

**CITY OF FORNEY, TEXAS  
RESOLUTION NO. 17-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS APPROVING A CHAPTER 43 TEXAS LOCAL GOVERNMENT CODE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FORNEY, TEXAS AND COSTELLO INVESTMENTS, LLC, AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on or about July 5, 2018, David Costello, as the authorized representative for Costello Investments, LLC, owner of an area of land described herein below (the “Property”) executed a Chapter 43 Texas Local Government Code Development Agreement (the “Agreement”) with the City of Forney, Texas (the “City”); and

**WHEREAS**, the City Council of the City (“City Council”) has found and determined that the Agreement is appropriate and that it is in the best interest of the City, to grant the Agreement.

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

**SECTION 1.** The above and foregoing premises are true and correct and are incorporated herein and made part hereof for all purposes.

**SECTION 2.** The Agreement generally provides, among other things, that as long as no development occurs, the following described property will remain in the City’s extraterritorial jurisdiction and will not be annexed into the city limits:

**KCAD ID 9534, beng an approximate 108-acre tract of land situated in the M. Musick Survey, Abstract No. 312, Kaufman County, Texas off of High Country Lane, and being more particularly depicted in Exhibit “A” of the Agreement attached hereto and made a part hereof.**

**SECTION 3.** The City Manager is authorized to execute the Agreement attached hereto as **Exhibit A**.

**SECTION 4.** The City Council hereby finds, determines and declares that the meeting, at which this resolution is passed, approved and adopted, was open to the public, and that the public notice of time, place and subject matter to be considered was posted as required by law.

**SECTION 5.** That this Resolution shall take effect immediately from and after its passage.

**PRESENTED AND PASSED** by the City Council of the City of Forney, Texas, this the 10<sup>th</sup> day of July, 2018.

CITY OF FORNEY, TEXAS

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Rick Wilson, Mayor

ATTEST:

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Dorothy Brooks, City Secretary

# **Exhibit A**