

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

The Commissioners Court of Fort Bend County, Texas, convened in REGULAR SESSION AT A REGULAR TERM OF SAID COURT, open to the public, on the ___ day of _____, 2021, at the County Courthouse, and the roll was called of the duly constituted officers and members of the Commissioners Court, to-wit:

KP George	County Judge
Vincent Morales, Jr.	Commissioner, Precinct No. 1
Grady Prestage	Commissioner, Precinct No. 2
W. A. "Andy" Meyers	Commissioner, Precinct No. 3
Ken DeMerchant	Commissioner, Precinct No. 4

and all of said persons were present, except _____.
Whereupon, among other business the following was transacted at said meeting: a written Resolution entitled:

RESOLUTION ACCEPTING ANNUAL REPORT AND
APPROVING DEVELOPER REIMBURSEMENT FOR
EAST FORT BEND COUNTY DEVELOPMENT AUTHORITY

("Resolution") was duly introduced for the consideration of the Commissioners Court and reviewed in full. It was then duly moved and seconded that the Resolution be passed; and, after due discussion, the motion, carrying with it the passage of the Resolution, prevailed and carried by the following vote:

AYES:

NOES:

The County Judge thereupon announced that the Resolution had been duly and lawfully adopted. The Resolution thus adopted follows:

RESOLUTION ACCEPTING ANNUAL AUDIT AND
APPROVING DEVELOPER REIMBURSEMENT FOR
EAST FORT BEND DEVELOPMENT AUTHORITY

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WHEREAS, Fort Bend County, Texas (the "County"), has created East Fort Bend County Development Authority (the "Authority") pursuant to Subchapter D of Chapter 431, Texas Transportation Code, to aid and assist the County in the performance of one or more governmental functions; and

WHEREAS, the County and the Authority previously entered into an agreement (the "Agreement") to establish a program to promote economic development in the County to finance and develop certain public works and improvements, including water, sewer, roads, drainage, and park facilities and improvements (collectively, the "Public Improvements"), in accordance with Article III, Section 52-a of the Texas Constitution and Chapter 381, Texas Local Government Code ("Chapter 381"), under which the County has the authority to use public funds for the public purposes of promoting local economic development and stimulating business and commercial activity within the County; and

WHEREAS, according to the Agreement, the Authority is required to provide certain annual financial information to the County, such information being contained in the Annual Report, a copy of which is attached as Exhibit "A." Additionally, the Authority will provide the County unreimbursed amounts due to 3 MEBS Property Company LLC d/b/a Street Level Investments (the "Developer");

WHEREAS, the Developer entered into an Assignment with Stafford 59 & Airport LP ("Stafford 59") dated November 6, 2020, whereby the Developer assigned all rights to receive funds from the Authority pursuant to a development financing agreement with the Authority (the "Financing Agreement") to Stafford 59; and

WHEREAS, by execution of the Consent to Assignment, the Authority agreed to pay Stafford 59 all sums otherwise payable to the Developer by the Authority pursuant to the terms of the Financing Agreement.; and

WHEREAS, the Annual Report is hereby presented to the County for review; and

WHEREAS, the Authority requests the approval of the County to reimburse Stafford 59 for such unreimbursed funds as provided in the Developer Reimbursement Report prepared by Whitley Penn, LLP and provided to the County, a copy of which is attached as Exhibit "B" (the "Developer Reimbursement Report");

WHEREAS, the Commissioners Court of Fort Bend County, Texas ("Commissioners Court"), hereby accepts the Annual Report and approves the Developer Reimbursement Report for the Authority; and

Now Therefore,

IT IS THEREFORE RESOLVED AND DECREED BY THE COUNTY JUDGE AND COMMISSIONERS COURT OF FORT BEND COUNTY, TEXAS THAT:

Section 1: The foregoing recitals are hereby found to be true and correct.

Section 2: The Annual Report attached as Exhibit "A" is accepted and Developer Reimbursement Report is hereby approved. The Authority is authorized to reimburse the Stafford 59 in the amount provided in the Developer Reimbursement Report.

Section 3: A copy of the Resolution shall be recorded in the minutes of this Court.

PASSED AND ADOPTED this the ___ day of _____, 2021,

KP George
County Judge

ATTEST:

Laura Richard
County Clerk and Ex-Officio Clerk of the
Commissioners Court of Fort Bend County, Texas

(SEAL)

Exhibits
A - Annual Report
B - Developer Reimbursement Report

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I, the undersigned, County Clerk and Ex-Officio Clerk of the Commissioners Court of Fort Bend County, Texas, do hereby certify that the above and foregoing is a true and correct copy of an Resolution of the Commissioners Court which was passed and adopted on the ____ day of _____, 2021, all as same appears of record in the minutes of said Court and on file in my office.

WITNESS MY HAND AND THE SEAL OF THE COMMISSIONERS COURT OF FORT BEND COUNTY, TEXAS, this ____ day of _____, 2021,

LAURA RICHARD
County Clerk and Ex-Officio Clerk of the
Commissioners Court of Fort Bend County,
Texas

By:_____

(SEAL)