

**RESOLUTION NO. 19-080**

**OF THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES APPROVING A SERVICE AREA AGREEMENT BETWEEN THE SAN ANTONIO WATER SYSTEM, CONTINENTAL HOMES OF TEXAS, L.P., TAW PROPERTIES, LTD., AND SOUTH CENTRAL WATER COMPANY REGARDING AREAS TO BE SERVED BY THE SAN ANTONIO WATER SYSTEM AND SOUTH CENTRAL WATER COMPANY; APPROVING THE FILING OF A PETITION WITH THE PUBLIC UTILITIES COMMISSION OF TEXAS FOR APPROVAL OF THE SERVICE AREA AGREEMENT; FINDING THE RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, Continental Property and TAW Property (the "Development"), specified in the table below, has requested the San Antonio Water System (the "System") to allow South Central Water Company (SCWC) to provide retail sewer utility service to the area bounded by the Continental Property and the TAW Property within Comal County as a dual certificate holder with the System; and

Tract Name	Developer	Acres	W EDUs	WW EDUs	CoSA / CoSA ETJ / Outside	EARZ/ CZ	W CCN	WW CCN
Continental Property / TAW Property	Continental Homes of Texas, L.P. / TAW Properties Ltd.	160.17	0	190	CoSA ETJ	INSIDE	OUT	IN

WHEREAS, capital expenditures estimated at \$11,030,400.00 will be deferred, which would have been required to construct infrastructure to provide wastewater service to the Continental Property and the TAW Property; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to allow South Central Water Company to provide retail sewer service to the Continental Property and the TAW Property as a dual certificate holder; now, therefore:

**BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:**

- That the System hereby approves the Service Area Agreement with Continental Homes of Texas, L.P., TAW Properties Ltd., and South Central Water Company with following conditions: 1) Continental Property is limited to residential land use with impervious cover not to exceed 15 percent; 2) Continental Homes will not allow any multi-family or commercial land use within the Recharge Zone of the Continental Property, and the restrictions regarding multi-family and commercial land use shall not apply to the TAW Property; 3) that Texas Commission on Environmental Quality Edwards Aquifer Recharge Zone Best Management Practices will be

applied to the entirety of the Continental Property and the TAW Property; 4) South Central Water Company will not amend its wastewater treatment facility permit to less restrictive conditions; and 5) the wastewater collection system will meet or exceed the System's infrastructure standards within the Continental Property and the TAW Property.

2. That the System hereby approves filing a petition with the PUC for approval of the Service Area Agreement, including dual certification for service to the properties.

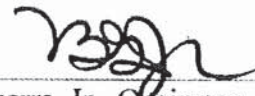
3. The System recommends to the City of San Antonio that the City Consent to the amendment of SCWC's sewer CCN consistent with the Agreement.

4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.

5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.

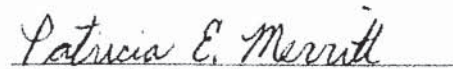
6. This resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED this 12<sup>th</sup> day of March, 2019.



Berto Guerra, Jr., Chairman

ATTEST:



Patricia E. Merritt, Assistant Secretary