

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A DEVELOPER AGREEMENT WITH CAPSTONE FASTRACK, LLC FOR THE SUNSET RIDGE DEVELOPMENT.**

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**WHEREAS**, the Board of Aldermen desires to enter into a developer agreement with Downing View Estates, in which the City will reimburse Downing View Estates funds used to purchase 8-inch sewer pipe.

**WHEREAS**, Section 82-94 of the Branson Municipal Code authorizes the City to use revenues generated by the Tourism Tax on infrastructure, which includes the construction of improvements to serve wastewater and solid waste disposal facilities.

**WHEREAS**, the Board of Aldermen desires to authorize the Mayor to enter into the agreement.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON, MISSOURI, AS FOLLOWS:**

- Section 1: The Board of Aldermen hereby authorizes the Mayor to execute a developer agreement with Downing View Estates in a form substantially similar to the attached Exhibit 1, together with such changes therein as shall be approved by the officers of the City executing same which are consistent with the provisions and intent of this legislation and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The Mayor, City Administrator, and other appropriate City officials are hereby authorized to execute the application for amendment to the Agreement, amend the Agreement and such additional documents and take any and all actions necessary, desirable, convenient or prudent in order to carry out the intent of this legislation.
  
- Section 2: That should any section, sentence or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.
  
- Section 3: That the City Clerk is authorized by this Ordinance to correct any scrivener's errors identified within this Ordinance.
  
- Section 4: This ordinance shall be in full force and effect upon and after its passage and approval.

Read, this first time on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Read, this second time, passed, and truly agreed to by the Board of Aldermen of City of Branson, Missouri this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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Larry D. Milton  
Mayor

ATTEST:

APPROVED AS TO FORM:



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Hillary Briand  
City Clerk

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City Attorney