

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AGREEMENT WITH CASTLE HILLS PHASE 11, (CH PH 11) LLC FOR COSTS OF EXTENDING APPROXIMATELY 1260 LINEAR FEET OF OFFSITE SANITARY SEWER LINE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, CH PH 11 owns a 92.8 acre tract of land which it seeks to develop located generally east of Old Denton Road and south of Windhaven Drive in the City, hereafter referred to as “Castle Hills Carrollton Addition”; and

WHEREAS, in 2014, the City undertook the rehabilitation of the Indian Creek Sanitary Sewer line (the “Project”), which is a 36 inch sanitary sewer line that runs generally southwest to northeast along Indian Creek that was built in the early 1980’s and had deteriorated; and

WHEREAS, at the time of the Project, there were no pending development plans for the area in which the Castle Hills Carrollton Addition will be located, and as result, the City deferred the rehabilitation of the last segment, approximately 1,260 linear feet length, of the Project, which would have served the Castle Hills Carrollton Addition; and

WHEREAS, the development of Castle Hills Carrollton Addition requires the construction of a sanitary sewer transmission main to serve the Castle Hills Carrollton Addition and connect to the Indian Creek transmission main; and

WHEREAS, this results in CH PH 11 having to construct an additional 1,260 linear feet of offsite sanitary sewer transmission main that the City defrayed back in 2014; and

WHEREAS, CH PH 11 is required by City Ordinance to pay development permitting fees as part of the Castle Hills Carrollton Addition, including engineering inspection fees and water and sewer impact fees;

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

SECTION 1:

All of the above premises are found to be true and correct legislative and factual finding of the City Council, and they are hereby approved, ratified, and incorporated into the body of the Resolution as if copied in their entirety.

SECTION 2:

The City Council of the City of Carrollton hereby authorizes the City Manager, or designee, to execute a Development Agreement with CH PH 11, LLC, in a form to be approved by City Attorney, for the construction of a 1,260 linear feet 12-inch sanitary sewer line for a development permitting fee credit in an amount not to exceed \$181,317.00.

SECTION 3:

The City Manager, or designee, is authorized to take those steps reasonable and necessary to comply with the intent of this Resolution.

SECTION 4:

This resolution shall take effect immediately from and after its passage.

PASSED and APPROVED on this 21st day of February, 2017.

City of Carrollton, Texas

By: _____
Matthew Marchant, Mayor

ATTEST:

Laurie Garber, City Secretary

Approved as to form:

Meredith Ladd, City Attorney

Approved as to content:

Cesar J. Molina, Jr., P.E., Director of Engineering