

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED RESOLUTION ADOPTED BY
THE CITY COUNCIL.**

RESOLUTION

**GRANTING THE CITY OF SAN ANTONIO'S CONSENT TO THE
ANNEXATION OF 38.56 ACRES OF LAND BY THE SAPPHIRE GROVE
SPECIAL IMPROVEMENT DISTRICT, GENERALLY LOCATED
NORTHWEST OF THE INTERSECTION OF NEW SULPHUR SPRINGS
ROAD AND GARDNER ROAD IN THE EXTRATERRITORIAL
JURISDICTION OF THE CITY OF SAN ANTONIO IN BEXAR COUNTY.**

* * * * *

WHEREAS, on April 14, 2022, the City Council ("City") adopted Resolution 2022-04-14-0025R, consenting to the creation of the Sapphire Grove Special Improvement District, a Public Improvement District ("PID") consisting of 173.27 acres of land, a description of which is attached as **Exhibit "A"**; and

WHEREAS, as a condition of the City's consent to the creation of the PID, Lennar Homes of Texas Land and Construction, LTD, the "Owner", executed a development agreement with the City ("original agreement") which is recorded in the real property records of Bexar County under 20220129516 containing the terms and conditions associated with the City's consent, including providing for future annexation of the PID property and revenue sharing of sales and use tax in commercial areas of the PID; and

WHEREAS, after the PID was officially created by Bexar County, and after entering into the original agreement, the Owner acquired 38.56 acres of the property outside the original PID boundaries; and petitioned the District's Board of Directors (Board) to amend its boundaries by annexing the 38.56 acres of land; and

WHEREAS, on September 14, 2023, the Board authorized the annexation of the 38.56 acres by the PID, expanding the boundary of the PID to approximately 211.83 acres, subject to the consent from both the County and the City; and

WHEREAS, on March 7, 2024, the Board formally requested the City to consent to the District's annexation of the 38.56 acres, a description of which is attached as **Exhibit "B"**, and the expansion of the PID's boundaries to approximately 211.83 acres, as described and depicted in the field notes and survey attached as **Exhibit "C"**; and

WHEREAS, the Owner has agreed to amend the original agreement to expand the boundaries of the PID to include the additional 38.56 acres of land and to apply all the terms and conditions of the City's consent to the creation of the PID under the original agreement to the additional 38.56 acres; and

WHEREAS, it is the Owner's and the City's intent that the only amendments to be made to the original agreement are those contained in the amended agreement and that all provisions of the original agreement shall now apply to the entire 211.83 acres of land to be included in the PID after the annexation of the 38.56 acres; and

WHEREAS, in addition to the Owner's execution of the amended agreement, Owner agrees to remit payment to the City for a PID application fee in the amount of \$7,500.00; a Special District Operations Assessment in the amount of \$175 per residential lot paid annually based on the number of units erected within the area annexed by the PID, as verified by staff, which the Owner estimate to be approximately \$32,375.00; and for reimbursement of all costs paid by the City for recording the amended agreement and related documents in the Bexar County property records;
NOW THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Council of San Antonio hereby consents to the annexation of approximately 38.56 acres of land, as described in **Exhibit "B"**, by the Sapphire Grove Special Improvement District ("PID") and the expansion of the boundaries of the PID to approximately 211.83 acres, more particularly depicted in **Exhibit "C"**.

SECTION 2. The City Council of the City of San Antonio resolves that its consent to the annexation of land and expansion of the PID's boundaries as set forth in this Resolution is conditioned upon the Owners execution of an Amended Development Agreement providing that all terms and conditions that applied to the City's consent to the original PID property (173.27 acres) will also apply to the additional 38.56 acres being annexed by the PID and the payment to the City a PID application fee in the amount of \$7,500.00; a Special District Operations Assessment in the amount of \$175 per residential lot paid annually based on the number of units erected within the area annexed by the PID, as verified by staff, which the Owner estimate to be approximately \$32,375.00; and for reimbursement of all costs paid by the City for recording the amended agreement and related documents in the Bexar County property records.

PASSED AND APPROVED on this 21st day of November 2024.

M A Y O R
Ron Nirenberg

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

JYW/ml
11/21/2024
Item No. ##

EXHIBIT “A”
Map of Original PID



**DESCRIPTION FOR
A 173.27 ACRE TRACT**

A 173.27 acre tract of land situated in the Miguel Gortari Survey No. 5, Abstract 252, Bexar County, Texas, and being all of that called 70.00 acre tract of land as conveyed to Guillermo T. Reynoso and spouse Emilce A. Reynoso and recorded August 18, 2014 in Volume 16823, Page 846 in the Official Public Records of Bexar County, Texas (O.P.R.), all of that called 71.08 acre tract of land as conveyed to Guillermo T. Reynoso and spouse Emilce A. Reynoso and recorded February 11, 2015 in Volume 17085, Page 162 in the O.P.R., and all of that called 33.790 acre tract of land as conveyed to Guillermo T. Reynoso and spouse Emilce A. Reynoso and recorded February 22, 2017 in Volume 18368, Page 321 in the O.P.R., said 173.27 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod with illegible cap found in the southerly right-of-way of New Sulphur Springs Road, (a 86' R.O.W. at this point) for the northeast corner of said 70.00 acre tract and the tract described herein, and for the northwest corner of the remainder of that called 41.27 acre tract of land as conveyed to Francis Moravits and recorded September 3, 2004 in Volume 10956, Page 2252 in the O.P.R., and from which point a ½" iron rod with cap stamped BLS 2024 found for the southwesterly end of a cutback line at the intersection of the northerly right-of-way of New Sulphur Springs Road with the westerly right-of-way of Beck Road bears N 13°23'35" E, a distance of 85.78 feet, and thence S 76°36'25" E, a distance of 12.25 feet;

THENCE: S 13°54'42" W, along and with the easterly line of said 70.00 acre tract and the westerly line of said 41.27 acre tract, passing at an approximate distance of 1765.38 feet the northwest corner of that called 11.89 acre tract of land as conveyed to Dale G. Smith and spouse Cynthia K. Smith and recorded February 5, 2007 in Volume 12677, Page 1467 in the O.P.R., and continuing for a total distance of 2432.00 feet to a ½" iron rod found in the northerly line of said 33.790 acre tract for the southwest corner of said 11.89 acre tract and for the southeast corner of said 70.00 acre tract;

THENCE: S 76°17'12" E, along and with the northerly line of said 33.790 acre tract and the southerly line of said 11.89 acre tract, a distance of 158.00 feet to a fence corner post found for the easterly corner of said 33.790 acre tract and for an exterior angle point in the northerly line of the remainder of that called 127.057 acre tract of land as conveyed to Margaret Frances Schwartzkopf and recorded September 24, 2019 in Document Number 20190191334 in the O.P.R. (description is recorded in Volume 13839, Page 699 in the O.P.R.) for the most easterly corner of the tract described herein;

THENCE: S 88°28'42" W, along and with the northerly line of said 127.057 acre tract and the southerly line of said 33.790 acre tract, a distance of 3205.01 feet to a ½" iron rod with plastic cap stamped KFW SURVBYING (hereinafter referred to as SET KFW) set in the easterly right-of-way of Gardner Road (apparent 50' wide R.O.W.) for the northwest corner of said 127.057 acre tract and the southwest corner of said 33.790 acre tract and the tract described herein, and from which point a ½" iron rod found in the westerly right-of-way of Gardner Road bears S 87°30'35" W, a distance of 52.66 feet;

THENCE: N 21°20'28" W, along and with the easterly right-of-way of Gardner Road, a distance of **44.68 feet** to a fence corner post found for the southwest corner of that called 1.781 acre tract of land a conveyed to Travis Pawlik and wife April Pawlik and recorded April 27, 2009 in Volume 13953, Page 2090 in the O.P.R.;

THENCE: along and with the common lines of said 1.781 acre tract and said 33.790 acre tract, the following three (3) courses:

1. **N 88°46'02" E**, a distance of **473.61 feet** to a fence corner post found for the southeast corner of said 1.781 acre tract;
2. **N 20°16'35" W**, a distance of **174.98 feet** to a $\frac{1}{2}$ " iron rod with cap stamped GCE found for the northeast corner of said 1.781 acre tract;
3. **S 88°29'08" W**, a distance of **476.22 feet** to a fence corner post found in the easterly right-of-way of Gardner Road for the northwest corner of said 1.781 acre tract;

THENCE: N 21°20'28" W, along and with the easterly right-of-way of Gardner Road, a distance of **772.72 feet** to a SET KFW for the northwest corner of said 33.790 acre tract and for the southwest corner of the remainder of that called 25.00 acre tract of land as conveyed to Philip Syma and Melanie Syma and recorded September 10, 1997 in Volume 7191, Page 667 in the O.P.R., and from which point a $\frac{1}{2}$ " iron rod with cap stamped KJ BROWN 4966 found at an angle point in the westerly right-of-way of Gardner Road bears **N 71°45'25" W**, a distance of **64.90 feet**;

THENCE: S 76°44'08" E, along and with the southerly line of said 25.00 acre tract and the northerly line of said 33.790 acre tract, a distance of **1447.43 feet** to a fence corner post found for the southeast corner of said 25.00 acre tract and for the southwest corner of said 71.08 acre tract;

THENCE: N 14°28'37" E, along and with the easterly line of said 25.00 acre tract and a westerly line of said 71.08 acre tract, passing at a distance of **447.23 feet** a $\frac{1}{2}$ " iron rod found for the northeast corner of said 25.00 acre tract and for the southeast corner of that called 4.00 acre tract of land as conveyed to Scott Allen Zunker, et al, and recorded May 21, 2018 in Document Number 20180096063 in the O.P.R., and continuing for a total distance of **743.89 feet** to a $\frac{1}{2}$ " iron rod found for the northeast corner of said 4.00 acre tract and for an interior angle point for said 71.08 acre tract;

THENCE: N 76°45'48" W, along and with the northerly line of said 4.00 acre tract and a southerly line of said 71.08 acre tract, a distance of **1469.87 feet** to a $\frac{1}{2}$ " iron rod found in the easterly right-of-way of Gardner Road for an exterior corner of said 71.08 acre tract and for the northwest corner of said 4.00 acre tract;

THENCE: N 13°55'46" E, along and with the easterly right-of-way of Gardner Road, a distance of **670.12 feet** to a $\frac{1}{2}$ " iron rod found for the most westerly northwest corner of said 71.08 acre tract and for the southwest corner of that called 1.877 acre tract of land as conveyed to David A. Coble and recorded October 19, 2007 in Volume 13175, Page 2214 in the O.P.R.;

THENCE: S 76°39'09" E, along and with a northerly line of said 71.08 acre tract and the southerly line of said 1.877 acre tract, passing at a distance of **206.41 feet** a $\frac{1}{2}$ " iron rod found for the southeast corner of said 1.877 acre tract and for the southwest corner of that called 4.000 acre tract of land as conveyed to Thomas William Hatch, Jr. and recorded August 27, 1982 in Volume 2657, Page 1696 in the O.P.R., and continuing along and with the southerly line of said 4.000 acre tract and also the southerly line of that tract of land called P-27A as conveyed to Thomas W. Hatch, Jr., and recorded

June 20, 2007 in Volume 12939, Page 992 in the O.P.R., and also the southerly line of that called 2.2830 acre tract of land as conveyed to Thomas W. and Glenda Hatch and recorded April 23, 2018 in Document Number 20180075399 in the O.P.R., and passing at a distance of 643.23 feet a ½" iron rod found for the southeast corner of said 2.2830 acre tract and for the southwest corner of that called 7.523 acre tract of land as conveyed to Jason Lec Wright and recorded June 16, 2017 in Volume 18574, Page 301 in the O.P.R., and continuing along and with the southerly line of said 7.523 acre tract for a total distance of 939.44 feet to a found ½" Iron rod;

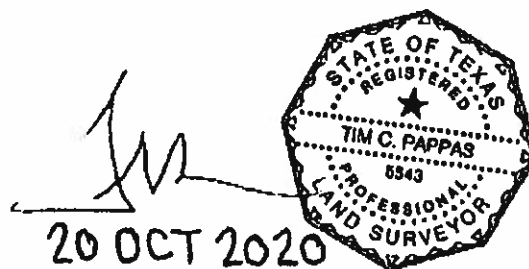
THENCE: S 76°39'17" E, along and with the southerly line of said 7.523 acre tract and a northerly line of said 71.08 acre tract, passing at a distance of 15.84 feet the southeast corner of said 7.523 acre tract and the southwest corner of the remainder of that called 8.63 acre tract of land as conveyed to James Baer and recorded March 30, 1975 in Volume 7611, Page 535 in the Deed Records of Bexar County, and continuing along and with southerly line of said 8.63 acre tract and a northerly line of said 71.08 acre tract for a total distance of 387.56 feet to a fence corner post found for the southeast corner of said 8.63 acre tract;

THENCE: N 12°57'09" E, along and with the easterly line of said 8.63 acre tract and a westerly line of said 71.08 acre tract, a distance of 1029.11 feet to a SET KFW in the southerly right-of-way of New Sulphur Springs Road for the northeast corner of said 8.63 acre tract and the most northerly northwest corner of said 71.08 acre tract, and from which point a ½" iron rod found bears N12°57'09"E, a distance of 11.00 feet;

THENCE: S 76°36'25" E, along and with the southerly right-of-way of New Sulphur Springs Road, a distance of 2208.73 feet to the POINT OF BEGINNING and containing 173.27 acres of land, more or less, in Bexar County, Texas, and being described in accordance with a survey prepared by KFW Surveying. Bearings are based on NAD83 Texas State Plane South Central Zone.

Job No.: 20-073
Prepared by: KFW Surveying
Date: October 20, 2020
File

S:\Draw 2020\20-073 New Sulphur Springs Road Tract\DOCS\20-073 173.27 AC DESC TCP 102020.doc



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EXHIBIT “B”
Map of 38.56 Acres Being Annexed by PID

JYW/ml
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EXHIBIT “C”
Map of New PID Boundaries After Annexation