

ORDINANCE NO. 42-1993

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPER PARTICIPATION CONTRACT WITH WYLIE INDEPENDENT SCHOOL DISTRICT FOR IMPROVEMENT OF A PUBLIC ROADWAY, ESTABLISHING THE MAXIMUM AMOUNT OF MUNICIPAL LIABILITY AND HAVING AN EFFECTIVE DATE OF SEPTEMBER 9, 1993

WHEREAS, the Texas State Legislature has provided a means for municipalities to contract with a developer of land in the municipality to construct public improvements, not including a building, related to the development; and

WHEREAS, the Wylie Independent School District, as Developer of certain property identified as Lot 1, Block A, Wylie High School Addition, Abilene, Taylor County, Texas, and located at 4502 Antilley Road, is required by City ordinance to improve a portion of the adjacent roadway; and

WHEREAS, the Wylie Independent School District has indicated a desire to enter into a Developer Participation Contract with the City of Abilene for construction of street improvements for Antilley Road adjacent to 4502 Antilley Road; and

WHEREAS, the City of Abilene has determined that the Developer Participation Contract is a cost-efficient means of constructing much-needed street improvements at the location; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the City of Abilene shall enter into a contract with Wylie Independent School District for improvements to a public thoroughfare, Antilley Road, pursuant to the provisions of the Developer Participation in Contract for Public Improvements law, Tex. Loc. Gov't Code § 212.071 et seq. (Vernon Supp. 1993).


PART 2: That the City of Abilene agrees to pay as its share of construction on the Antilley Road project an amount not to exceed \$37,120.00.

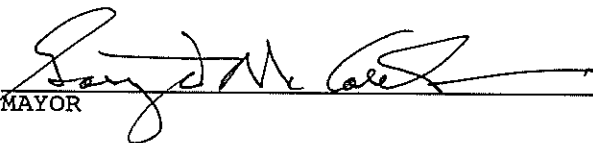
PART 3: That the City Manager is hereby authorized to sign all documents related to the Antilley Road project on behalf of the City Council of Abilene.

PART 4: That the City Council hereby finds that an emergency exists requiring suspension of the rule provided in Section 18 of the City Charter requiring ordinances to be read on two (2) separate days, in that the immediate passage of said ordinance is necessary for the preservation of the public peace, safety and welfare, to-wit: the need to schedule and complete road construction work prior to inclement weather in the winter months, and said rule is hereby suspended and this ordinance shall take effect immediately upon passage hereof.

PASSED this 9th day of September, A. D. 1993.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

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