

**ORDINANCE NO. 007-010**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AUTHORIZING THE EXECUTION OF A DEVELOPER PARTICIPATION CONTRACT BETWEEN THE TOWN OF ADDISON AND FAIRFIELD ADDISON CIRCLE, L.P. (THE SAME BEING ENTITLED "FOURTH AMENDMENT TO MASTER FACILITIES AGREEMENT") FOR THE CONSTRUCTION OF CERTAIN PUBLIC STREETS AND STREETSCAPING IMPROVEMENTS WITHIN THAT AREA GENERALLY KNOWN AS ADDISON CIRCLE AND BEING GENERALLY LOCATED ON THE WEST SIDE OF QUORUM DRIVE, NORTH OF GOODMAN AVENUE, AND SOUTH OF AIRPORT PARKWAY WITHIN THE CITY; AUTHORIZING THE CITY TO APPROPRIATE FUNDS IN AN AMOUNT NOT TO EXCEED \$471,947.74 TO PARTICIPATE IN THE CONSTRUCTION OF SUCH IMPROVEMENTS PURSUANT TO THE SAID CONTRACT; AND PROVIDING FOR PAYMENT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

Section 1. That "Fourth Amendment to Master Facilities Agreement" (the "Fourth Amendment") by and between the Town of Addison, Texas (the "City") and Fairfield Addison Circle L.P., a Texas limited partnership, a true and correct copy of which is attached hereto, is hereby approved. The Fourth Amendment is and qualifies as a developer participation contract pursuant to Subchapter C, Chapter 212, Tex. Loc. Gov. Code. As set forth in the Fourth Amendment, the maximum amount to be expended by the City under the Fourth Amendment is \$471,947.74 (but such amount shall not in any event exceed thirty percent (30%) of the total construction contract price of the project described in the Fourth Amendment).

Section 2. The City Manager is authorized to execute the Fourth Amendment on behalf of the City.

Section 3. This Ordinance shall take effect immediately upon its adoption.

**PASSED AND APPROVED** by the City Council of the Town of Addison, Texas this 10th day of April, 2007.

  
Joe Chow, Mayor

ATTEST:

By: Mario Canizares  
Mario Canizares, City Secretary

APPROVED AS TO FORM:

By: Ken Dippel  
Ken Dippel, City Attorney

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