

**BCS Development/CSISD
Joint Development Agreement
Agenda Item and Resolution**

Agenda Item:

Consider approval of assignment of real property contract to CSISD, and grant authority to negotiate the terms of and enter a development agreement between College Station ISD, 3-D Development, and BCS Development, to facilitate the development of real property located off of W.S. Phillips Parkway in College Station, Texas.

Motion and Resolution:

On motion made and seconded, it is hereby resolved that:

WHEREAS, BCS Development Company ("**BCS Dev Co**") owns real property located in the City of College Station, Brazos County, Texas as set forth in **Exhibit A** attached hereto and made a part hereof (the "**BCS Dev Co Tract**"); and

WHEREAS, BCS Dev Co and Michael H. Gentry ("**Gentry**") entered a Farm and Ranch Contract, attached as **Exhibit B**, under which Gentry agreed to buy and BCS Dev Co agreed to sell a tract of real property displayed in **Exhibit C** attached hereto and made a part hereof; and

WHEREAS, Gentry will assign the contract to purchase the tract of land displayed in Exhibit C to College Station Independent School District ("**District**") (the "**District Tract**"), the assignment of said interest is more fully described on **Exhibit D** attached hereto and made a part hereof; and

WHEREAS, 3-D Development ("**3-D**") is the owner and developer of real property located in the City of College Station, Brazos County, Texas which is adjacent to the District Tract; and

WHEREAS, BCS Dev Co, 3-D, and the District (collectively, "**Parties**") have disclosed to one another the plans for development of their respective tracts; and

WHEREAS, BCS Dev Co, 3-D, and the District have determined that it is in each Party's best interest to work together to provide the easements and rights-of-way necessary and beneficial to each Party's tract in connection with the previously disclosed development plans; and

WHEREAS, to facilitate the development of the respective tracts, the Parties desire to work together to negotiate a development agreement whereby the Parties shall share the cost of developing and maintaining certain aspects of their tracts; and

WHEREAS, the anticipated development may require the transfer of or sale of land to the City of College Station; and

WHEREAS, the District is a governmental entity/ political subdivision of the State of Texas; and

WHEREAS, pursuant to Texas Local Government Code Section 272.001, the District may convey real property to government entities with the power of eminent domain, such as the City of College Station, without following the notice and bidding procedures set forth in Section 272.001, so long as the sale is for fair market value.

NOW THEREFORE, the Board of Trustees of College Station Independent School District ("Board") makes the following resolutions:

1. Resolved, The Board of Trustees, on behalf of the District, shall accept an assignment of the Contract from Michael H. Gentry, and further that the District shall assume the responsibilities and liabilities of the Buyer pursuant to the terms of the Contract, and further that the Board President shall have authority to sign that certain Assignment of Farm and Ranch Contract.
2. Resolved, that the Board finds that the Assignment will benefit the school district and serve school district purposes.
3. Resolved, that the Board approves the agreement of the parties to work together to develop their respective tracts of land, and ratifies the terms and conditions of any Joint Development Agreement which may be prepared to formalize those agreements.
4. Resolved, the Board authorizes the Board President to negotiate, execute, and deliver a Joint Development Agreement, and any other documents necessary to accomplish the terms of the agreement to develop property, including any Joint Development Agreement negotiated between the parties.

Name: _____
Title: _____
Date: _____

Exhibit A
BCS Development Tract

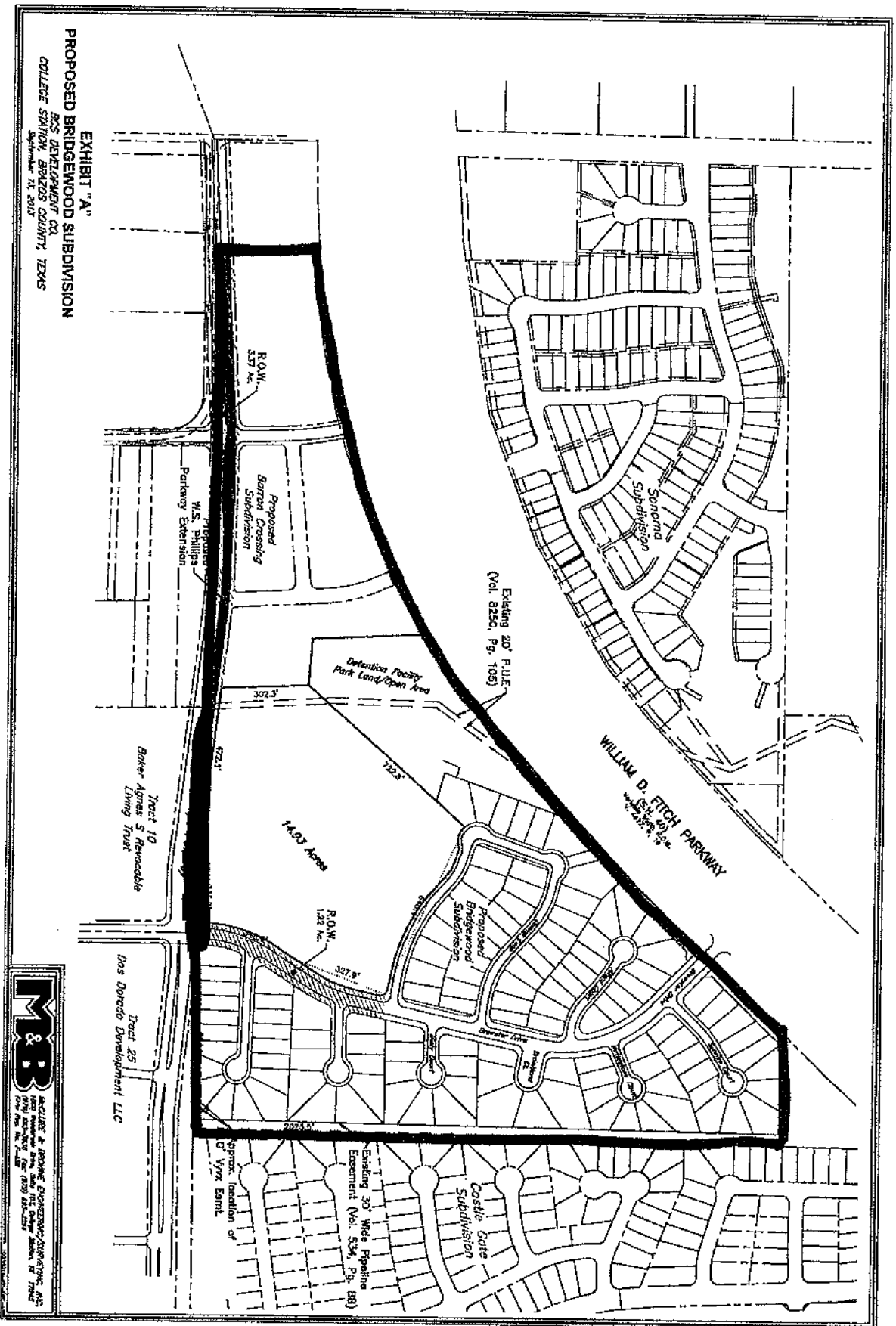


EXHIBIT "A"
PROPOSED BRIDGEWOOD SUBDIVISION
 BSS DEVELOPMENT CO.
 COLLEGE STATION, BRAZOS COUNTY, TEXAS
 September 21, 2012

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