



RESOLUTION NO. 20120626-07

**RESOLUTION AUTHORIZING THE EXECUTION OF A BILL OF SALE TO
TRANSFER THE TEXAMERICAS CENTER-EAST WATER SYSTEM TO
CITY OF TEXARKANA, TEXAS;**

**AUTHORIZING THE EXECUTION OF AMENDMENT NUMBER ONE TO
THE ECONOMIC DEVELOPMENT WATER SYSTEM TRANSFER
CONTRACT BY AND BETWEEN TEXAMERICAS CENTER AND CITY OF
TEXARKANA, TEXAS; AND**

**AUTHORIZING THE EXECUTION OF AMENDMENT NUMBER ONE TO
THE WATER SUPPLY CONTRACT BETWEEN TEXAMERICAS CENTER
AND THE CITY OF TEXARKANA, TEXAS**

WHEREAS, TexAmericas Center is a political subdivision of the State of Texas with the powers and authorities specified in Chapter 3503 of the Special District Local Laws Code of the State of Texas; and

WHEREAS, on or about July 28, 2011, TexAmericas Center and the City of Texarkana, Texas entered into an Economic Development Water System Transfer Contract providing for the construction of an Interconnect between the TexAmericas Center-East Water Distribution System and the City of Texarkana, Texas water line located adjacent to TexAmericas Center-East property and for the conveyance of the TexAmericas Center-East Water Distribution System to the City of Texarkana, Texas, upon completion of construction of said Interconnect; and

WHEREAS, the construction of the Interconnect has been substantially completed, and it is necessary to execute an Amendment to the Economic Development Water System Transfer Contract to clarify certain terms and conditions of the transfer and operation of the system during the transition period; and

WHEREAS, it is necessary that the Board of Directors approve the Amendment to the Economic Development Water System Transfer Contract and the conveyance of the TexAmericas Center-East Water Distribution System by Bill of Sale to the City of Texarkana, Texas; and

WHEREAS, on or about July 28, 2011, TexAmericas Center and City of Texarkana, Texas entered into a certain Water Supply Contract whereby Texarkana, Texas agreed to sell water to TexAmericas Center; and

WHEREAS, it is necessary to amend the Water Supply Contract to provide for furnishing water to the U.S. Army Elliott Lake Facilities and the sale of water to TexAmericas Center for its own consumption and use for redevelopment purposes;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of TexAmericas Center, that the Executive Director/CEO shall be and he is hereby authorized to execute and deliver the following documents:

1. That certain Bill of Sale between TexAmericas Center as Seller and City of Texarkana, Texas as Buyer in the form substantially set forth in Exhibit "A" which is attached hereto and incorporated herein for all purposes;
2. That certain Amendment Number One to Economic Development and Water System Transfer Contract in substantially the form attached hereto as Exhibit "B" and incorporated herein for all purposes; and
3. That certain Amendment Number One to Water Supply Agreement in substantially the form attached hereto as Exhibit "C" and incorporated herein for all purposes.

PASSED and APPROVED this 26th day of June, 2012.

Denis Washington, Chairman of the Board

ATTEST:

Wayne Cranfill, Secretary-Treasurer

ATTACHMENTS: Exhibit "A" – Bill of Sale
Exhibit "B" – Amendment Number One to Economic Development Water System Transfer Contract
Exhibit "C" – Amendment Number One to Water Supply Contract