

EXHIBIT "B"

AGREEMENT FOR BOUNDARY ADJUSTMENT BETWEEN THE CITY OF SAN ANTONIO AND THE CITY OF TERRELL HILLS RELEASING AND ACCEPTING CORPORATE LIMITS

THIS AGREEMENT FOR BOUNDARY ADJUSTMENT is made and entered into by and between the **CITY OF SAN ANTONIO, TEXAS**, hereinafter referred to as ("San Antonio"), and the **CITY OF TERRELL HILLS, TEXAS**, hereinafter referred to as ("Terrell Hills").

WHEREAS, the City of San Antonio is a home-rule city situated within the County of Bexar, Texas; and

WHEREAS, the City of Terrell Hills is a home-rule city situated within the County of Bexar, Texas; and

WHEREAS, San Antonio and Terrell Hills share common boundaries; and

WHEREAS, the McNay museum owned property is divided by this common boundary and has requested the Agreement for Boundary Adjustment for traffic safety and aesthetic enhancement purposes; and

WHEREAS, municipalities in Texas are authorized and empowered, pursuant to Chapter 43 of the Texas Local Government Code, to exchange area with other municipalities; and

WHEREAS, Section 43.015 of the Texas Local Government Code specifically authorizes adjacent municipalities to make mutually agreeable changes in their boundaries of areas that are less than 1,000 feet in width; and

WHEREAS, the tract of land subject to this Agreement shown on the map attached as **Exhibit "A"** and fully described in **Exhibit "B"** is less than 1,000 feet in width; and

WHEREAS, Terrell Hills desires to adjust its municipal boundary lines, whereby Terrell Hills will release land from its corporate limits to be relinquished to and become part of the corporate limits of San Antonio, and San Antonio will accept the land from Terrell Hills to become part of the corporate limits of San Antonio; and

WHEREAS, representatives of San Antonio and Terrell Hills have met and agreed on a mutually acceptable boundary which is in the best interest of the citizens of each City.

NOW, THEREFORE, for and in consideration of the mutual covenants, conditions, and promises expressed herein, San Antonio and Terrell Hills agree as follows:

SECTION 1. Statement of Intent

Pursuant to Section 43.015 of the Texas Local Government Code, the City of San Antonio and City of Terrell Hills hereby agree that the boundaries between the cities will be adjusted as depicted in the map as **Exhibit "A"**, which is attached hereto and incorporated herein for all purposes.

SECTION 2.
Relinquishment of Territory

In accordance with the terms of this Agreement for Boundary Adjustment, Terrell Hills hereby relinquishes property South of Rittiman Road near the intersection of Austin Highway and N. New Braunfels made up of approximately 2.520 acres as depicted in the map as **Exhibit "A"**, and described by metes and bounds in **Exhibit "B"** to San Antonio. Such property will be released as part of Terrell Hills. San Antonio accepts the land depicted on **Exhibit "A"** into its corporate limits. The tract of land subject to this Boundary Agreement depicted in **Exhibit "A"** is less than 1,000 feet in width

SECTION 3.
Severability

It is hereby declared to be the intention of the City Councils of San Antonio and Terrell Hills that the phrases, clauses, sentences, paragraphs, and sections of this Agreement for Boundary Adjustment are severable, and if any phrase, clause, sentence, paragraph, or section of this Boundary Agreement shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections, since the same would have been enacted without incorporation in this Boundary Agreement of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 4.

The City of San Antonio and the City of Terrell Hills do hereby covenant and agree to protect, preserve, and defend the herein depicted boundary adjustment.

SECTION 5.

The City of San Antonio and the City of Terrell Hills agree and ordain that the adoption by both cities of this Agreement for Boundary Adjustment, and the boundary changes resulting there from do not mitigate, diminish or lessen any way the rights that either party may have, at law or in equity, to challenge or contest any other annexations, attempted annexations, or extraterritorial jurisdiction claims made by the other party.

SECTION 6.

It is understood and agreed that the Boundary Agreement, and the attachments hereto which are incorporated by reference as if set forth fully herein, contain the entire agreement between the parties hereto. The Agreement for Boundary Adjustment shall become effective and shall become a binding agreement upon the City of San Antonio and the City of Terrell Hills by the adoption of same in regular open city council meetings of the City of San Antonio and the City of Terrell Hills.

SECTION 7.

This Agreement for Boundary Adjustment, upon adoption by both cities, shall be executed in duplicate originals by the authorized representatives of each city.

PASSED AND APPROVED this ___ day of _____, 2018.

CITY OF SAN ANTONIO

Sheryl Sculley
City Manager

ATTEST:


Leticia Vacek
City Clerk

APPROVED AS TO FORM:

Andy Segovia
City Attorney

PASSED AND APPROVED this ___ day of March, 2018.

CITY OF TERRELL HILLS




Mayor Anne Ballantyne

ATTEST:



Greg Whitlock
Secretary-Manager

APPROVED AS TO FORM:



Frank J. Garza
City Attorney