

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF KYLE, TEXAS, AUTHORIZING FIRST
AMENDMENT TO DEVELOPMENT AGREEMENT
BETWEEN CITY OF KYLE, TEXAS, AND PEGGY
JANSEN AND JAMES JANSEN DATED OCTOBER 20,
2009; MAKING FINDINGS OF FACT; AND
PROVIDING FOR RELATED MATTERS.**

WHEREAS, the City of Kyle, Texas (the "City") initiated annexation of a 47.199 acre tract, more or less, for certain purposes in 2009 of property owned by Peggy Jansen and James Jansen ("Owner") and in response to Owner's request, City granted a Development Agreement to Owner, dated October 20, 2009, and subject to Sections 43.035 and 212.172, Texas Local Government Code (the "Tract 8 Agreement"); and,

WHEREAS, due to changed circumstances, the City and Owner now wish to amend the Tract 8 Agreement to extend the term of the Agreement for an additional 15 years so that the term of the Tract 8 Agreement will now expire on May 5, 2032.

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

Section 1. Finding of Fact. The above and foregoing recitals are hereby found to be true and correct and are incorporated as findings of fact.

Section 2. Amendment Approved. The City Council hereby approves the First Amendment to the Tract 8 Agreement, attached hereto as Exhibit "A", and authorizes the Mayor to execute said First Amendment.

Section 3. Open Meetings. It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Loc. Gov't. Code.

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FINALLY PASSED AND ADOPTED on this ____ day of _____, 2017.

CITY OF KYLE, TEXAS

BY: _____
R. Todd Webster, Mayor

ATTEST:

Jennifer Vetrano, City Secretary