

CITY OF SEGUIN

RESOLUTION NO.

STATE OF TEXAS

**A RESOLUTION OF THE CITY COUNCIL OF SEGUIN, TEXAS,
TERMINATING, FOR NON PERFORMANCE, THE AUGUST 2015 CHAPTER
380 ECONOMIC DEVELOPMENT AGREEMENT WITH NOLTE FARMS,
LLC GRANTED FOR THE PURPOSE OF REIMBURSING EXPENSES
RELATED TO PUBLIC INFRASTRUCTURE FOR THE NOLTE FARMS
MIXED USE COMMUNITY; AND DECLARING AN EFFECTIVE DATE**

WHEREAS, in early 2015 Nolte Farms, LLC received approval for a Planned Unit Development and a General Land Use Plan to construct a walkable community with ample green space and a variety of residential properties, business uses, and public space areas on a 121.4 acres of land near the current Meadows at Nolte Farms; and

WHEREAS, because the type of development required in the approved General Land Use Plan requires more public infrastructure than is generally present in traditional subdivision development ultimately making the individual lots more expensive, the City Council approved an Agreement under Chapter 380 that would reimburse the developer for up to one half the cost of public infrastructure; and

WHEREAS, the 380 Agreement set January 1, 2016, as the base tax year with some infrastructure improvements to be on the ground by January 1, 2017, and required that Nolte Farms submit an annual report to the City; and

WHEREAS, to the best of the City's knowledge Nolte Farms has done nothing towards development of the property and has not submitted an annual report to the City; and

WHEREAS, the City sent notice to Walter Armstrong, as president of Nolte Farms, that it was in default under the 380 Agreement, and said Agreement would be terminated absent some response; and

WHEREAS, Nolte Farms did not respond to the City's letter.

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

PART 1. The Chapter 380 Economic Development Agreement with Nolte Farms, LLC is terminated.

PART 2. This Resolution is effective from and after the date of its passage.

PASSED AND APPROVED the 16th day of May 2016.

DON KEIL
MAYOR

ATTEST:

Naomi Manski
City Secretary