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

AN ORDINANCE

AUTHORIZING THE EXECUTION OF THE THIRD AMENDMENT TO THE “AGREEMENT TO EXTEND LIMITED PURPOSE ANNEXATION AND TO FIX THE DATE FOR FULL PURPOSE ANNEXATION” FOR THE CROSSWINDS AT SOUTH LAKE SPECIAL IMPROVEMENT DISTRICT LOCATED IN COUNCIL DISTRICT 4.

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WHEREAS, on August 17, 2006, the City Council authorized an agreement with Presto Tierra, Ltd., Presto Commercial #2, LLC, and Crosswinds at South Lake, L.P.(the “Property Owners”) to extend the limited purpose annexation status of the property known as Crosswinds at South Lake, located in City Council District 4, in Limited Purpose Area #1, comprised of approximately 532.59 acres at the southwest intersection of Highway 16 and Watson Road, in Bexar County (the “Property”), and fixed the full-purpose annexation date to on or about December 30, 2035; and

WHEREAS, the Property owners have subsequently entered into a First Amended and Restated Agreement to Extend Limited Purpose Annexation and to Extend the Date for Full Purpose Annexation (the “First Amendment”); and a Second Amended and Restated Agreement to Extend Limited Purpose Annexation and to Extend the Date for Full Purpose Annexation (the “Second Amendment”); and

WHEREAS, the Property owners now wish to further amend and restate the terms and conditions of the Annexation Agreement, as amended and restated in the First Amendment and the Second Amendment; and

WHEREAS, the San Antonio Planning Commission held a public hearing on December 4, 2013, and recommended approval of the amendment; **NOW THEREFORE**,

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

SECTION 1. City Council authorizes the City Manager or her designee to execute the third amendment to the “Agreement to Extend Limited Purpose Annexation and to Fix the Date for Full Purpose Annexation” for the Crosswinds at South Lake Special Improvement District. The Agreement in substantially final form is set out in **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 this _____ day of _____, 2013.

SG/cia

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M A Y O R
Julián Castro

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Michael D. Bernard, City Attorney

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