



Brazos River Authority

RESOLUTION OF THE BOARD OF DIRECTORS OF THE BRAZOS RIVER AUTHORITY JULY 17, 2007

Agenda Item 8 Possum Kingdom Senior Homestead Lease Rate Reduction/Rate Freeze

The following resolution is presented for consideration to the Board of Directors of the Brazos River Authority for adoption at its July 17, 2007 meeting.

“WHEREAS, the Board of Directors of the Brazos River Authority, previously approved and for a number of years has applied a ten percent (10%) discount to the residential lease rate for lessees sixty-five (65) years old and older who qualify for a homestead exemption; and

WHEREAS, the Authority has recently retained outside legal counsel to conduct a comprehensive legal review of leasing policies at Possum Kingdom Lake; and

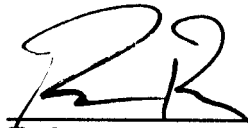
WHEREAS, in the course of reviewing overall leasing policies, outside legal counsel has called into question the practice of offering the ten percent (10%) discount and proposed rate freeze for lessees sixty-five (65) years old and older who qualify for a homestead exemption, and is of the opinion that this practice violates Article III, section 52 of the Texas Constitution; and

WHEREAS, outside legal counsel recommends that the Brazos River Authority discontinue granting discounts for lessees sixty-five (65) years old and older who qualify for a homestead exemption;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Brazos River Authority hereby discontinues any reduced lease rate to lessees sixty-five (65) years old and older who qualify for a homestead exemption; and


BE IT FURTHER RESOLVED that the Board of Directors of the Brazos River Authority hereby requests its Presiding Officer to seek an opinion from the Texas Attorney General regarding the constitutional, statutory, and legal constraints on the Brazos River Authority's ability to grant lease rate discounts or lease rate freezes to lessees sixty-five (65) years old and older who qualify for a homestead exemption."

The aforementioned resolution was approved by the Board of Directors of the Brazos River Authority on **July 17, 2007**, to certify which witness my hand and seal.



Roberto Bailon
Assistant Presiding Officer

SUBSCRIBED AND SWORN TO BEFORE ME on this the 17th day of July, 2007, to certify which witness my hand and official seal.



Tina L. Russell
Notary Public in and for the
State of Texas