

RESOLUTION NO. 05-2003

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING AN ASSIGNMENT OF A TAX ABATEMENT AGREEMENT BETWEEN THE CITY OF MESQUITE, TEXAS, AND ICON HEALTH AND FITNESS, INC. (DBA JUMPING), AND PANATTONI-HILLWOOD DEVELOPMENT COMPANY.

WHEREAS, on July 5, 2000, pursuant to Resolution No. 29-2000 the City Council of the City of Mesquite authorized the Mayor to execute a commercial/industrial tax abatement agreement between the City of Mesquite, Texas (hereinafter called the "City"), Icon Health and Fitness, Inc. (dba Jumping), and Panattoni-Hillwood Development Company (hereinafter called "Panattoni-Hillwood"); and

WHEREAS, on January 16, 2001, pursuant to Resolution No. 02-2001 the City Council of the City of Mesquite authorized the Mayor to enter into a revised commercial/industrial tax abatement agreement with Jumping and Panattoni-Hillwood; and

WHEREAS, Panattoni-Hillwood has notified the City of an ownership change; and

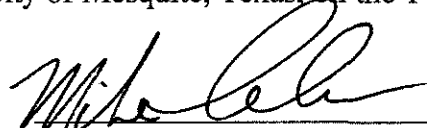
WHEREAS, the City Council has determined to recognize and accept for all purposes connected with the tax abatement agreement between the City, Jumping and Panattoni-Hillwood the change in ownership and control of Panattoni-Hillwood to CalWest Industrial Holdings Texas, L.P.

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

SECTION 1. That the change of ownership described in the above recitals is hereby recognized and accepted for all purposes herein.

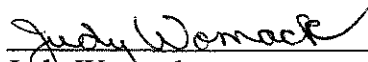
SECTION 2. That this resolution shall become effective immediately from and after its passage.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 17th day of February, 2003.



Mike Anderson
Mayor

ATTEST:



Judy Womack
City Secretary

APPROVED:



B. J. Smith
City Attorney