

RESOLUTION NO. 06-152

**A RESOLUTION AS IT PERTAINS TO THE PURCHASE OF
41.46 ACRES FROM KANSAS CITY SOUTHERN RAILWAY
COMPANY**

WHEREAS, the City of Port Arthur and the City of Port Arthur Section 4A Economic Development Corporation entered into a purchase agreement for approximately 41.46 acres of land adjacent to West 7th Street; and,

WHEREAS, the feasibility period expires on or about April 27, 2006; and,

WHEREAS, it is necessary to request an extension.

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

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

Section 2. That the contract with Kansas City Southern Railway Company will herein be terminated unless Kansas City Southern Railway Company agrees to an extension of the feasibility period until August 1, 2006, and of the closing date until August 15, 2006.

Section 3. That if Kansas City Southern Railway Company concurs with the extension, then Kansas City Southern Railway Company will sign this Resolution.

Section 4. That a copy of the caption of this Resolution be spread upon the Minutes of the City Council.

READ, ADOPTED, AND APPROVED on this, the 25th day of April, A.D. 2006, at a Meeting of the City Council of the City of Port Arthur, Texas, by the following

votes: AYES: Mayor Oitiz
Councilmembers Lewis, Barker, Henderson,

Prince and Sinigal

NOES: None.

Dean H. Kelly
MAYOR

ATTEST:

Evangelina Green
City Secretary

APPROVED AS TO FORM:

Mont Sobolon
City Attorney

APPROVED FOR ADMINISTRATION:

[Signature]
City Manager

AGREED TO:

[Signature]
The Kansas City Southern
Railway Company