

RESOLUTION NO. R-13-11-26-__

WHEREAS, the City of Round Rock has previously entered into a Consent Agreement with Double J Investments, L.P., now RSP Partners Development, L.P., (“Developer”) regarding the creation of two Municipal Utility Districts named Williamson County Municipal Utility District Nos. 19 and 20, now named Siena Municipal Utility District No. 1 and Siena Municipal Utility District No. 2 (“Districts”), and

WHEREAS, by Resolution No. R-06-10-12-11E1, the City approved an Amended and Restated Consent Agreement with Developer, and

WHEREAS, by Resolution No. R-08-12-18-7G1, the City approved the First Amendment to the Amended and Restated Consent Agreement with Developer to extend the deadline and to modify certain terms and conditions, and

WHEREAS, by Resolution No. R-10-07-22-10D1, the City approved the Second Amendment to the aforesaid Agreement with Developer to provide that the City’s reimbursement be made in progress payments during the construction of the McNutt Interceptor, and

WHEREAS, the City Council now wishes to approve the Third Amendment to the aforesaid Agreement which states that Williamson County will assume sole responsibility for review and approval of all construction plans, development plans, preliminary plans and subdivision plats with the Districts, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Mayor is hereby authorized and directed to execute on behalf of the City the Third Amendment to and Partial Assignment of Amended and Restated Consent Agreement Among City of Round Rock, Texas, RSP Partners Development, L.P., SEDC Devco, Inc., Siena Municipal Utility District No. 1, and Siena Municipal Utility District No. 2, a copy of same being attached hereto as Exhibit “A” and incorporated herein for all purposes.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 26th day of November, 2013.

ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk