

Order No. \_\_\_\_\_

**AN ORDER APPROVING A PROJECT PLAN AND PLAN OF FINANCE FOR FORT BEND COUNTY REINVESTMENT ZONE NUMBER ONE, FORT BEND COUNTY, TEAS; AUTHORIZING THE EXECUTION OF A TRI-PARTY AGREEMENT; AND OTHER MATTERS IN CONNECTION THEREWITH CONTAINING FINDINGS AND PROVISIONS RELATED.**

\* \* \* \* \*

**WHEREAS**, the County Commissioners Court (the "Court") of Fort Bend County, Texas (the "County") adopted Resolution No. \_\_\_\_\_ on September 27, 2022, which designated Reinvestment Zone Number One, Fort Bend County, Texas (the "Zone") pursuant to Section 311.005(a) of the Tax Increment Finance Act, Texas Tax Code, Chapter 311, as amended (the "Act"); and

**WHEREAS**, the Board of Directors of the Zone (the "Zone Board") has prepared and adopted and a Project Plan and Reinvestment Zone Financing Plan (the "Project and Financing Plan," attached hereto as *Exhibit A*) for the Zone pursuant to Section 311.011 of the Act and via Zone Resolution 2022-RI on October 17, 2022; and

**WHEREAS**, the Zone Board has executed an agreement between the Zone, the County, and Fort Bend County Municipal Utility District No. 162 (the "Tri-Party Agreement"), attached hereto as *Exhibit B*, having found that the Tri-Party Agreement will result in the most efficient and economically advantageous implementation of the Project and Financing Plan, and will permit the County's taxing unit within the Zone to pay into the Tax Increment Fund tax increment produced from property located within the entirety of the Zone; and

**WHEREAS**, the Zone Board has recommended the County approve the Project and Financing Plan and the Tri-Party Agreement; and

**WHEREAS**, the Court desires to approve the Project and Financing Plan as approved by the Zone Board, and to execute the Tri-Party Agreement, as approved by the Zone Board; and

**WHEREAS**, the Court hereby finds and determines that the adoption of this Order is in the best interests of the residents of the County; and

**WHEREAS**, it is hereby officially found and determined that the meeting at which this Order was passed was open to the public, and public notice of the time, place, and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS COURT OF THE COUNTY OF FORT BEND, TEXAS:**

**SECTION 1.** The County hereby approves the Project and Financing Plan for the Zone, attached as *Exhibit A*.

**SECTION 2.** The Tri-Party Agreement, attached hereto as *Exhibit B*, is hereby approved and its execution by the County is hereby authorized.

**SECTION 3.** The officers of the County are authorized to take any and all action necessary to carry out and consummate the transactions described in or contemplated by the documents approved hereby or otherwise to give effect to the actions authorized hereby and the intent hereof including revising any necessary documents to conform to the terms hereof or State law.

**SECTION 4.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Order for all purposes and are adopted as a part of the judgment and findings of the County.

**SECTION 5.** All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Order are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters resolved herein.

**SECTION 6.** This Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

**SECTION 7.** If any provision of this Order or the application thereof to any circumstance shall be held to be invalid, the remainder of this Order and the application thereof to other circumstances shall nevertheless be valid, as if such invalid provision had never appeared herein, and this governing body hereby declares that this Order would have been enacted without such invalid provision.

**SECTION 8.** It is officially found, determined, and declared that the meeting at which this Order is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Order, was given, all as required by Chapter 551, as amended, Texas Government Code.

**SECTION 9.** This Order shall be in force and effect from and after its final passage and it is so ordained.

[EXECUTION PAGE FOLLOWS]

**PASSED AND ADOPTED** this 25th day of October, 2022.

**APPROVED** this 25th day of October, 2022.

FORT BEND COUNTY, TEXAS

*KP George*

County Judge KP George

KP George, County Judge

Date: October 25, 2022

ATTEST:

By: *Laura Richard*

Laura Richard, County Clerk

