



RIVERBEND RESOLUTION NO. 20160425-01

**AUTHORIZING THE EXECUTIVE DIRECTOR/CEO TO ENTER INTO
NEGOTIATIONS AND EXECUTE A PURCHASE AGREEMENT WITH THE CITY OF
TEXARKANA, TEXAS FOR CERTAIN PORTIONS OF
INFRASTRUCTURE ON TAC-EAST**

WHEREAS, Riverbend Water Resources District is a conservation and reclamation district created under and essential to accomplish the purposes of Section 59 Article XVI, Texas Constitution, existing pursuant to and having the powers set forth in Chapter 9601 of the Special District Local Laws Code of the State of Texas;

WHEREAS, Riverbend Water Resources District entered into an *Agreement for Purchase and Sale* of all assets associated with the wet utilities of TexAmericas Center on or about May 26, 2015;

WHEREAS, Riverbend Water Resources District, as part of the transaction contemplated by the Agreement for Purchase and Sale, filed an application along with TexAmericas Center for the transfer of all portions of the TAC-CENTRAL and TAC-EAST campus' Certificates of Convenience and Necessity ("CCNs" Nos. 13210 and 21067) with the Public Utility Commission ("PUC");

WHEREAS, Riverbend Water Resources District properly completed all requirements of the PUC for the transfer of the above mentioned CCNs and received notice on January 5, 2016 from the PUC (Order No. 5) for the approval of the sale and transfer of the wet utilities at TexAmericas Center conditioned only upon the completion and filing of closing documents evidencing the finalization of the transaction;

WHEREAS, Riverbend Water Resources District will be the holder of the CCNs for both the TAC-CENTRAL and TAC-EAST campuses;

WHEREAS, the City of Texarkana owns and operates portions of water supply systems located on the TAC-EAST campus under an Economic Development Agreement between TexAmericas Center and the City of Texarkana executed on or about May 26, 2015;

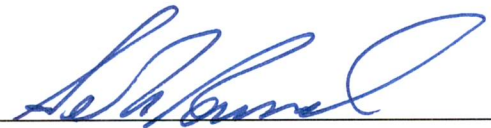


WHEREAS, Riverbend Water Resources District desires to own, manage, and operate all water supply and sanitary sewer systems within both of those CCNs;

WHEREAS, Riverbend Water Resources District formally requests that the City of Texarkana, Texas transfer its remaining right to the Economic Development Agreement and sale any portions of infrastructure on TAC-East in its ownership and under its operation to the District;

NOW, THEREFORE, BE IT RESOLVED that the Executive Director/CEO shall be and is hereby authorized to enter negotiations and enter into a purchase agreement with the City of Texarkana, Texas for certain portions of infrastructure on TAC-EAST, so that the District will own, manage, and operate all water supply and sanitary sewer systems on the complete TexAmericas Center footprint for both the TAC-CENTRAL and TAC-EAST campuses in accordance with the CCNs.

PASSED and APPROVED this 25th day of April, 2016



Sean Rommel, President

ATTEST:



Jim Green, Vice President