

County Commissioners Court, Fort Bend County, Texas, Order No. _____
AN ORDER APPROVING THE CREATION OF THE PARKWAY LAKES REDEVELOPMENT AUTHORITY; APPROVING THE ARTICLES OF INCORPORATION THEREOF; CONFIRMING THE APPOINTMENT OF THE INITIAL DIRECTORS; AND CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT

WHEREAS, Subchapter D of Chapter 431, Texas Transportation Code ("Chapter 431"), authorizes the creation and organization of public non-profit local government corporations to act as a duly constituted authority of a county to aid and assist the county in the performance of one or more governmental functions; and

WHEREAS, Subchapter D of Chapter 431 requires a local government corporation to be created pursuant to the provisions of Chapter 394, Texas Local Government Code (Vernon. Supp. 1999), ("Chapter 394") and requires a local government corporation's articles of incorporation be in the form and be executed, approved, and filed in the manner prescribed by Chapter 394; and

WHEREAS, a local government corporation may have and exercise all of the powers prescribed by Chapter 431 and the Texas Non-Profit Corporation Act, Article 1396, Vernon's Texas Civil Statutes (collectively, the "Acts"); and

WHEREAS, Chapter 394 requires as a condition to the creation of the local government corporation that at least three (3) residents of the county who are citizens of the state and at least eighteen (18) years of age submit a written application for the incorporation of the local government corporation; and

WHEREAS, there has been presented to and filed with the County an application executed by three (3) residents of the county who meet the requirements of Chapter 394 requesting the incorporation of the Parkway Lakes Redevelopment Authority (the "Corporation"); and

WHEREAS, the Commissioners Court desires to grant the application for incorporation of the Corporation, authorize its Articles of Incorporation, appoint the board of directors of the Corporation, and take other action with respect to the Corporation; NOW, THEREFORE,

BE IT RESOLVED BY THE COMMISSIONERS COURT FORT BEND COUNTY, TEXAS:

Section 1. The Commissioners Court hereby finds, determines, and declares that the application for the incorporation of the Corporation is executed and filed in the

manner required by Chapter 394, and the Commissioners Court therefore has authority to consider and act on the application for incorporation of the Corporation.

Section 2. The Commissioners Court hereby finds, determines, recites and declares that it is wise, expedient, necessary, and advisable that the Corporation be formed, the creation and organization of the Corporation under the provisions of the Acts and Chapter 394 as a duly constituted authority of the County is hereby approved, and the Corporation is hereby authorized to aid, assist, and act on behalf of the County in the performance of its governmental function and to perform the other purposes described in the Articles of Incorporation.

Section 3. The Commissioners Court hereby approves the Articles of Incorporation of the Corporation in substantially the form attached hereto as Exhibit "A" and authorizes the incorporators of the Corporation to file such Articles of Incorporation with the Secretary of State of the State of Texas in the manner provided by law.

Section 4. The Commissioners Court hereby confirms the appointment of the directors listed in the Articles of Incorporation attached hereto.

Section 5. The Commissioners Court hereby finds, determines, recites, and declares that any notes, bonds, loans, debts or other obligations of the Corporation shall not be deemed an indebtedness, liability, general or moral obligation or pledge of the faith or credit of the State of Texas, Fort Bend County, Texas, or any other political subdivision or governmental unit, nor shall any such notes, bonds, loans, debts or other obligations constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction or any agreement, obligation, or indebtedness of Fort Bend County or of the State of Texas within the meaning of any of constitutional or statutory provision whatsoever.

Section 6. The Commissioners Court hereby finds, determines, recites, and declares that it is the purpose, intent, and desire of Fort Bend County, Texas, in approving the creation of the Corporation and its Articles of Incorporation, that such actions and the Corporation hereby authorized comply with the requirements of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations and Internal Revenue Service rulings promulgated thereunder and the rulings issued pursuant thereto, such that the Corporation shall be deemed to be a constituted authority acting on behalf of the County pursuant to the provisions of the Acts and Chapter 394, Local Government Code.

PASSED AND APPROVED this ____ day of _____, 2019.

Fort Bend County Judge

ATTEST:

Fort Bend County Clerk