

RESOLUTION 4A01202026BlackRockCoffee

A RESOLUTION OF THE BURLESON 4A ECONOMIC DEVELOPMENT CORPORATION AUTHORIZING THE BOARD PRESIDENT TO EXECUTE AN AMENDED PERFORMANCE AGREEMENT BETWEEN THE TYPE A CORPORATION AND C&C BURLESON, LLC, AS DEVELOPER, ATTACHED IN EXHIBIT "A" (THE "CONTRACT"); AUTHORIZING THE EXPENDITURE OF FUNDS; REQUEST FOR BURLESON CITY COUNCIL RATIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Burleson 4A Economic Development Corporation, known as the "Type A Corporation", incorporated and certified in October 2000 under the authorization of the Development Corporation Act of 1979; and

WHEREAS, the City of Burleson, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the Type A Corporation desires that the Board President, Dan McClendon, execute the Contract on behalf of the Type A Corporation with the Developer; and

WHEREAS, the Type A Corporation desires to perform its obligations and duties as described in the Contract; and

WHEREAS, the Type A Corporation desires the City Council approve this action;

NOW, THEREFORE, BE IT RESOLVED BY THE BURLESON 4A ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS, THAT:

Section 1.

The Board President, Dan McClendon, is authorized: (a) to execute on behalf of the Type A Corporation (i) the Contract between the Type A Corporation and the Developer, substantially in the form attached as Exhibit "A", with an incentive amount not to exceed \$462,255.00, and (ii) any other documents contemplated by the Contract; and (b) to make expenditures in accordance with the terms of the Contract.

Section 2.

The foregoing recitals are adopted and incorporated herein for all purposes.

Section 3.

The Type A Corporation hereby requests that the City Council of the City of Burleson ratify this resolution and actions of the Type A Corporation. Accordingly, this resolution shall take effect immediately after such ratification.

PASSED, APPROVED, AND SO RESOLVED by the Board of Directors of the Burleson 4A Economic Development Corporation on the _____ day of _____, 20____.

Dan McClendon, Board President
Burleson 4A Economic Development Corporation

ATTEST:

Amanda Campos, Secretary