

City of Seguin, Texas, Resolution No. _____

A RESOLUTION CONSENTING TO THE CREATION OF LAKE MCQUEENEY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, CONTAINING LAND WITHIN THE CITY LIMITS AND THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SEGUIN, TEXAS

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WHEREAS, the aging of the Lake McQueeney dam currently presents potential safety concerns and the dewatering of the lake; and

WHEREAS, any failure of the Lake McQueeney dam and dewatering of the lake will likely have a materially adverse effect on local property values, local businesses whose livelihood is related to the lake or lake recreation, and the ability of residents, tourists, and visitors to enjoy and use the lake; and

WHEREAS, certain real property contiguous to Lake McQueeney is located within the city limits and extraterritorial jurisdiction of the City of Seguin (the "City"); and

WHEREAS, the decrease in property values may adversely affect tax collections by the local governments, including the City, local school districts, and Guadalupe County; and

WHEREAS, the owners of real property and frontage along Lake McQueeney desire to create a conservation and reclamation district to facilitate the repair or replacement of the dam and to provide financing for future maintenance and operation costs; and

WHEREAS, affected property owners desire that the City consent to the creation of a water control and improvement district to be named "Lake McQueeney Water Control and Improvement District No. 1," a proposed conservation and reclamation district of the State of Texas that would be created and would operate pursuant to Chapters 49 and 51 of the Texas Water Code (the "District"); and

WHEREAS, the general nature of the work proposed to be done by the District at the present time is to investigate, acquire, construct, own, maintain, and operate necessary improvements, works, and facilities, and all other properties, land, tenements, materials, easements, rights-of-way, and everything considered necessary, incident, or helpful to accomplish by any practicable means any one or more of the purposes of a water control and improvement district; and

WHEREAS, the territory proposed to be included in the District generally consists of all waterfront real property on Lake McQueeney and is described in **Exhibit A** attached hereto; and

WHEREAS, the City Council of the City of Seguin desires to adopt this Resolution in order to evidence the City's desire to facilitate the repair of the Lake McQueeney dam, and specifically to grant written consent to the creation of, and inclusion of real property within, the District.

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

Section 1. The City of Seguin, Texas hereby consents to the creation of Lake McQueeney Water Control and Improvement District No. 1, and the inclusion of real property located within the City's corporate or extraterritorial boundaries within the District. No further action will be required on the part of the City to evidence its consent to the creation of the District and inclusion of land into the District

Section 2. This Resolution shall become effective from and after the date of its passage.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2019.

Mayor of the City of Seguin

ATTEST:

City Secretary