

RESOLUTION NO. 22 09 10

RECOMMENDING THE APPROVAL OF THE FIRST AMENDMENT TO A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND CONVERGENCE BRASS LLC AND PULTE HOMES OF TEXAS, L.P. THIS AMENDMENT REVISES THE BOUNDARIES OF THE PID PROPERTY BY INCLUDING APPROXIMATELY 56.65 ACRES, GENERALLY LOCATED AT THE NORTHEAST INTERSECTION OF STATE HIGHWAY 211 AND HIGHWAY 90, IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY SAN ANTONIO, BEXAR COUNTY, TEXAS; AND APPLIES THE TERMS AND CONDITIONS OF THE AMENDED AGREEMENT TO THE ENTIRE 923.627 ACRE PID EXTENSION PROPERTY.

WHEREAS, in January, 2021 the City entered into a development agreement (“original agreement”), which is filed in the real property records of Bexar County under document number 20210016779 and attached hereto in **Exhibit “A” to Attachment “1”**, establishing terms and conditions to the City’s consent to the Bexar County’s creation of the Briggs Ranch Special Improvement District, a public improvement district (“PID”) originally consisting of 866.977 acres of land, as more particularly identified and described attached hereto in **Exhibits “B” and “C” to Attachment “1”** attached hereto, with Convergence Brass, LLC, (“Convergence”) the owner of the taxable real property contained within the original 866.977 acre parcel (the “original District Property”); and

WHEREAS, after entering into the original agreement, Convergence conveyed 62.4 acres of the original District Property to C-W Briggs and Obichi IV, Ltd. by deed number 20210244146; and

WHEREAS, thereafter, C-W Briggs and Obichi IV, Ltd. acquired 56.65 acres of land outside of the original District Property which they then conveyed, along with the 62.4 acres within the original District Property, to Pulte Homes of Texas, L.P.; and

WHEREAS, Convergence and Pulte Homes of Texas, L.P. desire to expand the original District Property to include the additional 56.65 acres now owned by Pulte Homes of Texas, L.P., which are more particularly described and depicted in **Exhibits “D” and “E” to Attachment “1”** attached hereto, thereby increasing the total area within the District Property to approximately 923.627 acres; and

WHEREAS, the Parties further desire to amend the original agreement to expand the boundaries of the PID to include the additional 56.65 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 56.65 acres; and

WHEREAS, it is the Parties intent that the only amendments to be made to the original agreement are those contained herein and that all provisions of the original agreement shall now apply to the entire 923.627 acres of land to be included in the District Property; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1. The San Antonio Planning Commission recommends to City Council the approval of the first amendment to the Development Agreement, attached as **Attachment “1”** between the

City and Convergence Brass, LLC and Pulte Homes of Texas, Owners of the original District Property. The agreement includes provisions for the addition of the PID expansion and voluntary annexation of the District property upon expiration of the term of the Agreement and that establishes services and terms for future annexation of the District Property and that is in substantial conformance with the above recitals and is attached hereto and incorporated herein for all purposes, as **Attachment "1"**. This First Amendment revises the boundaries of 866.977 acre PID property, as described and depicted in **Exhibit "C" to Attachment "1"** by including an approximately 56.65 acres, and applies all of the conditions of the City's consent and the provisions and terms of the Amended Agreement to the entire 923.627 PID expansion property as depicted in **Exhibit "D" to Attachment "1"**.

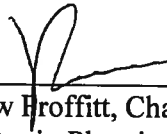
PASSED AND APPROVED ON THIS 14TH DAY OF SEPTEMBER 2022.

Attest:



Executive Secretary
San Antonio Planning Commission

Approved:



Matthew Broffitt, Chair
San Antonio Planning Commission