

**AN ORDINANCE**

**AUTHORIZING THE CITY OF SAN ANTONIO'S EXECUTION OF A 30-YEAR DEVELOPMENT AGREEMENT BETWEEN THE CITY AND MEH HOLDING COMPANY, LTD, OWNER OF 258.375 ACRES OF LAND GENERALLY LOCATED ALONG US HIGHWAY 87, TO THE EAST OF REAL DRIVE AND TO THE WEST OF BECK ROAD IN THE EXTRATERRITORIAL JURISDICTION ("ETJ") OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.**

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**WHEREAS**, MEH Holding Company, Ltd. (Owner) own approximately 258.375 acres of land, generally located along US Highway 87 and to the east of Real Drive and to west of Beck Road, within the ETJ of the City of San Antonio, more particularly described and depicted in the field notes and metes and bounds descriptions provided in **Attachment "A"** which is attached hereto and incorporated herein for all purpose; and

**WHEREAS**, on March 15, 2019 MEH Holding Company, Ltd., petitioned Bexar County ("County") to create a public improvement district ("PID"), to later be named the Gates Special Improvement District (also referred to as the Gates PID), pursuant to Chapter 382 of the Texas Local Government Code, a copy of which is attached as **Attachment "A"**, and requested the City's consent to the County's creation of the PID and the County's delegation of certain powers and duties with respect thereto, which the City provided by Resolution on August 15, 2019; and

**WHEREAS**, in order to protect the City's infrastructural interests in the ETJ, the City Council finds it is prudent to condition the City's consent to the creation of the PID on the Owner's execution of a development agreement containing mutually agreeable terms relating to the development of the property, voluntary annexation at the end of the term of the development agreement, and the services to be provided to the area by the City in the event of annexation, pursuant to Chapters 43 and 212 of the Texas Local Government Code; and

**WHEREAS**, the City and Owner have agreed to the terms contained in the development agreement, attached hereto as **Attachment "B"**, which the City finds to be just and reasonable and in the best interest of the City of San Antonio. **NOW THEREFORE:**

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

**SECTION 1.** The City Manager, or his designee is authorized to execute a development agreement between the City of San Antonio and MEH Holding Company, Ltd., attached as **Attachment "B"**, containing the terms and conditions governing the development of the PID property, preserving the extraterritorial status of the PID property during the term of the development agreement, and establishing the development agreement as a

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voluntary petition for annexation providing the City with the option of annexing the PID property in the event of default of the development agreement by the Owner, a subsequent owner or end-buyers of properties developed within the PID in the future or upon the termination date of the development agreement; and any and all other terms and conditions the City Manager finds to be in the City's best interest.

**SECTION 2.** The City Council of the City of San Antonio ordains that its consent to the County's creation of the PID and the County's delegation of certain powers and duties with respect thereto shall remain in effect so long as the Owner complies with the terms of the development agreement.

**PASSED AND APPROVED on this 15<sup>TH</sup> day of August 2019.**

**M A Y O R**  
**Ron Nirenberg**

**ATTEST:**

**APPROVED AS TO FORM**

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Leticia M. Vacek, City Clerk

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Andrew Segovia, City Attorney