

CITY OF SEGUIN

RESOLUTION NO. _____

STATE OF TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS, RATIFYING THE EXECUTION OF AN AMENDMENT TO THE CONSENT AND NON-DISTURBANCE AGREEMENT BETWEEN THE CITY, THE LAKE SEGUIN HYDRO-ELECTRIC PARTNERS, LLC AND FIRST COMMERCIAL BANK, NA; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of Seguin entered into a lease agreement with the Lake Seguin Hydro-Electric Partners, LLC (the "Partners") for the development of a restaurant and entertainment complex located at the old Hydro-Electric Plant (the "Project"); and

WHEREAS, the Partners have nearly completed construction on the Project and the restaurant is now operating; and

WHEREAS, in order to complete the work the Partners sought additional financing, in the amount of \$276,000.00, from First Commercial Bank, NA (the "Bank"); and

WHEREAS, last year the City entered into a Consent and Non-Disturbance Agreement with the Partners and the Bank; and

WHEREAS, in order to close on the loan for additional funds the Bank requested that the City execute an amendment to the Agreement that would include reference to the additional funds.

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

PART 1. The City Council hereby ratifies the action of the City Manager in executing the amendment to the Consent and Non-Disturbance Agreement between the City, the Lake Seguin Hydro-Electric Partners and First Commercial Bank.

PART 2. This resolution shall be in full force and effect from and after its passage.

ADOPTED on the 6th of August 2013.

DON KEIL
MAYOR

ATTEST:

Thalia Stautzenberger
City Secretary