

TITUS COUNTY, TEXAS

2023 08

A RESOLUTION OF THE COMMISSIONERS COURT FOR TITUS COUNTY, TEXAS, AUTHORIZING THE CITY OF MOUNT PLEASANT, TEXAS INDUSTRIAL DEVELOPMENT CORPORATION, A TYPE A ECONOMIC DEVELOPMENT CORPORATION TO UNDERTAKE A PROJECT WITHIN TITUS COUNTY BY PROVIDING CERTAIN ECONOMIC DEVELOPMENT ASSISTANCE TO LUMINANT GENERATION COMPANY LLC, AND LUMINANT MINING COMPANY LLC, GENERALLY LOCATED ON THE WEST SIDE OF TITUS COUNTY, ALONG THE EXISTING LUMINANT RAILROAD, AS GENERALLY DEPICTED IN *EXHIBIT A*, WITHIN TITUS COUNTY, TEXAS; COUNTY ASSUMING CERTAIN OBLIGATIONS FROM LUMINANT GENERATION COMPANY, LLC, AND LUMINANT MINING COMPANY, LLC, AS GENERALLY DEPICTED IN *EXHIBIT B*; COUNTY ACQUIRING CERTAIN REAL PROPERTY FROM LUMINANT GENERATION COMPANY, LLC, AND LUMINANT MINING COMPANY, LLC, AS GENERALLY DEPICTED IN *EXHIBIT C*; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City of Mount Pleasant, Texas Industrial Development Corporation is a Type A economic development corporation, created pursuant to Chapter 504 of the Texas Local Government Code, to provide economic development assistance in accordance with Chapters 501 to 505 of the Texas Local Government Code; and

WHEREAS, the City of Mount Pleasant, Texas Industrial Development Corporation desires to provide economic development assistance to Luminant Generation Company, LLC, and Luminant Mining Company, LLC, through a development agreement and/or other agreements between the parties concerning economic development activities regarding the creation and development of a rail-served park located on the west side of Titus County along the existing Luminant Railroad, as generally depicted in *Exhibit A*, which is attached hereto and is incorporated herein for all purposes (hereinafter referred to as the "Project"); and

WHEREAS, the Project is located outside the city limits of the City of Mount Pleasant, Texas, and within the unincorporated area of Titus County, Texas; and

WHEREAS, Section 501.159(a) of the Texas Local Government Code provides the following:

A corporation may acquire, by construction, devise, purchase, gift, lease, or otherwise, or any one or more of those methods and may construct, improve, maintain, equip, and furnish one or more projects undertaken by another corporation or located within this state, including within the coastal waters of this state, and within or partially within the limits of the authorizing unit of the corporation or **within the limits of another unit, if the governing body of the**

other corporation or the unit requests the corporation to exercise its powers within that unit; and

WHEREAS, in accordance with Section 501.159(a) of the Texas Local Government Code, the City of Mount Pleasant, Texas Industrial Development Corporation requests the Commissioners Court for Titus County, Texas, to authorize the City of Mount Pleasant, Texas Industrial Development Corporation to undertake the Project which is located outside the city limits of the City of Mount Pleasant, Texas, but within the unincorporated area of Titus County, Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT FOR TITUS COUNTY, TEXAS, THAT:

Section 1. FINDINGS INCORPORATED. The findings set forth above are incorporated into the body of this Resolution as if fully set forth herein.

Section 2. COUNTY AUTHORIZES CORPORATION TO UNDERTAKE PROJECT. The Commissioners Court for Titus County, Texas, in accordance with the authority contained in Section 501.159 of the Texas Local Government Code does hereby request and authorize the City of Mount Pleasant, Texas Industrial Development Corporation to undertake the Project which is located outside the city limits of the City of Mount Pleasant, Texas, but within the unincorporated area of Titus County, Texas.

Section 3. COUNTY OBLIGATIONS. The County assumes from Luminant Generation Company, LLC, and Luminant Mining Company, LLC, the obligations related to improvements, which include:

- (a) Titus County shall be solely responsible for all maintenance obligations pertaining to the bridges located on Titus County Road 1140 and County Road 1200 (collectively referred to as the "County Roads"), if any; and
- (b) Titus County will relinquish all rights to Closed Titus County Road NW-28 and Closed Titus County Road 2250, as depicted in *Exhibit B*.

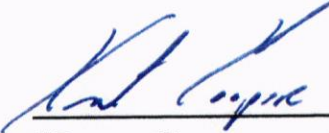
Section 4. COUNTY LAND ACQUISITION BY PRECINCT. The County is accepting from Luminant Generation Company, LLC, and Luminant Mining Company, LLC, certain real property, which is attached hereto as *Exhibit C* and is incorporated herein for all purposes, which include:

- (a) PRECINCT 1: an approximately 25 contiguous acres north of CR 1400, just west of FM 2152 currently used by the County.
- (b) PRECINCT 2: an approximately 16.5 total acres in three locations in the following general areas: a) approximately 5 acres north of FM 1734 at FM 1165 currently used by the County; b) an approximately 6 acres in the northwest corner of the intersection at CR 2650 and CR S W 49; and c) an approximately 5.5 acres north of FM 127 and west of FM 2470.

(c) **PRECINCT 3:** an approximately 25 contiguous acres west of FM 1402 along FM 1860 currently used by the County.


Section 5. EFFECTIVE DATE. This Resolution shall become effective from and after its passage.

DULY RESOLVED by the Commissioners Court for Titus County, Texas, on this the 23 day of OCT, 2023.



Kent Cooper, County Judge

ATTEST:

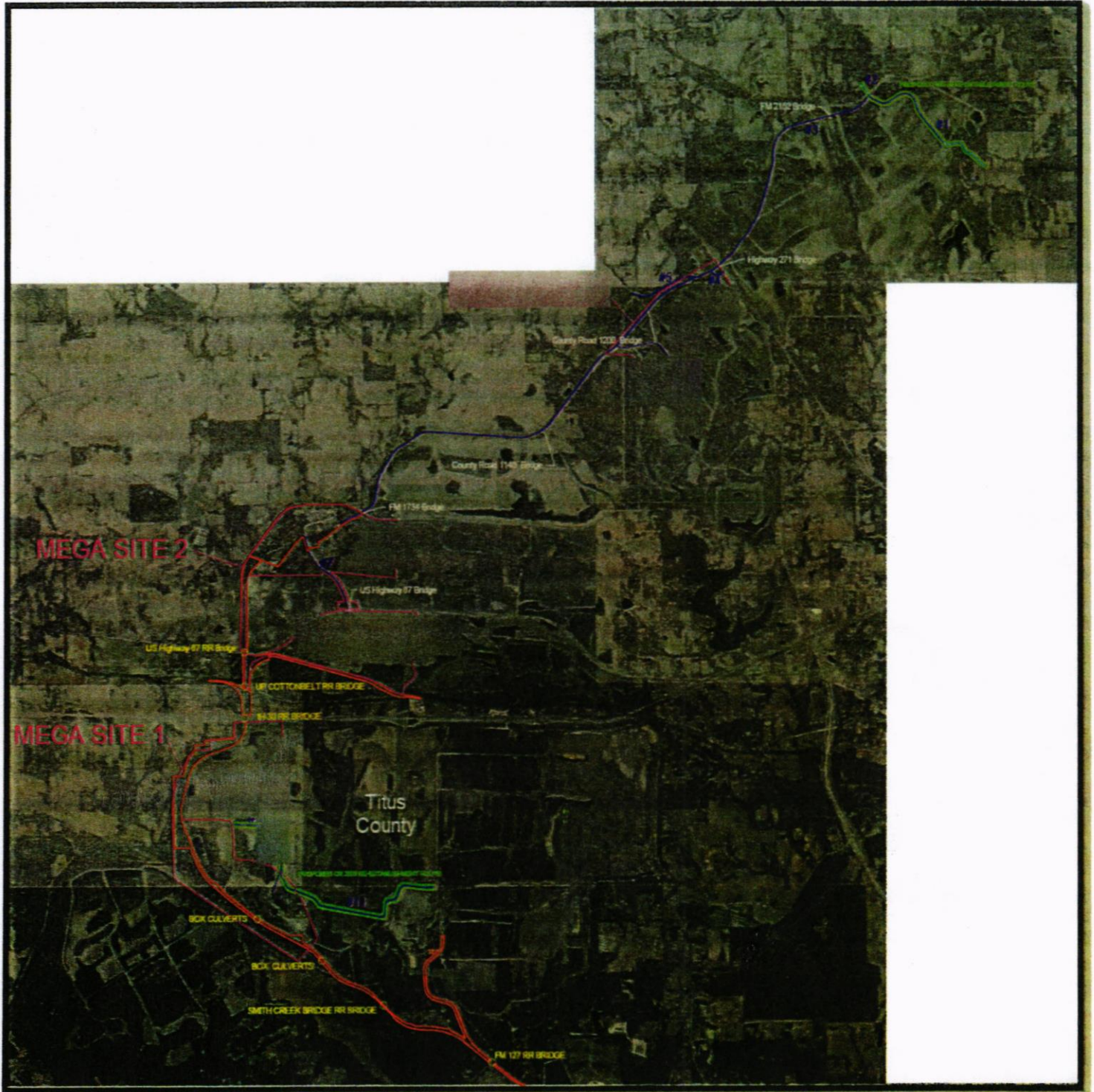


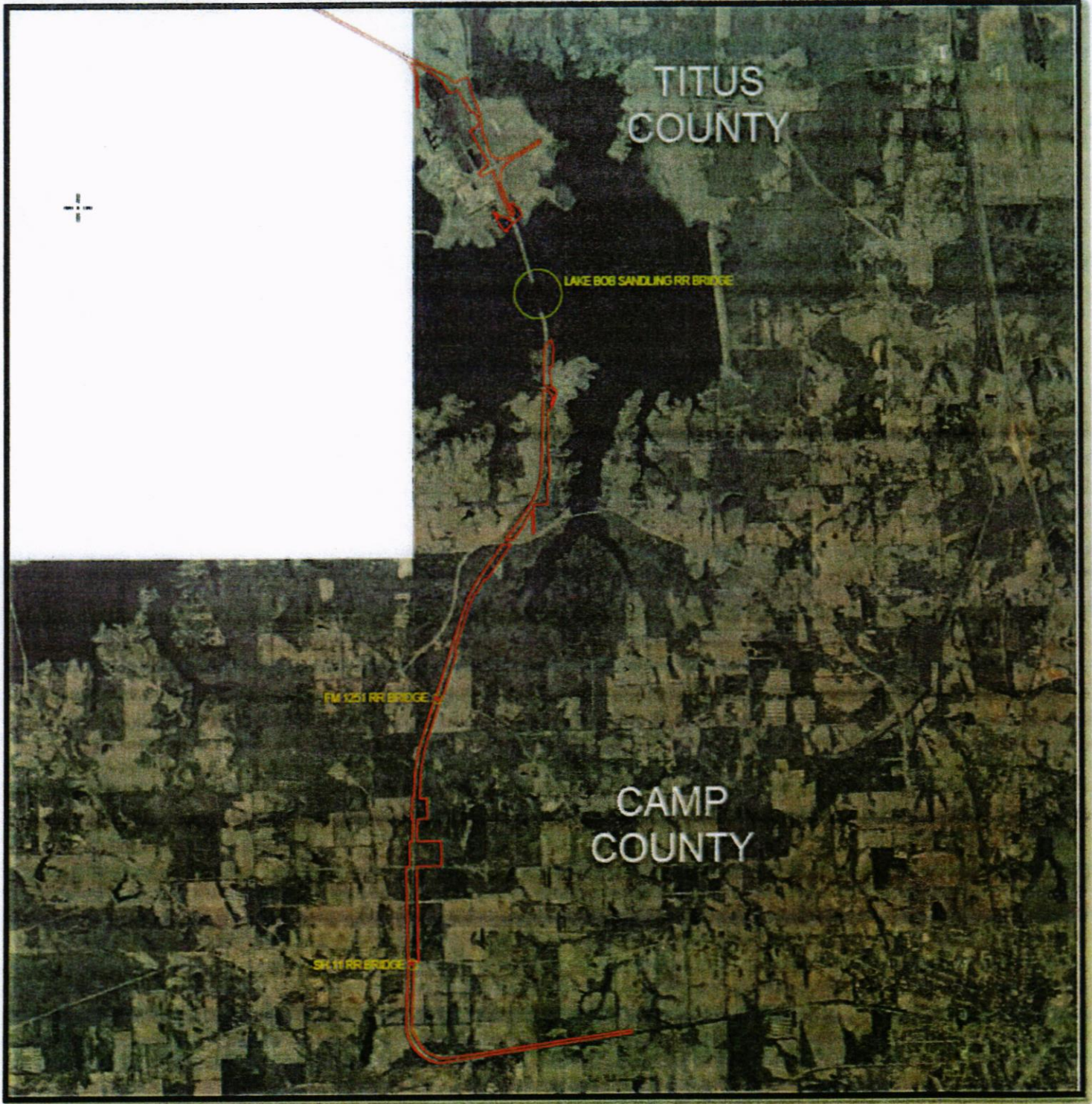
Leslie Brosnan, County Clerk



Exhibit A

[Depiction of Location]





TITUS
COUNTY

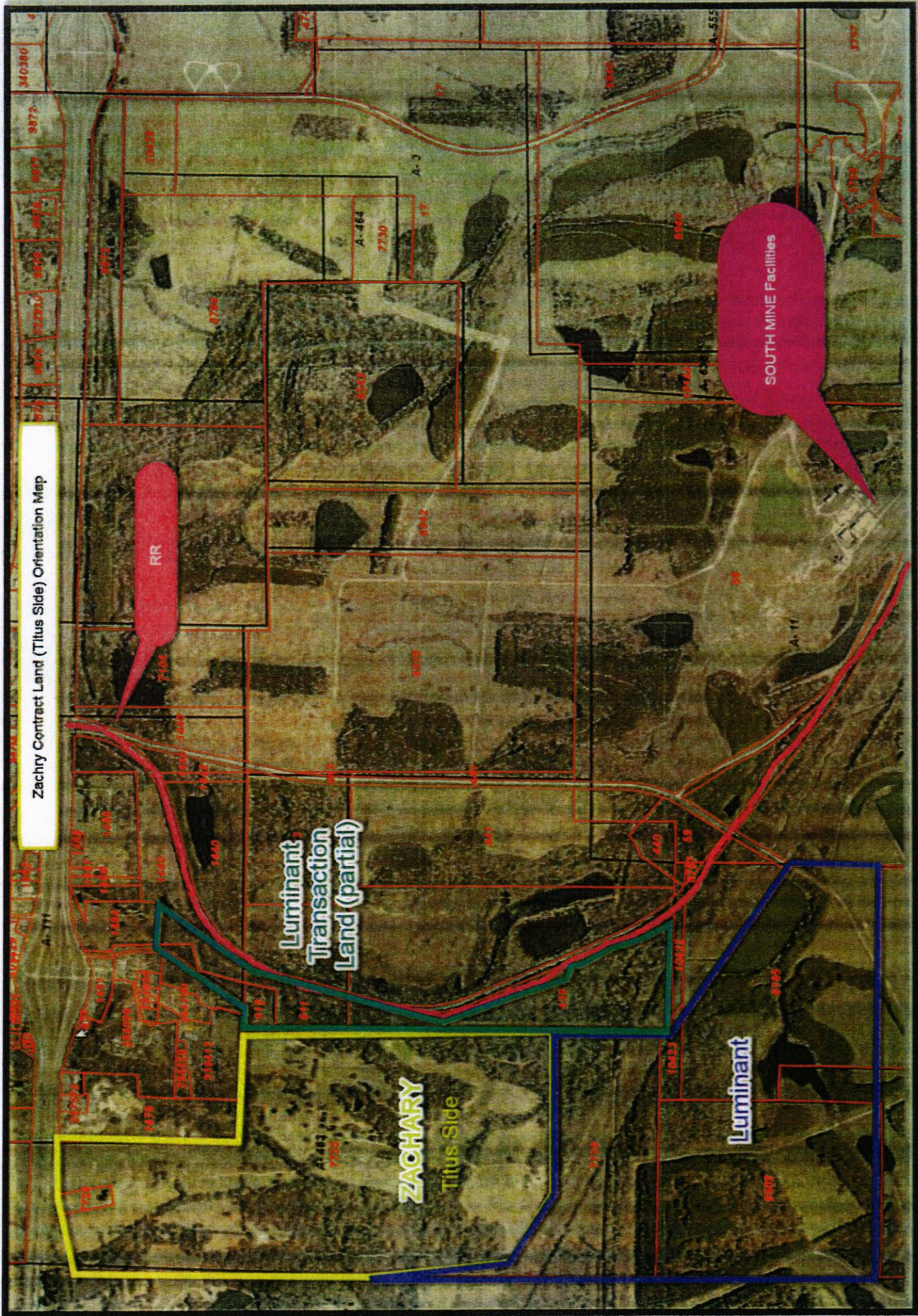
LAKE BOB SANDLING RR BRIDGE

FM 1251 RR BRIDGE

CAMP
COUNTY

SP 11 RR BRIDGE

Zachry Contract Land (Titus Side) Orientation Map



RR

Luminant
Transaction
Land (partial)

ZACHARY
Titus Side

Luminant

SOUTH MINE Facilities

Parcel numbers: 340380, 9872, 9877, 9878, 9879, 9880, 9881, 9882, 9883, 9884, 9885, 9886, 9887, 9888, 9889, 9890, 9891, 9892, 9893, 9894, 9895, 9896, 9897, 9898, 9899, 9900, 9901, 9902, 9903, 9904, 9905, 9906, 9907, 9908, 9909, 9910, 9911, 9912, 9913, 9914, 9915, 9916, 9917, 9918, 9919, 9920, 9921, 9922, 9923, 9924, 9925, 9926, 9927, 9928, 9929, 9930, 9931, 9932, 9933, 9934, 9935, 9936, 9937, 9938, 9939, 9940, 9941, 9942, 9943, 9944, 9945, 9946, 9947, 9948, 9949, 9950, 9951, 9952, 9953, 9954, 9955, 9956, 9957, 9958, 9959, 9960, 9961, 9962, 9963, 9964, 9965, 9966, 9967, 9968, 9969, 9970, 9971, 9972, 9973, 9974, 9975, 9976, 9977, 9978, 9979, 9980, 9981, 9982, 9983, 9984, 9985, 9986, 9987, 9988, 9989, 9990, 9991, 9992, 9993, 9994, 9995, 9996, 9997, 9998, 9999, 10000.

Section markers: A-483, A-484, A-3, A-11, A-55.

Exhibit B

[Depiction of Location]

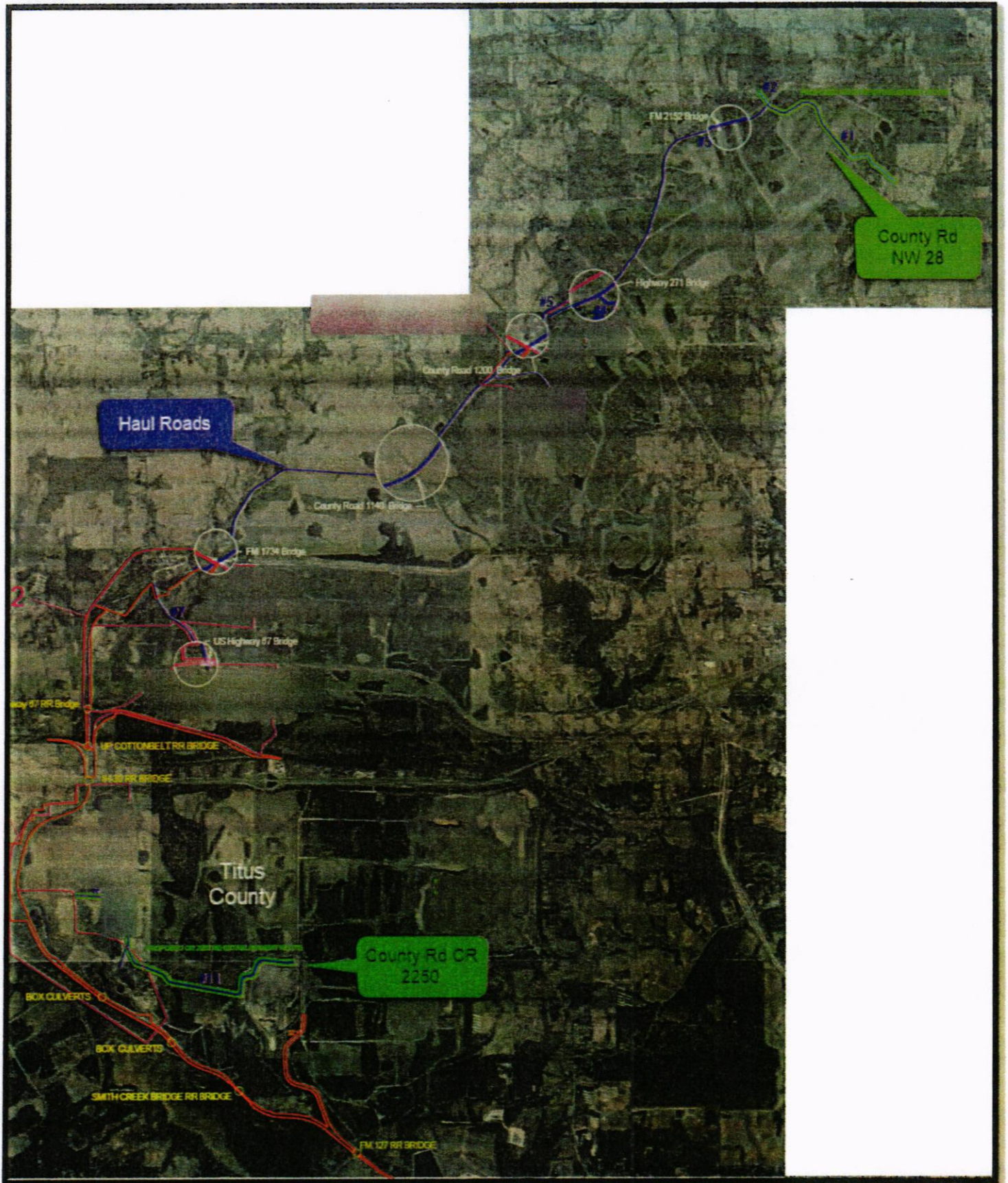
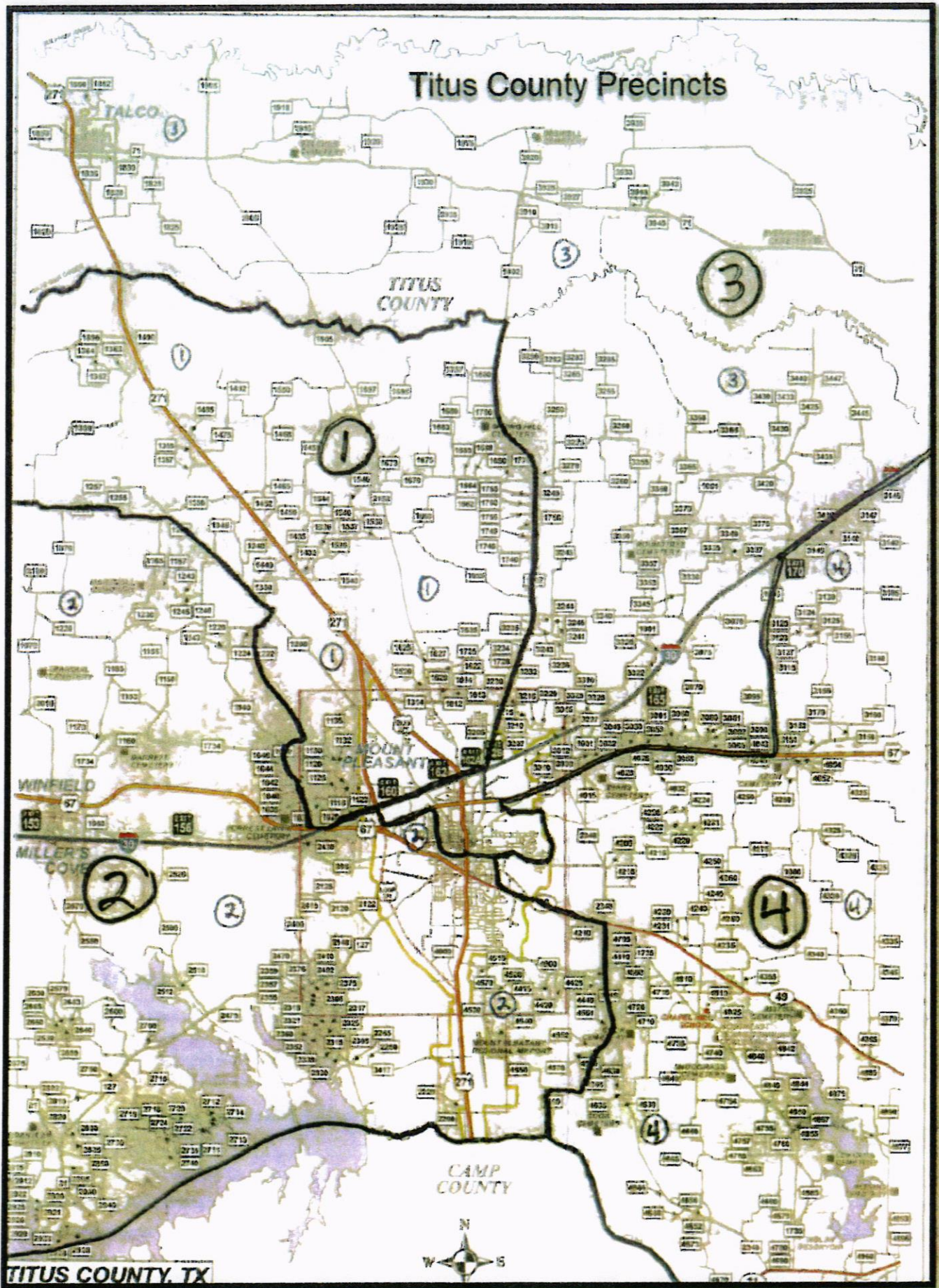
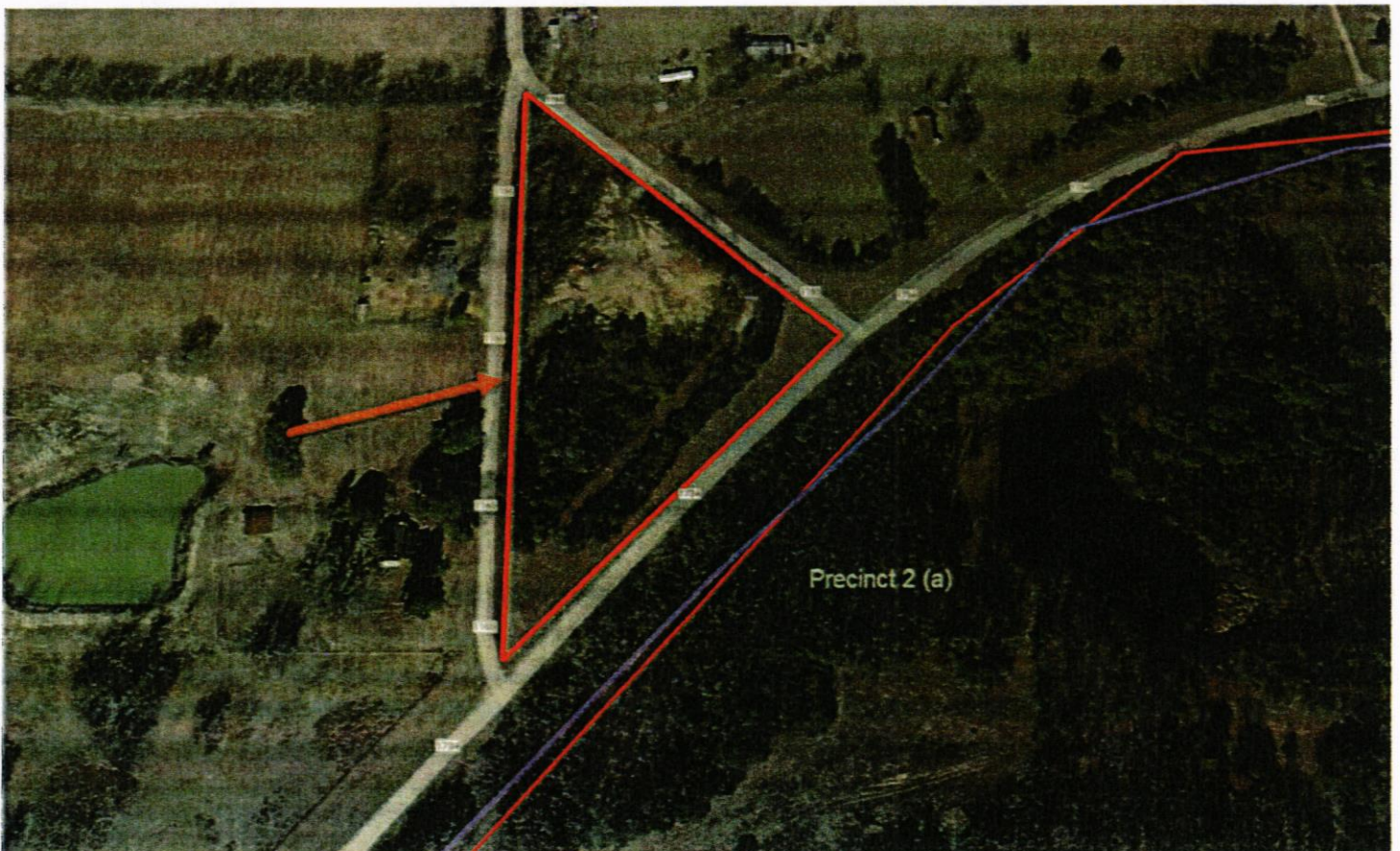
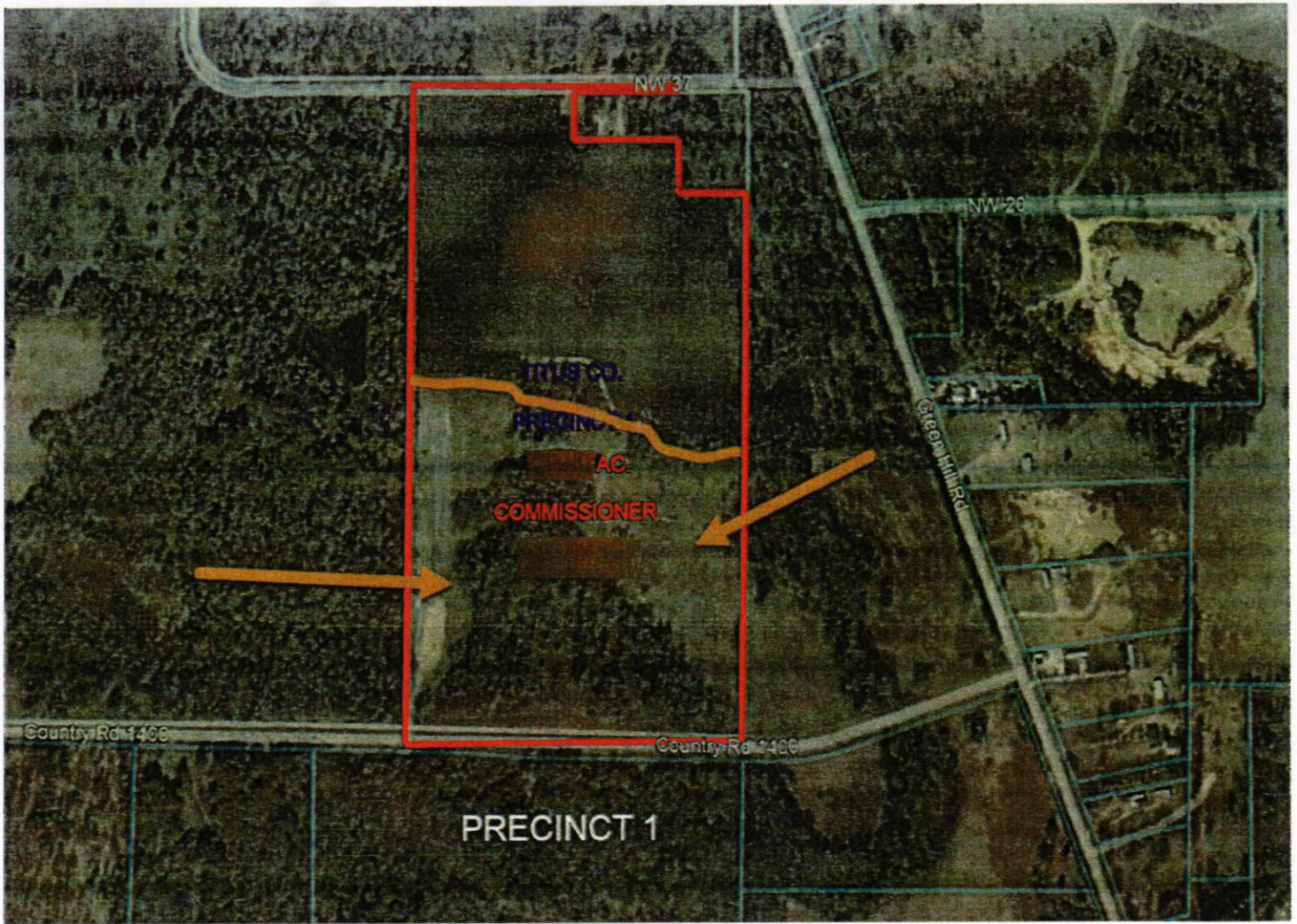


Exhibit C

[Depiction of Location]







Precinct 2 (b)



Precinct 2 (c)

Tract 1717, 1724

