

P. R. No. 13177  
07/15/05 ts

RESOLUTION NO. 05-026

**A RESOLUTION AS IT PERTAINS TO A PURCHASE  
AGREEMENT OF KCS PROPERTY BY THE CITY OF  
PORT ARTHUR AND THE CITY OF PORT ARTHUR  
SECTION 4A ECONOMIC DEVELOPMENT CORPORATION**

**WHEREAS,** the City of Port Arthur and the City of Port Arthur Section 4A Economic Development Corporation entered into a purchase agreement for acreage at the Port Iron Site; and

**WHEREAS,** an extension was granted per Resolution 05-135; and,

**WHEREAS,** additional time is necessary to complete an environmental analysis; and,

**WHEREAS,** the existing feasibility period expires on August 1, 2005; and

**WHEREAS,** the City deems it necessary to file an objection to the purchase agreement unless KCS grants an extension as to the feasibility period and the other deadlines.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ARTHUR, TEXAS:**

**Section 1.** That the facts and opinions in the preamble are true and correct.

**Section 2.** That the City Attorney is herein authorized to file the necessary objections as to the purchase agreement as

to obtain an extension for sixty (60) days from the Kansas City Southern Railway Company.

**Section 3.** That if the extension is not granted, then the City Manager and the City Attorney are herein authorized to terminate this purchase agreement.

**Section 4.** That the City Manager is herein authorized to sign and initial the extension dates in substantially the same form as attached hereto as Exhibit "A".

**Section 5.** That a copy of the caption of this Resolution shall be spread upon the Minutes of the City Council.

READ, ADOPTED AND APPROVED on this 19<sup>th</sup> day of

July, A.D., 2005, at a Regular Meeting of the City Council of the City of Port Arthur, Texas, by the following

vote: AYES: Mayor Oscar Ortiz; Mayor Pro Tem Thompson;  
Councilmembers Lewis, Barker, Hood, Beard;  
Prince and Siregal;

NOES: None.

Oscar D. Ortiz  
OSCAR ORTIZ, MAYOR

ATTEST:

Evangeline Green  
EVANGELINE GREEN, CITY SECRETARY

APPROVED AS TO FORM:

Mark Goholow  
CITY ATTORNEY

APPROVED FOR ADMINISTRATION:

Steve Fitzgibbons  
STEVE FITZGIBBONS, CITY MANAGER