



COMMISSIONERS COURT
COMMUNICATION

COURT ORDER NUMBER <#CourtOrderNumber#>

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DATE: 6/17/2025

**SUBJECT: CONSIDERATION OF A MUTUAL RESCISSION AGREEMENT
BETWEEN TARRANT COUNTY AND HOUSING CHANNEL TO
TERMINATE THE HOME INVESTMENT PARTNERSHIPS PROGRAM
FUNDING AGREEMENT FOR THE PATTERSON HEIGHTS
DEVELOPMENT PROJECT**

***** CONSENT AGENDA *****

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court consider a Mutual Rescission Agreement between Tarrant County and Housing Channel to terminate the HOME Investment Partnerships Program (HOME) Funding Agreement between Tarrant County and Housing Channel for eligible pre-development costs associated with the Patterson Heights development project in Mansfield, Texas.

BACKGROUND

On April 15, 2025, the Commissioners Court, through Court Order #145049, approved a HOME Funding Agreement with Housing Channel to reimburse up to \$152,617.40 in eligible pre-development costs for the Patterson Heights project. The agreement was intended to support planning and feasibility activities prior to construction and was set to expire on September 30, 2025.

To date, no HOME funds have been disbursed, and Housing Channel has opted not to pursue reimbursement under this agreement.

With approval, the Mutual Rescission Agreement will formally terminate the contract and release both parties from any further obligations.

The Criminal District Attorney's Office has reviewed and approved the agreement as to form.

FISCAL IMPACT

No funds have been expended under this agreement. The funding originally certified in the amount of \$152,617.40 from HOME grant #M-17-DC-48-200 will remain available for eligible activities.

SUBMITTED BY Community Development

PREPARED BY: Wren Davis

APPROVED BY: James McClinton

MUTUAL RESCISSION AGREEMENT

This Mutual Rescission Agreement ("Agreement") is made and entered into by and between:

Housing Channel, and Tarrant County, Texas

WHEREAS, Developer and County entered into an Agreement dated April 15, 2025 (the "Original Agreement") for pre-development funding for Patterson Heights, pursuant to HUD HOME Program requirements; and

WHEREAS, the Original Agreement was approved by the Commissioners Court on April 15, 2025, under Commissioners Court Order No. 145049; and

WHEREAS, no HOME funds have been committed or disbursed to the Developer under the Original Agreement; and

WHEREAS, the parties now mutually desire to rescind and terminate the Original Agreement in its entirety, effective as of the date this Agreement is fully executed;

NOW, THEREFORE, in consideration of the mutual promises and agreements herein contained, the parties agree as follows:

1. Termination of Agreement

The parties hereby mutually agree to rescind and terminate the Original Agreement in its entirety, effective as of the date of last signature below ("Effective Date").

2. Release

Each party hereby releases the other from any and all obligations, claims, liabilities, or demands, known or unknown, arising out of or in connection with the Original Agreement, except as may be expressly provided herein or required by law.

3. No Funds Disbursed

The parties acknowledge that no HOME funds were committed or disbursed under the Original Agreement, and accordingly, no financial reconciliation, repayment, or de-obligation is required.

4. Entire Agreement

This Agreement constitutes the entire understanding of the parties with respect to the subject matter hereof and supersedes all prior discussions or agreements, written or oral.

5. Governing Law

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas and applicable federal HOME program regulations.

IN WITNESS WHEREOF, the parties have executed this Mutual Rescission Agreement as of the dates indicated below.

SIGNED AND EXECUTED THIS _____ DAY OF _____, 2025.

**COUNTY OF TARRANT
STATE OF TEXAS**

DONNA VAN NESS, HOUSING CHANNEL
DEVELOPER

BY: Separate Electronic Signature Page
Tim O'Hare
County Judge


(SIGNATURE)

Approved as to Form:

Craig Price

Criminal District Attorney's Office*

*By law, the Criminal District Attorney's Office may only approve contracts for its clients. We reviewed this document as to form from our client's legal perspective. Other parties may not rely on this approval. Instead, those parties should seek contract review from independent counsel.