

RESOLUTION NO. 12-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING A DEVELOPMENT AGREEMENT BETWEEN CITY OF ABILENE AND CARRIAGE HILLS DEVELOPMENT CORPORATION FOR THE CARRIAGE HILL ESTATES DEVELOPMENT

WHEREAS, the City has a policy governing the use of its pro-rata program to promote and encourage the development of residential subdivisions as it benefits a public purpose; and

WHEREAS, Carriage Hills Development Corporation (Developer) plans to develop the Carriage Hill Estates residential subdivision (Subdivision) located near Maple Street and Colony Hill Road, which is anticipated to contain approximately 700 residential lots at complete build-out; and

WHEREAS, because the subdivision will have more than 200 new single-family detached dwellings at completion, the project is eligible for assistance from the City through a Chapter 380 economic development agreement; and

WHEREAS, the subdivision of the above described property triggers a sewer extension to connect the property to existing public sanitary sewer located in the vicinity of the intersection of Maple Street and Hardison Lane; and

WHEREAS, the Developer will be required to construct approximately 5,400 feet of on-site and off-site gravity sewer extension (project) of sufficient capacity to serve the entire sewerage discharge of the subdivision as part of this project; and

WHEREAS, the subdivision parcels are part of a greater gravity sanitary sewer drainage sub-basin, which is currently unserved by public sewer facilities, and for which the Developer's proposed sewer extension would serve that greater sub-basin; and

WHEREAS, by Resolution No. 49-2016, the City has created a Chapter 380 Economic Development Program, as authorized by Texas Local Government Code Chapter 380; and

WHEREAS, the Developer will pay upfront the entire cost to engineer and construct the on-site and off-site sewer main extension from the existing public sanitary sewer located in the vicinity of the intersection of Maple Street and Hardison Lane to the Developer's property; and

WHEREAS, upon successful completion of the project, the developer's conveyance of the project to the City, and City's acceptance, the City shall pay to Developer the amount of One Hundred Ninety-Two Thousand and NO/100 Dollars (\$192,000.00), and those funds shall be taken from the City's Water and Sewer Pro Rata Fund; and

WHEREAS, no economic incentive payment shall be paid to Carriage Hills Development Corporation until the gravity sewer line extension is completed and accepted by the City, and in the event that Carriage Hills Development Corporation fails to complete construction of the gravity

sewer line extension, the City of Abilene will be under no obligation to pay any economic incentive payment to Carriage Hills Development Corporation; and

WHEREAS, construction of the gravity sewer line extension serves the public's interest and meets a public purpose to provide needed sewer infrastructure to a developing area of the City; and

WHEREAS, a grant of public money for the purpose of constructing this infrastructure improvement will promote state or local economic development and stimulate businesses and commercial activity in the City of Abilene.

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

The Abilene City Manager, or his designee, is authorized to execute the Development Agreement between the City of Abilene and Carriage Hills Development Corporation for the Carriage Hill Estates residential subdivision on-site and offsite sewer main extension, which establishes the terms and conditions for the developer to pay upfront the entire cost to construct the project sewer main extension, and upon the City's acceptance of the Developer's conveyance of the project, for the City of Abilene to pay the developer the amount of One Hundred Ninety-Two Thousand and NO/100 Dollars (\$192,000.00), and those funds shall be taken from the City's Water and Sewer Pro Rata Fund.

ADOPTED this 26th day of January, 2017.

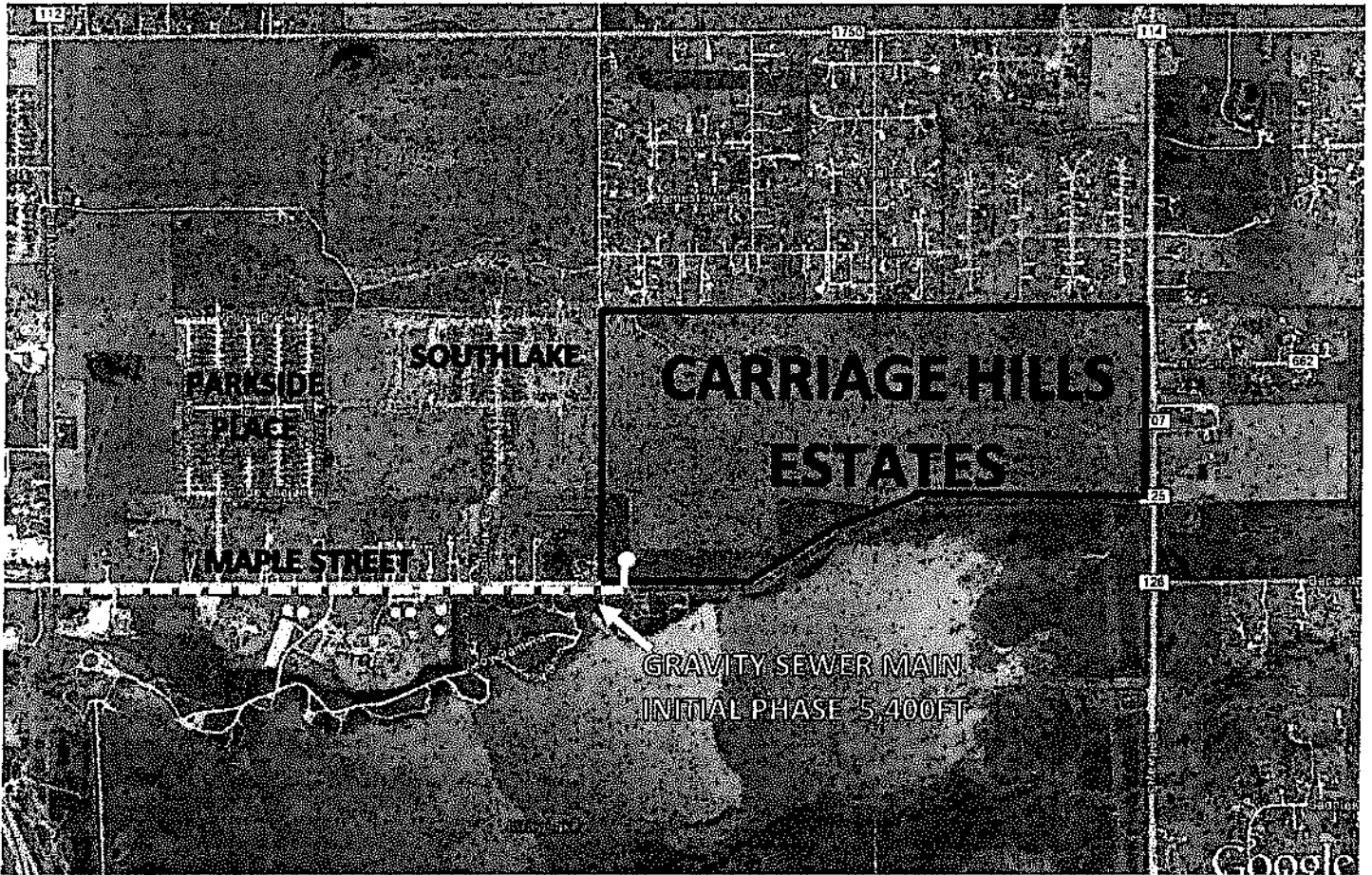
ATTEST:


Danette Dunlap, City Secretary


Norman Archibald, Mayor

APPROVED:


City Attorney



ATTACHMENT A