RESOLUTION NO. 2024-624

A RESOLUTION OF THE CITY OF FULSHEAR, TEXAS, CONSENTING TO THE ADDITION OF CERTAIN LAND INTO FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 222 AND IMPOSING CONDITIONS ON SAME.

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WHEREAS, the City of Fulshear, Texas (the "City") received the Petition for Consent to Addition of Land to a Municipal Utility District ("Petition") of Fort Bend County Municipal Utility District No. 222 (the "District") and 187 Muske Investments, Ltd. (collectively, "Petitioner"), attached hereto as **Exhibit A**; and

WHEREAS, the Petition seeks to add that certain 83.710 acre tract of land described therein (the "Land") to the District, the same being wholly within the extraterritorial jurisdiction of the City; and

WHEREAS, section 54.016 of the Texas Water Code and section 42.0425 of the Texas Local Government Code provide that the District may not add land that is located within the extraterritorial jurisdiction of the City unless the City Council of the City of Fulshear, Texas (the "City Council") gives its written consent in accordance with section 54.016 of the Texas Water Code and section 42.0425 of the Texas Local Government Code; and

WHEREAS, section 54.016 of the Texas Water Code provides that the City Council may, in its written consent, provide for certain conditions or restrictions on the District; and

WHEREAS, the City Council desires to give its consent to the addition of the Land to the District; and

WHEREAS, the City Council desires to place certain conditions or restrictions on the District in giving such consent;

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

Section 1. That the facts set out in the preamble are true and correct and are incorporated herein for all purposes.

Section 2. That the City Council hereby gives its written consent to the addition of the Land to the District, subject to the conditions or restrictions provided for herein.

Section 3. That in giving its consent, the City Council hereby places the following conditions or restrictions on the District:

(a) Before commencement of any construction within the District, its directors, officers, or developers and landowners will submit to the City of Fulshear, or to its designated representative, all plans and specifications for the construction of water, sanitary sewer, drainage, and road facilities and related improvements to serve the District and obtain the approval of such plans and specifications therefrom. Prior to the construction of any water, sanitary sewer, drainage or road facilities within or by the District, the District or its engineer will give written notice to the City, stating the date that such construction will be commenced. The construction of the District's water, sanitary sewer, drainage and road facilities will be in accordance with the approved plans and specifications, and with applicable standards and specifications of the City of Fulshear; and during the progress of the construction and installation of such facilities, the City, or representative thereof, may make periodic on-the-ground inspections. After construction, the District will deliver to the City a final copy of all "as-builts" and the project description in the geographic information system.

Section 4. In no way is this Resolution considered an "allocation agreement" between the District and the City, as provided under Texas Water Code Section 54.016**.**

PASSED, APPROVED, and ADOPTED on the 21st day of May, 2024.

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Aaron Groff, Mayor

ATTEST:

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Mariela Rodriguez, City Secretary