

**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.**

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WHEREAS, on April 14, 2022, the City Council 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; and

WHEREAS, as a condition of the City's consent to the creation of the PID, the Owner executed a development agreement ("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, Lennar Homes of Texas Land and Construction, LTD, the Owner acquired 38.56 acres of the property outside the original PID boundaries; and

WHEREAS, on March 7, 2024, the Owner of the property within and outside of the PID, submitted a petition, attached as **Attachment "I"**, requesting the City's consent to the expansion of the PID boundaries to include the additional 38.56 acres more fully described in **Exhibit "B" to Attachment "I"**, bringing the total area of land within the PID to 211.83 acres; 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 of 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 Owners' 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 "A" to Attachment "I"**, 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 "F" of Attachment "I"**.

SECTION 2. The City Council of the City of San Antonio resolves that its consent to the annexation of

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land and expansion of the PID's boundaries as set forth in this Resolution is conditioned upon the Owner's 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 of all fees as set forth in Section 1 of this Resolution.

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

M A Y O R

Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

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