



NOTICE OF A SPECIAL MEETING
Brenham Community Development Corporation
Friday, June 6, 2025 @ 8:00 a.m.
City Hall - 2nd Floor Conference Room
200 W. Vulcan St.
Brenham, Texas

- 1. Call Meeting to Order**
- 2. Discuss and Possibly Act Upon Amendment of the Declaration of Covenants, Conditions and Restrictions of the Southwest Industrial Park, Section III, to Correct the Name of the Property Owners Association and Add Exhibit B, and Authorize the President to Execute Any Necessary Documentation**
- 3. Discuss and Possibly Act Upon the Reallocation of FY24-25 Economic Development Contingency Funds for Electric Service for Fire Station No. 2 in the Brenham Business Center and Authorize the President to Execute Any Necessary Documentation**

Adjourn

CERTIFICATION

I certify that a copy of the agenda of items to be considered by the Brenham Community Development Corporation (BCDC) on Friday, June 6, 2025 was posted to the City Hall bulletin board at 200 W. Vulcan St., Brenham, Texas on Monday, June 2, 2025 at 2:15 p.m.

Jeana Bellinger, TRMC, CMC
City Secretary/BCDC Secretary

Disability Access Statement: This meeting is wheelchair accessible. The accessible entrance is located at the Vulcan Street entrance to the City Administration Building. Accessible parking spaces are located adjoining the entrance. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested seventy-two (72) hours before the meeting) by calling (979) 337-7567 for assistance.

I certify that this notice and agenda of items to be considered by the Brenham Community Development Corporation (BCDC) was removed by me from the City Hall bulletin board on _____ at _____.

Signature



To: Brenham Community Development Corporation Board of Directors

From: Jeana Bellinger, City Secretary

Subject: Amendments to the Covenants, Conditions and Restrictions (CCR's) of the Southwest Industrial Park, Section III

Date: June 2, 2025

While working through various documents related to the sale of land to CGG in the Southwest Industrial Park, Section III, the City Attorney discovered that the following amendments were needed to the CCR's of the Southwest Industrial Park, Section III:

- **Name of Property Owners Association:** The name shown on the CCR's does not match the name of the organization as filed with the Secretary of State. The CCR's read "*Southwest Industrial Park Property Owners Association*" and the Secretary of State's records show the legal name of the Association as "*Southwest Industrial Park, Section III Property Owners Association, Inc.*"
- **Missing Exhibit "B":** When reviewing the CCR document that was recorded in the Official Records of Washington County, it was determined that Exhibit "B" was excluded from the recorded document. This Exhibit is a description of the tract on which the detention pond and all associated facilities are to be situated.

Staff recommends this item related to the amendments to the CCR's be approved so that the closing documents for CGG be finalized.

BRENHAM COMMUNITY DEVELOPMENT CORPORATION

**AMENDMENTS TO
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF
SOUTHWEST INDUSTRIAL PARK, SECTION THREE**

WHEREAS, the Brenham Community Development Corporation (hereafter sometimes referred to as “BCDC”) is the “Declarant” of the Declaration of Covenants, Conditions and Restrictions of Southwest Industrial Park, Section Three as set forth in an instrument dated December 14, 2010, executed by Brenham Community Development Corporation, recorded in Volume 1359, Page 23, Official Records of Washington County, Texas (“Declaration”); as amended in Volume 1495, Page 583, Volume 1597, P493, Volume 1613, Page 801, and Volume 1849, Page 872, Official Records of Washington County, Texas (the “Declaration”); and

WHEREAS, under the terms of the Declaration, the Declaration may be amended by an instrument signed by the Owners of Lots comprising not less than 60% of the total acreage of Lots in the Southwest Industrial Park, Section III, provided, however, that for so long as Declarant owns any portion of any Lot, the Declaration may be amended only with the joinder of the Declarant; and

WHEREAS, amendments to the Declaration shall be effective upon the recordation thereof in the Official Public Records of Washington County, Texas; and

WHEREAS, the BCDC is the current owner of more than 60% of the total acreage of Lots in the Southwest Industrial Park, Section III, and the BCDC, as Declarant, intends that this instrument shall constitute the written joinder of the Declarant to the amendments described herein below; and

WHEREAS, the BCDC, as the Declarant and the undersigned Owner of more than 60% of the total acreage of Lots in Southwest Industrial Park, Section III, desires to amend the Declaration to: 1) correct the name of the Southwest Industrial Park, Section III Property Owners Association, Inc. (“Association”); and 2) add Exhibit “B,” attached hereto and incorporated herein for all pertinent purposes, to the Declaration;

NOW, THEREFORE, BE IT RESOLVED, the BCDC, as the Declarant and the undersigned Owner, hereby adopts the following amendments to the Declaration:

AMENDMENTS

1. Section I (1) is hereby amended to read as follows:

“Association” shall mean and refer to the Southwest Industrial Park, Section III Property Owners Association, Inc., a Texas non-profit corporation, and its successors and assigns.

2. Exhibit “B,” attached hereto and incorporated herein for all pertinent purposes, is hereby added to the Declaration.

Capitalized terms used herein shall have the meanings ascribed to them in the Declaration unless otherwise defined herein. All terms and provisions of the Declaration shall, except as expressly amended and modified by these Amendments, remain in full force and effect.

These Amendments shall bind and inure to the benefit of the parties hereto, their respective legal representatives, heirs, successors and assigns. The covenants, conditions, and restrictions of the Declaration, as amended by these Amendments, shall run with and bind the land comprising the Southwest Industrial Park, Section III; and shall be and shall be binding on all parties now or hereafter having any right, title, or interest in or to the Southwest Industrial Park, Section III or any of the Lots in the Southwest Industrial Park, Section III, or any part thereof, and their legal representatives, heirs, successors, and assigns; and shall inure to the benefit of, and be enforceable by the Declarant, the Owner of any Lot subject to the Declaration, or the Association, and their respective legal representatives, heirs, successors, and assigns.

This Amendment may be executed in multiple counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

Adopted, resolved and executed by the undersigned parties on the dates of the acknowledgments set forth below, to be effective as of June 7, 2025 (the “Effective Date”).

[Signature Pages to Follow this Page]

Brenham Community Development Corporation

Carolyn D. Miller, President

Attest:

Secretary

Acknowledged and Agreed:

Property Owner Approving Amendments:

Brenham Community Development Corporation

Carolyn D. Miller, President

STATE OF TEXAS §
 §
COUNTY OF WASHINGTON §

This instrument was acknowledged before me on this _____ day of _____, 2025, by Carolyn D. Miller, President of **BREHAM COMMUNITY DEVELOPMENT CORPORATION**, on behalf of said corporation as Declarant.

Notary Public in and for the State of Texas

Owner of Property:

Brenham Community Development Corporation

Carolyn D. Miller, President

STATE OF TEXAS §
 §
COUNTY OF WASHINGTON §

This instrument was acknowledged before me on this _____ day of _____, 2025, by Carolyn D. Miller, President of **BREHAM COMMUNITY DEVELOPMENT CORPORATION**, on behalf of said corporation as the owner of the Property.

Notary Public in and for the State of Texas

EXHIBIT “B”

11.427 acre tract of land, more or less, part of the Philip Coe Survey, A-31, Washington County, Texas, and more particularly described as Lot Reserve B-R Detention, as shown on the Re-plat of Lots 2 & 3 & Reserve B-R, Southwest Industrial Park, Section III, recorded in Plat Cabinet File No. 630B, Plat Records of Washington County, Texas.



To: Brenham Community Development Corporation Board of Directors

From: Richard O'Malley

Subject: Electric Service in Brenham Business Center

Date: June 2, 2025

The purpose of this memo is to request the reallocation of \$60,000 from the FY24-25 economic development budget to support critical infrastructure improvements in the Brenham Business Center.

Project Overview

Bluebonnet Electric Cooperative has provided an estimate of **\$98,644.10** to extend electrical service to the new Fire Station located in the Brenham Business Center. Bluebonnet is contributing **\$19,041.00** toward the project, reducing the City's cost to either:

- **\$79,603.10** for a dual-feed power source (permanent service from two directions), or
- **\$59,457.32** for a single-feed power source (permanent service from one direction).

The Fire Station is equipped with a generator to provide backup power in the event of an outage. After discussions with City staff, the recommendation is to proceed with the **single-feed option** to reduce cost and rely on the generator for redundancy.

Broader Utility Improvements

Bluebonnet Electric has not previously extended electrical service along James Nutt Blvd. due to a lack of service connections. The Fire Station will be the first customer on this line. In conjunction with this service, Bluebonnet is undertaking a broader project to extend the primary electrical line from **Hwy 290 to S. Blue Bell Rd.** This larger improvement will complete utility infrastructure along James Nutt Blvd. and enhance the development value of all available tracts in the Business Center.

Please note: Costs associated with these broader utility improvements have been requested, but a comprehensive estimate has not been provided to date.

Request for Reallocation

The City is requesting that the BCDC reallocate \$60,000 in economic development contingency funds to reimburse the City for the electrical improvements associated with this project. This investment aligns with the BCDC's mission to support infrastructure that enables business growth and future development opportunities.

Should you have any questions or require additional information, I am happy to provide further detail or schedule a presentation at your convenience.

Recommendation:

Approve the reallocation of \$60,000 from the FY24-25 BCDC economic development contingency to reimburse the City of Brenham for electrical service extension in the Brenham Business Center.