

TOWN OF ADDISON, TEXAS

RESOLUTION NO. R10-017

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS CONFIRMING AND RATIFYING THE EXECUTION BY THE CITY MANAGER AND DEPUTY CITY MANAGER OF AN APPLICATION FOR AMENDMENT TO A WATER RIGHT FILED WITH THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY IN DECEMBER, 2009; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Addison, Texas (the "City") is in the process of constructing, in phases, certain public improvements, including public streets, water and sanitary sewer facilities, drainage facilities, and parks within that area of the City generally known as Vitruvian Park; and

WHEREAS, at a regular meeting of the City Council held on February 9, 2010, the City Council approved a contract for a phase of such construction designated as "Vitruvian Park Public Infrastructure Phase 1C" (the "Phase 1C Construction"); and

WHEREAS, the Phase 1C Construction necessitated the City's filing in November, 2009 of an "Application for Amendment to a Water Right" (the "Application," a copy of which is attached hereto as Exhibit A) with the Texas Commission on Environmental Quality ("TCEQ"); and

WHEREAS, the City Manager, Ron Whitehead, and the Deputy City Manager, Lea Dunn, signed the Application on behalf of the City; and

WHEREAS, the City Council desires by this Resolution to confirm the authority of each of the City Manager and the Deputy City Manager to sign the Application on behalf of the City.

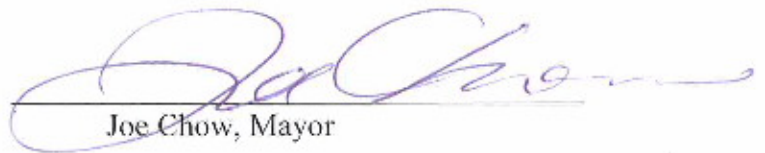
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. The above and foregoing recitals to this Resolution are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. The City Council hereby acknowledges the filing of the Application for Amendment to a Water Right with the TCEQ and the execution of the Application by each of the City Manager, Ron Whitehead, and the Deputy City Manager, Lea Dunn. The City Council does hereby confirm the authority of the City Manager and the Deputy City Manager to execute the Application on behalf of the City, and does hereby ratify their execution of the Application.

Section 3. This Resolution shall take effect upon its passage and approval.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas
this the 13th day of July, 2010.



Joe Chow, Mayor

ATTEST:

By: 

Lea Dunn, City Secretary

APPROVED TO FORM:

By: 

John Hill, City Attorney

**EXHIBIT A
TO RESOLUTION NO. R10-017**

[Attach copy of Application for Amendment to a Water Right]



Texas Commission on Environmental Quality
 PO Box 13087, MC-130, Austin, Texas 78711-3087
 Telephone (512) 239-4591, FAX (512) 239-4770

APPLICATION FOR AMENDMENT TO A WATER RIGHT

- REQUIRING MAILED AND PUBLISHED NOTICE
 NOT REQUIRING MAILED AND PUBLISHED NOTICE

Reference Texas Administrative Code § 295.158(b) or (c)

Notice: This form will not be processed until all delinquent fees and/or penalties owed to the TCEQ or the Office of the Attorney General on behalf of the TCEQ are paid in accordance with the Delinquent Fee and Penalty Protocol.

Customer Reference Number (if issued): CN 10062

Note: If you do not have a Customer Reference Number, complete Section II of the Core Data Form (TCEQ-10400) and submit it with this application.

1. Name: Town of Addison
 Address: 16801 Westgrove Drive
Addison, Texas 75001-5190
 Phone Number: 972-450-2871 Fax Number: 972-450-2837
 Email Address: ncoline@addisontx.gov

2. Applicant owes fees or penalties?
 Yes No
 If yes, provide the amount and the nature of the fee or penalty as well as any identifying number:

3. Permit No. 5383 Certificate of Adjudication No. _____

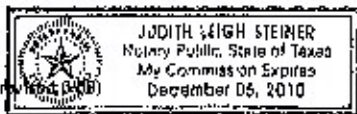
Stream: Farmers Branch Creek, tributary of Elm Form Trinity River, tributary of the Trinity River
 Watershed: Trinity River Basin
 Reservoir (present condition, if one exists): unnamed impoundment with capacity of 4.02 acre-feet
 County: Dallas

4. Proposed Changes To Water Right Authorizations:
See attached page

(Attach additional page as necessary, attach map(s) depicting project location, diversion point, place of use, and other pertinent data).
 5. I understand the Agency may require additional information in regard to the requested amendment before considering this application.

6. I have submitted the required fees herewith. (Sections 295.131-295.139)
 Name (sign) [Signature] Name (sign) [Signature]
 Name (print) Ken Whitehead Name (print) LEA DUNN

Subscribed and sworn to me as being true and correct before me this 3rd day of November, 2009.



[Signature]
 Notary Public, State of Texas