

RESOLUTION NO. 52-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE A NEW DEVELOPMENT AGREEMENT AND/OR AN AMENDMENT TO AN EXISTING DEVELOPMENT AGREEMENT WITH CADG KAUFMAN 146, LLC, AND KAUFMAN COUNTY FRESH WATER SUPPLY DISTRICT NO. 5 REGARDING APPROXIMATELY 146.73 ACRES OF REAL PROPERTY LOCATED NEAR FARM TO MARKET ROAD 741, INTERSTATE HIGHWAY 20 AND HEARTLAND PARKWAY IN KAUFMAN COUNTY, TEXAS, COMMONLY REFERRED TO AS "HEARTLAND TOWN CENTER DEVELOPMENT," SAID AGREEMENT AND/OR AMENDMENT TO CONTAIN THE TERMS SET FORTH IN ATTACHED EXHIBIT "A" AND ADDITIONAL TERMS AND PROVISIONS RECOMMENDED BY THE CITY MANAGER.

WHEREAS, the City of Mesquite, Texas, entered into an agreement with 269 Kaufman Partners, Ltd., on June 7, 2010, for the purpose of preserving the property for future commercial development along the IH 20 corridor; and

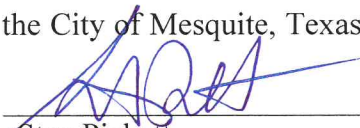
WHEREAS, CADG Kaufman 146, LLC, the current owner of the property, is requesting Council consideration for changes to the agreement or the establishment of a new agreement; and

WHEREAS, CADG Kaufman 146, LLC, is requesting alterations to the concept plan to include the addition of residential development within the area and the developer is requesting annexation of the property.

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

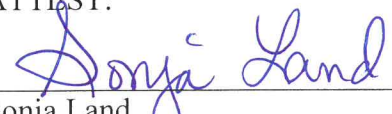
SECTION 1. That the City Manager is hereby authorized to negotiate a new development agreement and/or an amendment to an existing development agreement with CADG Kaufman 146, LLC, and Kaufman County Fresh Water Supply District No. 5 regarding approximately 146.73 acres of real property located near Farm to Market Road 741, Interstate Highway 20 and Heartland Parkway in Kaufman County, Texas, commonly referred to as "Heartland Town Center Development," said agreement and/or amendment to contain the terms set forth in attached Exhibit "A" and additional terms and provisions recommended by the City Manager.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 16th day of October, 2017.




Stan Pickett
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney

Exhibit A
Heartland Term Sheet

Term of Agreement	<u> 30 </u> Years	
Annex	<u> X </u> Entire Tract	<u> </u> Retail Tract Only
PID	<u> X </u> Yes	<u> </u> No
PID Bonds up to \$14M	<u> X </u> Yes	<u> </u> No
TIRZ - Residential	<u> X </u> Yes	<u> </u> No
TIRZ – Residential Increment - 62.5% - 31 years	<u> X </u> Yes	<u> </u> No
TIRZ – Retail	<u> X </u> Yes	<u> </u> No
TIRZ – Retail Increment up to 25% - 31 years	<u> X </u> Yes	<u> </u> No
Sales Tax/Property Tax Rebates	<u> X </u> Yes	<u> </u> No
Mandatory HOA	<u> X </u> Yes	<u> </u> No
Developer Fees per lot	<u> X </u> Yes	<u> </u> No
Impact Fees (Road, Water, Sewer)	<u> X </u> Yes	<u> </u> No
Dormancy	<u> X </u> Yes	<u> </u> No
Assignment City Consent	<u> X </u> Yes	<u> </u> No
Assignment to Lender City Consent	<u> X </u> Yes	<u> </u> No
Development Standards:		
Concept Plan as presented	<u> X </u> Yes	<u> </u> No
Buffering – Highway	<u> X </u> Wall	<u> </u> Fence with landscape
Buffering – Heartland Parkway	<u> </u> Wall	<u> X </u> Fence with landscape
Anti Monotony Provisions	<u> X </u> Yes	<u> </u> No
Planned Development Zoning on Retail Tract	<u> X </u> Yes	<u> </u> No
Planned Development on Residential Tract	<u> X </u> Yes	<u> </u> No
Dedication of Park Space/Open Space to City	<u> X </u> Yes	<u> </u> No
Diversity	<u> X </u> Yes	<u> </u> No