

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A SETTLEMENT AGREEMENT BY AND BETWEEN LUMINANT GENERATION COMPANY LLC AND THE CITY OF COPPELL; APPROVING THE TERMS AND CONDITIONS OF A RELEASE OF MEMORANDUM OF LEASE BY AND BETWEEN COPPELL LAND, LLC, CYPRESS WATERS LAND B, LTD, CYPRESS WATERS LAND C, LTD, THE CITY OF COPPELL AND LUMINANT GENERATION COMPANY LLC; APPROVING THE TERMS AND CONDITIONS OF A RELEASE OF MEMORANDUM OF ENVIRONMENTAL REMEDIATION AGREEMENT BY AND BETWEEN CBIC COPPELL LAND, LLC, CYPRESS WATERS LAND B, LTD, CYPRESS WATERS LAND C, LTD, THE CITY OF COPPELL AND LUMINANT GENERATION COMPANY LLC; AUTHORIZING THE CITY MANAGER TO SIGN, WHICH ARE ATTACHED HERETO AS EXHIBIT 1, 2 AND 3, RESPECTIVELY; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has entered into a Settlement Agreement by and between Luminant Generation Company LLC; and

WHEREAS, the City has entered into a Release of memorandum of Lease and a Release of memorandum of Environmental Remediation Agreement by and between Coppell Land, LLC, Cypress Waters Land B, LTD, Cypress Waters Land C, LTD and Luminant Generation Company LLC; and

WHEREAS, the City Council find it is in the best interest of the City of Coppell and its citizens to approve said agreement(s).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS THAT:

SECTION 1. The City Council hereby approves the terms and conditions of Settlement Agreement by and between the City of Coppell and Luminant Generation Company, LLC. and hereby authorizes the City Manager to execute said agreement, as provided in Exhibit 1 which is attached hereto and incorporated herein by reference.

SECTION 2. The City Council hereby approves the terms and conditions of a Release of Memorandum of Lease and Release of Memorandum of Environmental Remediation Agreement by and between the Coppell Land, LLC, Cypress Waters Land B, LTD, Cypress Waters Land C, LTD and Luminant Generation Company LLC. and hereby authorizes the City Manager to execute said releases, as provided in Exhibit 2 and 3, which are attached hereto and incorporated herein by reference.

SECTION 3. Any prior resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 4. Should any part of this resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 5. This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY PASSED and approved by the City Council of the City of Coppel, Texas, on this the ____ day of _____, 2013.

APPROVED:

Karen Selbo Hunt, Mayor

ATTEST:

Christel Pettinos, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney
(REH/mpm)

Exhibit 1
Settlement Agreement

Exhibit 2
Release of Memorandum of Lease

Exhibit 3
Release of Memorandum of Environmental Remediation Agreement