINGS RELATED THERETO

WHEREAS, the City of Elgin and Russell Franklin Boyd entered into: (i) an Annexation Development Agreement dated December 23, 2015, recorded as Document No. 201516548 in the Official Public Records of Bastrop County, Texas, and as Document No. 2016002572 in the Official Public Records of Travis County, Texas; and (ii) an Annexation Development Agreement dated December 23, 2015, recorded as Document no. 201516549 in the Official Public Records of Bastrop County, Texas, and as Document No. 2016002573 in the Official Public Records of Travis County, Texas (collectively, the “*Boyd Agreements*”):

WHEREAS, the City and The Eugene R. & Judy A. Kanak Living Trust entered in an Annexation Development Agreement dated December 23, 2015, recorded as Document No. 201516544 in the Official Public Records of Bastrop County, Texas, and as Document No. 2016002571 in the Official Public Records of Travis County, Texas (the “*Kanak Agreement*”); and

WHEREAS, Clayton Properties Group, Inc. dba Brohn Homes is now the owner of the real property subject to said agreements; and

WHEREAS, The City and Clayton Properties Group, Inc. dba Brohn Homes are now mutually desirous of terminating the Boyd Agreements and the Kanak Agreement.

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

Section 1. That the above recitals are true and correct; and that the Mayor is hereby authorized to and execute the *Termination of Annexation Development Agreement* with Clayton Properties Group, Inc. dba Brohn Homes, a copy of which is attached hereto and marked Exhibit A; and made part of this Resolution as if copied verbatim herein.

Section 5. 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 was discussed, considered and formally acted upon, all as required by the Open Meeting Act, Chapter 551, Texas Government Code, as amended.

Section 6. This Resolution shall take effect immediately upon passage.

PASSED AND ADOPTED this 6th day of August, 2019.

CHRIS CANNON, Mayor
City of Egin, Texas

ATTEST:

AMELIA SANCHEZ, City Secretary