

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON AUTHORIZING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF DENTON, TEXAS AND JUSTLAND DEVELOPMENT, LLC; PROVIDING FOR THE USE OF CITY PROPERTY FOR TEMPORARY STORMWATER FACILITIES AND CONSTRUCTION ACCESS FOR THE MEADOW OAKS SUBDIVISION, PHASE 4, UNTIL PERMANENT RUDDELL STREET STORMWATER FACILITIES ARE INSTALLED; GRANTING TEMPORARY DRAINAGE AND CONSTRUCTION ACCESS EASEMENTS IN EXCHANGE FOR THE DEVELOPER PROVIDING A CONVEYANCE OF LAND IN FEE; PROVIDING FOR THE DEVELOPER TO PAY COSTS OF A PERMANENT STORMWATER PIPING SYSTEM AND COSTS FOR WATER COMPUTATIONS AND DESIGN OF PERMANENT STORMWATER FACILITIES; REQUIRING A PERFORMANCE BOND OR LETTERS OF CREDIT; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Denton hereby finds that the Development Agreement between the City of Denton and Justland Development, LLC providing the terms for temporary stormwater facilities on City property until permanent Ruddell Street Stormwater Facilities are installed and providing terms for a transfer of land in fee simple to the City and providing for cost participation related to same which is attached hereto as **Exhibit A** and made a part hereof by reference (the "Agreement"), serves a municipal and public purpose and is in the public interest; and

WHEREAS, the City Council of the City of Denton likewise finds that granting the Temporary Drainage Easement to Justland Development, LLC ("Drainage Easement") and the Temporary Construction and Access Easement to Justland Development, LLC ("Access Easement") (collectively the "Easements"), in exchange for transfer of land in fee, which said Easements are attached hereto as **Exhibit B and C** respectively, and made part hereof by reference, serves a municipal and public purpose and is in the public interest; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings set forth in the preamble of this Ordinance, as well as **Exhibits A, B and C**, are incorporated by reference into the body of this Ordinance as if fully set forth herein.

SECTION 2. The City Manager, or his designee, is hereby authorized to execute the Development Agreement in **Exhibit A** and to carry out the duties and responsibilities of the City under the Agreement and is hereby authorized to execute the Easements in **Exhibits B and C** and to carry out the duties and responsibilities of the City under the Easements.

SECTION 3. This Ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the _____ day of _____, 2016.

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
ANITA BURGESS, CITY ATTORNEY

BY: _____