

CITY OF SEGUIN

RESOLUTION NO. \_\_\_\_\_

STATE OF TEXAS

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS, APPROVING AN AMENDMENT TO THE CAPITAL IMPROVEMENT AGREEMENT WITH AT HOLDING-TROTTER, LLC FOR THE CONSTRUCTION OF A WATER LINE ALONG THE IH-10 FRONTAGE ROAD WEST OF THE LCRA SUBSTATION; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND DECLARING AN EFFECTIVE DATE**

**WHEREAS**, on March 3, 2015, the City Council approved a Capital Improvement Agreement with AT Holding-Trotter, LLC (“AT Holding”); and

**WHEREAS**, the proposed project included service to Wal-Mart and has been delayed due to Wal-Mart’s change in schedule; and

**WHEREAS**, in the interim AT-holding sold part of their property to Wal-Mart thereby decreasing the length of the water line serving their property; and

**WHEREAS**, the attached Amendment to the Capital Improvement Agreement sets out the change in schedule along with a change in AT Holding’s payment obligation to reflect the actual property now owned and served by the new line; and

**WHEREAS**, the construction project has begun; therefore the reimbursement amount in the Agreement reflect actual rather than estimated cost.

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

**PART 1.** The attached Amendment to the Capital Improvement Agreement is approved.

**PART 2.** The City Manager is authorized to execute the Amendment to the Capital Improvement Agreement.

**PART 3.** This resolution shall be in full force and effect from and after its passage.

**ADOPTED** on the 5<sup>th</sup> day of April 2016.

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**DON KEIL**  
**MAYOR**

**ATTEST:**

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**Thalia Stautzenberger**  
**City Secretary**