

RESOLUTION NO. _____

A RESOLUTION APPROVING A DEVELOPER PARTICIPATION CONTRACT BETWEEN THE CITY OF MANSFIELD AND FIRST TEXAS HOMES, INC. FOR COST PARTICIPATION FOR DRAINAGE IMPROVEMENTS ALONG DAY MIAR ROAD ADJACENT TO THE PEMBERLEY ESTATES PHASE 2 ADDITION; APPROPRIATING FUNDS; AND DIRECTING AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE DEVELOPER PARTICIPATION CONTRACT.

WHEREAS, Pemberley Estates Phase 2, (the “Development”) is a residential development in the City of Mansfield, which has been platted and is under construction; and

WHEREAS, the Development has frontage on the west side of Day Miar Road where there is a large capacity storm drainage route; and

WHEREAS, First Texas Homes, Inc. (the “Developer”) has agreed to construct approximately 100 feet of underground box culvert and the appropriate open channel drainage improvements along Day Miar Road; and

WHEREAS, it is recognized that it is in the best interest of the citizens of the City of Mansfield to have the Developer install the permanent ultimate drainage improvements necessary, thereby decreasing the negative impacts to Day Miar Road; and

WHEREAS, the box culvert and channel improvements are a component of the ultimate design and construction necessary for the future widening of Day Miar Road; and

WHEREAS, the City and the Developer agree to share the expense of these drainage improvements as set forth in this Developer Participation Contract; and

WHEREAS, the Developer will construct the offsite drainage improvements with the subdivision and the City will participate in the cost of a portion of the improvements upon completion and acceptance as specified in the Developer Participation Contract; and

WHEREAS, the expenditure of the funds stated herein will be secured through Roadway Impact Fee credits as specified in the Developer Participation Contract.

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

SECTION 1.

The City Manager is hereby authorized and directed to execute the Developer Participation Contract attached hereto with First Texas Homes, Inc. for cost participation for drainage improvements adjacent to the Pemberley Estates Phase 2 Addition.

SECTION 2.

Roadway Impact Fee credits are hereby authorized for Pemberley Estates Phase 2 in an amount not to exceed One Hundred Eighty Nine Thousand Two Hundred and 00/100 Dollars (\$189,200), to be credited at the time of building permits, not in the form of cash payment from the City.

PASSED AND APPROVED THIS THE 25th day of March, 2019.

David Cook, Mayor

ATTEST:

Susana Marin, City Secretary