

STATE OF TEXAS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEGUIN TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSENT TO LIMITED PURPOSE ASSIGNMENT OF WASTEWATER AGREEMENT BETWEEN LONE OAK FARM MUNICIPAL UTILITY DISTRICT AND LENNAR HOMES / NB DEAN 32, LLC; AND DECLARING AN EFFECTIVE DATE

WHEREAS, a Resolution of the City Council of the City of Seguin, Texas approved a Capital Improvements Agreement with Lennar Homes of Texas Land and Construction, LTD.(Lennar) and NB Dean 32, LLC (NB Dean) in July of 2019 for the construction of wastewater improvements associated with the Navarro Ranch Subdivision as well as off-site improvements to support growth in the region; and

WHEREAS, this Resolution included reservation of wastewater capacity and the property that is subject to the development is located with the boundaries of Lone Oak Farm Municipal Utility District; and

WHEREAS, Lennar and NB Dean now desire to assign an interest in the Service Agreement to the District for Limited Purpose, thereby allowing the District to issue bonds to finance eligible infrastructure costs. Lennar and NB Dean, respectively, will remain responsible for the performance of all duties and obligations under the Service Agreement(s); and

WHEREAS, Limited Purpose Assignment between Lennar Homes of Texas Land and Construction, LTD. and Lone Oak Farm Municipal Utility District includes the City of Seguin as a party to the agreement due to Service Agreement qualifying as an agreement between the Assignee and City for purposes of Section 552.014(b) of the Texas Local Government Code to facilitate the issuance of bonds by Assignee to reimburse Assignor's eligible costs and expenses with bond proceeds, and

WHEREAS, Section 552.014(b) of the Texas Local Government Code authorizes a municipality to enter into a contract with a water district under which the district will acquire for the benefit of and convey to the municipality, either separately or together, one or more projects. The statute provides that in connection with the acquisition, the district shall improve, enlarge, or extend the existing municipal facilities as provided by the contract, and

WHEREAS, The City, a Local Government and wastewater supplier, is authorized to enter into an agreement with said parties, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Seguin, Texas:

Section 1. The City Council of the City of Seguin authorizes the City Manager, Steve Parker, to execute the attached Consents to Limited Purpose Assignment of Wastewater Agreement for each assignment – one by Lennar and one by NB Dean.

Section 2. This Resolution shall be in full force and effect immediately from and after its passage.

Approved and Adopted this 4th Day of June, 2024.

Donna Dodgen, Mayor

Kristin Mueller, City Secretary