

RESOLUTION NO. 09-493

**A RESOLUTION APPROVING TERMINATION OF THE
ECONOMIC DEVELOPMENT CONDITIONAL GRANT
AGREEMENT BETWEEN CAMELLIA PLAZA, L.P. AND
THE CITY OF PORT ARTHUR SECTION 4A ECONOMIC
DEVELOPMENT CORPORATION**

WHEREAS, on July 18, 2006, the City Council of the City of Port Arthur approved Resolution 06-277 authorizing an Economic Development Conditional Grant Agreement between Camellia Plaza, L.P. and the City of Port Arthur Section 4A Economic Development Corporation (the "PAEDC"); and

WHEREAS, the PAEDC agreed to provide up to \$1,044,400 as a conditional grant to offset costs for infrastructure in Camellia Plaza; and

WHEREAS, said conditional grant was to be funded to Camellia Plaza, L.P., in phases based on the construction of the infrastructure followed by construction of a hotel, development of additional businesses and satisfaction of certain reporting requirement; and

WHEREAS, on June 17, 2008, the City Council approved Resolution 08-254 amending the Camellia Plaza, L.P. Economic Development Grant Agreement Performance Milestone Schedule due to delays in construction of the infrastructure which delayed opening of the hotel; and

WHEREAS, Camellia Plaza, L.P. failed to comply with the First Amendment to Economic Development Conditional Grant Agreement Performance Milestone Schedule; and

WHEREAS, the principals of Camellia Plaza, L.P. have failed to communicate with the PAEDC as to their performance under the conditional grant, and the PAEDC has been unable to make contact with the principals of Camellia Plaza, L.P. within the last six months; and

WHEREAS, the Board of Directors at its regular meeting on September 9, 2009 voted to terminate the Economic Development Conditional Grant Agreement with Camellia Plaza, L.P.

NOW, THEREFORE, BE IT 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 City of Port Arthur Section 4A Economic Development Corporation is herein authorized to terminate its Economic Development Conditional Grant Agreement with Camellia Plaza, L.P.

Section 3. That a copy of the caption of the Resolution be spread upon the Minutes of the City Council.

READ, ADOPTED AND APPROVED on this 3rd day of Nov. A.D., 2009, at a Meeting of the City Council of the City of Port Arthur, Texas, by the following vote:

AYES:

Mayor Mayor Prince; Mayor Pro Tem
Councilmembers Segler; Albright, Williamson,
and Henderson.

NOES:

None.

Deloris Prince
DELORIS "BOBBIE" PRINCE, MAYOR

ATTEST:



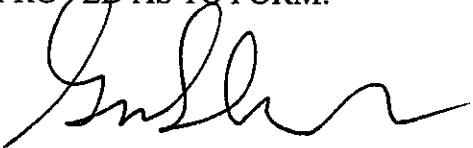
TERRI HANKS, CITY SECRETARY

APPROVED:




FLOYD BATISTE, PAEDC CEO

APPROVED AS TO FORM:



GUY GOODSON, EDC ATTORNEY

APPROVED AS TO FORM:



VALECIA R. TIZENO, ACTING CITY ATTORNEY