

RESOLUTION # 2016-7



STATE OF TEXAS

§

IN THE COMMISSIONERS COURT

COUNTY OF COMAL

§

ACCEPTING DONATION OF FUNDS FROM THE DISSOLVED REBECCA CREEK MUNICIPAL UTILITY DISTRICT

WHEREAS, the board of directors of Rebecca Creek Municipal Utility District (the "District") has adopted an order dissolving the District pursuant to House Bill 3286 passed by the 84th Texas Legislature; and

WHEREAS, approximately \$30,000 of the District's delinquent taxes remain outstanding as of the end of January 2016, plus penalty and interest which will continue to be collected; and

WHEREAS, the board of directors of the District desire that the Comal County Tax Assessor Collector remit such collections to Comal County and have passed a resolution, attached hereto, assigning delinquent tax, penalty, and interest collections to Comal County; and

WHEREAS, the Comal County Commissioners Court is authorized to accept donations of money on behalf of the County pursuant to Texas Local Government Code Section 81.032.

NOW, THEREFORE BE IT RESOLVED by the Commissioners Court of Comal County, Texas that the Comal County Treasurer is authorized to accept the donation of the delinquent taxes, penalty and interest collected in the name of the Rebecca Creek Municipal Utility District and deposit said funds into the general fund of Comal County, Texas.

PASSED AND APPROVED this 24th day of March, 2016.

SHERMAN KRAUSE, COUNTY JUDGE

DONNA ECCLESTON
COUNTY COMMISSIONER, PCT. #1

SCOTT HAAG
COUNTY COMMISSIONER, PCT. #2

KEVIN WEBB
COUNTY COMMISSIONER, PCT. #3

JEN CROWNOVER
COUNTY COMMISSIONER, PCT. #4

ATTEST: _____
BOBBIE KOEPP, COUNTY CLERK

REBECCA CREEK MUNICIPAL UTILITY DISTRICT

RESOLUTION ASSIGNING DELINQUENT TAX, PENALTY, AND INTEREST
COLLECTIONS TO COMAL COUNTY

WHEREAS, the 84th Legislature passed HB 3286 authorizing the board of directors of the District to adopt a resolution dissolving the District;

WHEREAS, the board of directors finds that it is in the best interest of the landowners to complete the dissolution of the Rebecca Creek Municipal Utility District;

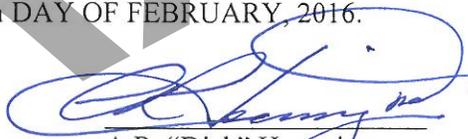
WHEREAS, approximately \$30,000 of delinquent taxes remain outstanding as of the end of January 2016, plus penalty and interest which will be collected after the District is dissolved; and

WHEREAS, the board of directors of the District desire that the County Tax Assessor Collector remit such collections to Comal County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS THAT:

1. The County Tax Assessor Collector is authorized and directed to remit delinquent taxes, penalty, and interest collected after the dissolution of the District to the County Treasurer of Comal County to be deposited into the General Fund of Comal County.
2. The District requests the Commissioners Court of Comal County to endeavor, to the extent practical, to spend the funds on projects and services within the area of the County where the District was formally located; provided, however, the County is under no obligation to do so or to account for the purposes for which the funds were expended.
3. After the effective date of this resolution, the manager and legal counsel for the District are authorized and directed to take such other and additional actions as may be required by law to complete the dissolution of the District.

PASSED AND APPROVED THIS 16th DAY OF FEBRUARY, 2016.



A.R. "Dick" Hoenninger,
President of Rebecca Creek Municipal Utility District

Attest:



Rose Hudson
Secretary, Board of Directors
Rebecca Creek Municipal Utility District

CERTIFICATE OF RESOLUTION

THE STATE OF TEXAS §
COUNTY OF COMAL §

I, the undersigned President for the Rebecca Creek Municipal Utility District do hereby certify as follows:

1. That on the 16th day of February 2016, a regular meeting of the Board of Directors was held at its regular meeting place; the duly constituted members of the board of directors being as follows:

A.R. "Dick" Hoenninger, President
Rose Hudson, Secretary
George Legg, Director

Tommy Price, Vice President
Brian Everhard, Treasurer

and all said persons were present at said meeting, except George Legg.

Among other business considered at said meeting, the following motion was made and seconded:

"Move to adopt the written resolution assigning delinquent tax, penalty, and interest collections to Comal County."

and submitted to the Board of Directors for passage and adoption. After presentation and due consideration of the motion, the motion was duly passed and adopted by the board of directors by the following vote:

4 voted "For" 0 voted "Against" 0 abstained

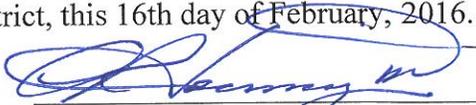
all as shown in the official Minutes of the Board of Directors for the meeting held on the aforesaid date.

2. This certificate is attached to a true and correct copy of the resolution.

3. The duly qualified and acting members of the Board of Directors on the date of the aforesaid meeting are those persons shown above and, according to the records of my office, advance notice of the time, place and purpose of said meeting was given to each member of the board of directors; and that said meeting, and deliberation of the aforesaid public business, was open to the public and written notice of said meeting, including the subject of the above entitled resolution, was posted and given in advance thereof in compliance with the provisions of Chapter 551 of the Texas Government Code.

IN WITNESS WHEREOF, I have hereunto signed my name officially and affixed the seal of said Rebecca Creek Municipal Utility District, this 16th day of February, 2016.

Seal



A. R. "Dick" Hoenninger,
President, Rebecca Creek Municipal Utility District

Attest:

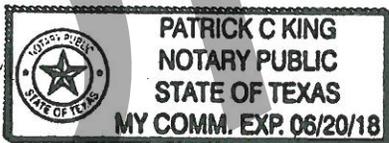


Rose Hudson
Secretary, Board of Directors

THE STATE OF TEXAS §
COUNTY OF COMAL §

This instrument was acknowledged before me on the 16th day of February, 2016 by A.R. "Dick" Hoenninger, President of Rebecca Creek Municipal Utility District, a Texas conservation and reclamation district, on behalf of said district.

[SEAL




Notary Public, State of Texas