

ATTACHMENT C
CITY OF SAN ANTONIO -- CITY OF FAIR OAKS RANCH

MEMORANDUM OF AGREEMENT

This Agreement is entered into by and between the City of San Antonio, a Texas Municipal Corporation, acting by and through its City Manager pursuant to Ordinance No._____, and the City of Fair Oaks Ranch, a Texas Municipal Corporation, acting by and through its City Administrator pursuant to Ordinance No. 2012-04, Witnesseth:

WHEREAS, the City of Fair Oaks Ranch has requested on behalf of the Woods of Fair Oaks Neighborhood Association that San Antonio release from its extraterritorial jurisdiction an area of approximately 134.060 acres so that it may incorporate the area into the extraterritorial jurisdiction of the City of Fair Oaks Ranch; and

WHEREAS, incorporation of this area would allow the City of Fair Oaks Ranch to exercise jurisdiction over the tract of land; and

WHEREAS, both municipalities are desirous of entering into an agreement to permit this situation;

THE PARTIES AGREE AS FOLLOWS:

1. General Terms and Conditions

- A. City of San Antonio agrees to release from its extraterritorial jurisdiction and to relinquish control over an area containing approximately 134.060 acres of land generally located southwest of the City of Fair Oaks Ranch, east of IH-10 West, south of Fair Oaks Parkway, and west of Monument Oak Street, in northwest Bexar County and more particularly described by metes and bounds and map attached hereto as Exhibits A and B, ("Subject Area") and incorporated herein for all purposes.
- B. City of Fair Oaks Ranch agrees to incorporate into its extraterritorial jurisdiction the area described in Section A above.
- C. City of Fair Oaks Ranch agrees to the following:
 1. Extend subdivision regulations in accordance with the City of Fair Oaks Ranch Subdivision Rules;
 2. Provide voluntary annexation opportunity to the Subject Property described on Exhibit B;
 3. Contribute \$100,000 to the City of San Antonio via three payments to assist with the City of San Antonio Water Policy Study:
 - \$33,333.34 to be released from the City of Fair Oaks Ranch to the City of San Antonio after the subject property in the extraterritorial jurisdiction is released from the City of San Antonio, subject to City of San Antonio Council approval.
 - \$33,333.33 to be released from the City of Fair Oaks Ranch to the City of San Antonio when 50% of the City of San Antonio Water Policy Study is completed.

- \$33,333.33 to be released from the City of Fair Oaks Ranch to the City of San Antonio once the City of San Antonio Water Policy Study has been presented and accepted.
- D. City of Fair Oaks Ranch agrees to file for record a copy of this agreement for each tract of land affected by this agreement in the Real Property Records of Bexar County, Texas.
- E. This Agreement is void if:
- The Woods of Fair Oaks Ranch Neighborhood fails to file an annexation petition within one year, and;
 - The City of Fair Oaks Ranch fails to initiate annexation of the subject area into its city limits within one year of receiving the petition, and;
 - The City of Fair Oaks Ranch fails to complete the annexation process of the subject area within one year after the date of annexation initiation.
- F. This Agreement is effective immediately after the later of the Ordinance of the City of San Antonio and the approving vote of the City of Fair Oaks Ranch City Council on July 17, 2014, authorizing this Agreement, in each case as indicated by the date following the signature of the City Administrator or Authorized Representative below.

2. Severability

If for any reason, any one or more paragraphs of this agreement is held invalid, such judgment shall not affect, impair or invalidate the remaining paragraphs of the agreement but shall be confined in its operation to the specific sections sentences clauses or parts of this agreement held invalid and invalidity of any section, sentence, clause or parts shall not affect, impair or prejudice in any way the validity of this agreement in any instances.

3. Applicable Law

This agreement shall be construed in accordance with the laws of the State of Texas.

4. Notices

Any notice, request, demand, report, certificate or other instrument which may be required or permitted to be furnished to or served upon the parties shall be deemed sufficiently given or furnished or served if in writing and deposited in the United States mail, registered or certified, return receipt required, addressed to such party at the address set forth below or such other address as may be hereafter designated by either party by written notice to the other party.

IF TO THE CITY OF SAN ANTONIO:

City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283-3966

Attn: _____
City Clerk

IF TO THE CITY OF FAIR OAKS RANCH:

City of Fair Oaks Ranch
7286 Dietz Elkhorn
Fair Oaks Ranch, Texas 78015

Attn: _____
City Secretary

ACKNOWLEDGEMENTS

In witness of which this agreement has been executed in duplicate.

CITY OF FAIR OAKS RANCH

By: [Signature]

Title: City Administrator

Date: August 6, 2014

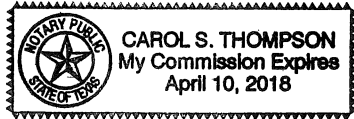
Attest: [Signature]

Title: Mayor

STATE OF TEXAS

COUNTY OF BEXAR

This instrument was acknowledged before me on Aug 6, 2014 by Samuel Marcus Johns, City Administrator of the City of Fair Oaks Ranch, a Texas Municipal Corporation, on behalf of said corporation.



[Signature]
Notary Public, State of Texas

My Commission expires: 4-10-2018

CITY OF SAN ANTONIO

By: _____

Title: _____

Date: _____

Attest: _____

Title: _____

STATE OF TEXAS

COUNTY OF BEXAR

This instrument was acknowledged before me on _____ by _____, City Manager of the City of San Antonio, a Texas Municipal Corporation, on behalf of said corporation.

Notary Public, State of Texas

My Commission expires: _____

EXHIBIT A

Subject Property

Field Notes for the Transfer of ETJ from the City of San Antonio to the City of Fair Oaks Ranch
in Bexar County

**FIELD NOTES
134.060 ACRE TRACT
BEXAR COUNTY, TEXAS**

Being a 134.060 acre tract of land, situated in NW. Bexar County and comprised of The Woods Subdivision Unit 1, P.U.D., as recorded in Vol. 9545, Pgs. 167-170, The Woods Subdivision Unit 2, P.U.D., as recorded in Vol. 9556, Pgs. 157-160 and Greenwood Subdivision, P.U.D., as recorded in Vol. 9562, Pgs. 128-130, Deed and Plat Records of Bexar County, Texas, and being more particularly described as follows:

Beginning at the North corner of the intersection of Interstate Highway 10 and Woodland Parkway and said corner being on the East right of way line of I.H. 10.

Thence, departing said East right of way line of I.H. 10 and along the North right of way line of Woodland Parkway, the following courses and distances:

- N 33° 42' 57" E, a distance of 18.01 feet to a point for a corner;
- S 55° 32' 41" E, a distance of 20.90 feet to a point for a corner;
- N 59° 10' 08" E, a distance of 34.50 feet to a point of curvature for a corner;
- Along a curve to the right having a radius of 65.00 feet, a central angle of 42° 50' 45", an arc length of 48.61 feet and a chord bearing and distance of N 80° 35' 30" E, 47.48 feet to a point of tangent for a corner;
- S 77° 59' 07" E, a distance of 26.62 feet to a point of curvature for a corner;
- Along a curve to the left having a radius of 30.00 feet, a central angle of 33° 37' 26", an arc length of 17.61 feet and a chord bearing and distance of N 85° 12' 10" E, 17.35 feet to a point of tangent for a corner;
- N 68° 23' 27" E, a distance of 7.38 feet to a point for a corner;
- N 23° 23' 27" E, a distance of 31.70 feet to a point for a corner;
- N 68° 23' 27" E, a distance of 12.89 feet to a point for a corner;

Thence, departing the NW right of way of Woodland Pathway, N 05° 06' 37" E, a distance of 239.25 feet to a point for a corner on the NW boundary line of the herein described tract;

Thence, along the said NW boundary line, N 33° 42' 57" E, a distance of 1828.36 feet to a point for a corner;

Thence, along the North boundary line of the herein described tract of land, N 68° 45' 16" E, a distance of 1376.00 feet to a point for a corner;

Thence, N 68° 39' 32" E, a distance of 392.96 feet to a point for the most Northern corner of the herein described tract of land;

FN - 134.060 acre tract - 06.25.12 (con't):

Thence, along the east boundary line of the herein described tract, the following courses and distances:

- S 19° 46' 53" E, a distance of 135.22 feet to a point for a corner;
- S 23° 22' 53" E, a distance of 134.42 feet to a point for a corner;
- S 26° 50' 09" E, a distance of 408.45 feet to a point for a corner;
- S 27° 18' 28" E, a distance of 120.73 feet to a point for a corner;
- S 27° 13' 18" E, a distance of 228.22 feet to a point for a corner;
- S 26 °33' 20" E, a distance of 39.75 feet to a point for a corner;
- S 24° 35' 56" E, a distance of 115.70 feet to a point for a corner;
- S 16° 51' 20" E, a distance of 367.08 feet to a point for a corner;
- S 22° 56' 55" E, a distance of 4.81 feet to a point for a corner;
- S 07° 54' 42" E, a distance of 120.90 feet to a point for a corner;
- S 05° 46' 44" E, a distance of 165.44 feet to a point for a corner;
- S 04° 26' 34" E, a distance of 204.08 feet to a point for a corner;
- S 03° 38' 04" E, a distance of 766.64 feet to a point for a corner;
- S 04° 03' 56" E, a distance of 127.46 feet to a point for a corner;
- S 03° 58' 30" E, a distance of 586.70 feet to a point for a corner;
- S 03° 00' 22" E, a distance of 110.09 feet to a point for the southeast corner of the herein described tract of land;

Thence, along the most southern boundary line of the herein described tract of land, S 85° 11' 14" W, a distance of 678.51 feet to a point for a corner;

Thence, in a northerly direction along the west boundary line of said Greenwood Subdivision, the following courses and distances:

- N 16° 06' 08" E, a distance of 202.58 feet to a point or a corner;
- N 08° 08' 04" W, a distance of 811.54 feet to a point for a corner;
- N 11° 03' 27" E, a distance of 543.88 feet to a point for a corner;
- N 21° 22' 49" W, a distance of 389.86 feet to a point for a corner, and being on the south boundary line of said The Woods Subdivision Unit 2, P.U.D.;

Thence, along said south boundary line of The Woods Subdivision, Unit 2, P.U.D., the following courses and distances:

- S 68° 36' 55" W, a distance of 1,494.70 feet to a point for a corner;
- S 48° 16' 52" W, a distance of 958.34 feet to a point for a corner;
- N 48° 00' 22" W, a distance of 163.59 feet to a point for a corner;
- N 75° 19' 54" W, a distance of 51.98 feet to a point for a corner;
- N 71° 37' 08" W, a distance of 49.93 feet to a point for a corner;
- N 80° 07' 19" W, a distance of 54.62 feet to a point for a corner;



FN - 134.060 acre tract - 06.25.12 (con't):

- N 64° 13' 50" W, a distance of 27.02 feet to a point for a corner;
- N 67° 47' 45" W, a distance of 13.37 feet to a point for a corner;
- N 84° 53' 23" W, a distance of 12.21 feet to a point for a corner;
- S 74° 35' 00" W, a distance of 89.23 feet to a point for a corner;
- S 76° 29' 01" W, a distance of 98.63 feet to a point for a corner;
- S 71° 48' 59" W, a distance of 50.78 feet to a point for a corner;
- N 89° 46' 28" W, a distance of 36.73 feet to a point for a corner on the North right of way line of I.H. 10;

Thence, along said North right of way of I.H. 10, N 30° 49' 52" W, a distance of 53.82 feet to a point for a corner;

Thence, departing said North right of way of I.H. 10, N 51° 14' 38" E, a distance of 127.98 feet to a point for a corner;

Thence, N 85° 15' 14" E, a distance of 48.01 feet to a point for a corner;

Thence, N 19° 52' 48" W, a distance of 125.42 feet to a point for a corner;

Thence, S 19° 53' 14" W, a distance of 20.25 feet to a point for a corner;

Thence, S 68° 23' 27" W, a distance of 26.15 feet to a point for a corner;

Thence, N 66° 36' 33" W, a distance of 31.70 feet to a point for a corner;

Thence, S 68° 23' 27" W, a distance of 26.56 feet to a point for a point of curvature for a corner;

Thence, along a curve to the right having a radius of 50.00 feet, a central angle of 33° 37' 26", an arc length of 29.34 feet, and a chord bearing and distance of S 85° 12' 10" W, 28.92 feet to a point of tangent for a corner;

Thence, N 77° 59' 07" W, a distance of 35.72 feet to a point of curvature for a corner;

Thence, along a curve to the left having a radius of 30.00 feet, a central angle of 42° 50' 45", an arc length of 22.43 feet, and a chord bearing and distance of S 80° 35' 30" W, 21.19 feet to a point of tangent for a corner;

Thence, S 59° 10' 08" W, a distance of 9.89 feet to a point for a corner;

Thence, S 14° 10' 08" W, a distance of 35.56 feet to a point on the East right of way of I.H. 10 for a corner;



June 26, 2012

BRIONES
CONSULTING & ENGINEERING LTD

FN - 134.060 acre tract - 06.25.12 (con't):

Thence, along said East right of way line of Interstate Highway 10, N 30° 49' 52" W, a distance of 107.75 feet to the point of beginning and containing 134.060 acres of land.

6/27/12










George Ozuna, Jr.
George Ozuna, Jr., R.P.L.S.
Registered Public Land Surveyor



Exhibit B

Transferred Property: Provide voluntary annexation opportunity to the property owners of the subject property as shown in the map below, after the release of the subject property from the San Antonio ETJ and incorporated into the Fair Oaks Ranch ETJ.



-  Proposed ETJ Release
-  Cities and Towns
-  FEMA Floodplain
-  BCAD 2012 Parcels
-  Other Cities ETJs
-  Extraterritorial Jurisdiction Line
-  Expressways

Data Source: City of San Antonio Geographic GIS, Secular Metro GIS, Secular Appraisal District
 "This map depicts information for informational purposes only. It is not intended to be used as a legal document or to create any legal rights or obligations. The City of San Antonio is not responsible for any errors or omissions in this map. The City of San Antonio is not responsible for any damages or losses resulting from the use of this map. The City of San Antonio is not responsible for any actions taken based on this map. The City of San Antonio is not responsible for any actions taken based on this map."/>
 Map File Location: \\GIS\Projects\Fair Oaks Ranch\Map of Fair Oaks Ranch.mxd
 Map Date: 10/15/14
 PDF File Name: 14051001.pdf

ETJ Release to the City of Fair Oaks Ranch

City of San Antonio
 Chief Motion Development and
 Business Services Center
 P.O. Box 839966
 San Antonio, TX 78283-3966

