

RESOLUTION NO. _____

A RESOLUTION APPROVING A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MANSFIELD, TEXAS, A TEXAS MUNICIPAL CORPORATION, DOLCE VITA AT MANSFIELD, LLC, AND ACCP, LP FOR WATER DISTRIBUTION AND ROADWAY CAPITAL IMPROVEMENTS.

WHEREAS, the Roadway Impact Fee Ordinance provides for the collection of impact fees for new development and authorizes impact fee credits or payments for developers who construct portions of the Capital Improvement Program; and

WHEREAS, Section 395.023 of the Texas Local Government Code provides that any construction of, contributions to or dedications of offsite roadway facilities agreed to or required by a political subdivision as a condition of development approval shall be credited against roadway facilities impact fees otherwise due from the development; and

WHEREAS, the Developer is developing a project known as Dolce Vita, a residential development in the City of Mansfield (the "Project"), that has been submitted for zoning approval ("Initial Zoning"), with frontage on Callender Road and Debbie Lane; and

WHEREAS, in conjunction with developing the Project, the Developer will be constructing certain infrastructure improvements, including Summer Trail, a minor collector connecting Callender Road to Debbie Lane, and a 12" water main along the length of Summer Trail; and

WHEREAS, Developer intends to develop the Project in accordance with the Initial Zoning as set forth on Exhibit "C"; and

WHEREAS, it is recognized that it is in the best interest of the citizens of the City of Mansfield to construct Summer Trail and a 12" water main along Summer Trail; and

WHEREAS, Summer Trail is a component of the City's Master Thoroughfare Plan; and

NOW, THEREFORE, for the promises and consideration stated herein, the parties do hereby agree as follows:

SECTION 1.

This Contract is made and entered into by and between the City of Mansfield, a Texas municipal corporation (hereinafter called "City"), Dolce Vita Development Group, LLC (hereinafter called "Developer") and ACCP, LP (hereinafter called "Owner").

PASSED AND APPROVED THIS THE 28th DAY OF May, 2019.

David Cook, Mayor

ATTEST:

Susana Marin, City Secretary