

MINUTES  
CYPRESS FOREST PUBLIC UTILITY DISTRICT

April 3, 2009

The Board of Directors (the "Board") of Cypress Forest Public Utility District, Harris County, Texas (the "District"), met in special session, open to the public, on the 3rd day of April, 2009, at the Cypress Forest Public Utility District's Administrative Building, 16215 Champion Forest Drive, Spring, Texas 77379, inside the boundaries of the District, and the roll was called of the members of the Board:

Thomas J. Petrick	President
Linn Jensen Smyth	Vice President
Fred P. Jones	Secretary
Greg DiCioccio	Assistant Secretary
Michael J. Lynch, Jr.	Assistant Vice President

and all of the above were present, except Director Lynch, thus constituting a quorum.

Also present for all or part of the meeting were Mr. Ramon G. Viada, III of Viada & Strayer Attorneys at Law; Joe B. Allen and Greer Pagan of Allen Boone Humphries Robinson LLP ("ABHR"); and Justine M. Cherne, Recording Secretary.

Director Petrick called the meeting to order.

CONVENE IN EXECUTIVE SESSION

The Board convened in executive session to conduct a private consultation with the attorney to discuss pending or contemplated litigation.

RECONVENE IN OPEN SESSION

The Board reconvened in open session. Following discussion, Director Smyth moved to: 1) engage Mr. Viada and authorize him to prepare and file a Motion for Summary Judgment in No. 2009-20986, *Kleinwood Municipal Utility District v. JP/Raveneaux Partners LP, et al.*, in the District Court of Harris County, Texas, 215<sup>th</sup> Judicial District (the "State Lawsuit"); and 2) authorize Mr. Viada to file a motion to request payment of attorneys' fees in No. 4:08-CV-3071, *Kleinwood Municipal Utility District v. Cypress Forest Public Utility District, et al.*, in the United States District Court for the Southern District of Texas. Director Jones seconded the motion, which was approved by unanimous vote. Director Smyth moved to authorize execution of an amendment to the Raveneaux Redevelopment Agreement with JP Raveneaux Partners LP and Kera Development, L.P. (the "Developers") to extend the term of the agreement

for 90 days or the date of the resolution of the State Lawsuit, whichever is sooner, subject to the Developers' performance under the agreement, and without extending the date for purchase of the Park Property and without waiver of remedies for default. Director DiCioccio seconded the motion, which was approved by majority vote, with Director Jones opposed.

There being no other matters to come before the Board, the meeting was adjourned.

[SIGNATURE PAGE FOR THE MINUTES OF THE APRIL 3, 2009, BOARD MEETING]

  
Secretary, Board of Directors

(SEAL)

