

HIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL

AN ORDINANCE

APPROVING THE SECOND AMENDMENT TO THE “AGREEMENT FOR SERVICES IN LIEU OF ANNEXATION BETWEEN THE CITY OF SAN ANTONIO AND C CUMBERLAND 211, LTD., CUMBERLAND 211 NORTH, LTD., POTRANCO 211 LAND PARTNERS, LTD., DOROTHY DOSS 2002 GRANTOR TRUST NO. 1, POTRANCO 2013 LAND, LTD., CUMBERLAND POD 1 STEVENS RESIDENTIAL, LTD., CUMBERLAND 90, LTD., CUMBERLAND POTRANCO JOINT VENTURE, AND LADERA I, LLC, THE PROPERTY OWNERS OF THE WESTSIDE 211 SPECIAL IMPROVEMENT DISTRICT,” LOCATED IN THE CITY’S EXTRATERRITORIAL JURISDICTION IN FARWEST BEXAR COUNTY, TX THAT EXTEND THE TERM OF THE AGREEMENT UNTIL DECEMBER 30, 2052.

* * * * *

WHEREAS, on September 20, 2007, the City Council authorized an “Agreement for Services in lieu of Annexation” (Agreement) between the City of San Antonio and Cumberland Potranco Joint Venture, Cumberland 211, Ltd., Navigators Stevens Ranch L.P., KD CIRI I, L.L.C., CIRI Land Development Company and Cumberland 90, Ltd, the Owners of the Westside 211 Special Improvement District; and

WHEREAS, the primary purpose of the Westside 211 Special Improvement District is to pay for public improvement costs related to State Highway 211 and Potranco Road, which were approved for Pass-Through Financing by the Texas Department of Transportation; and

WHEREAS, on December 5, 2013 the first amendment to the Agreement extended the term of the agreement by five years to December 30, 2042, and amended the District’s Owners, by removing Navigators Stevens Ranch L.P. as an owner; and

WHEREAS, on January 22, 2018, the District’s board of directors requested to extend the Agreement term an additional ten years to allow for the completion of improvements to the road project; and

WHEREAS, this second Amendment to the Agreement between Cumberland 211, Ltd., Cumberland 211 North, Ltd., Potranco 211 Land Partners, Ltd., Dorothy Doss 2002 Grantor Trust No. 1, Potranco 2013 Land, Ltd., Cumberland Pod 1 Stevens Residential, Ltd., Cumberland 90, Ltd., Cumberland Potranco Joint Venture, and Ladera I, LLC, the current Owners of Westside 211 Special Improvement District, extends the term until December 30, 2052; and

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

SECTION 1. City Council approves the Second Amendment to the “Agreement for Services in lieu of Annexation between the City of San Antonio and Cumberland 211, Ltd., Cumberland 211

North, Ltd., Potranco 211 Land Partners, Ltd., Dorothy Doss 2002 Grantor Trust No. 1, Potranco 2013 Land, Ltd., Cumberland Pod 1 Stevens Residential, Ltd., Cumberland 90, Ltd., Cumberland Potranco Joint Venture, and Ladera I, LLC, the current Owners of Westside 211 Special Improvement District, that extends the term of the Agreement until December 30, 2052. A copy of the “The Second Amendment to the Agreement for Services in lieu of Annexation” is attached hereto and incorporated herein for all purposes as “Attachment 1”.

SECTION 2. This ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED AND APPROVED ON THIS 8th DAY OF March 2018.

**M A Y O R
Ron Nirenberg**

Attest:

APPROVED AS TO FORM:

Leticia M Vacek, City Clerk

Andrew Segovia, City Attorney