

ORDINANCE

AUTHORIZING THE CITY OF SAN ANTONIO'S EXECUTION OF A 30-YEAR DEVELOPMENT AGREEMENT BETWEEN THE CITY AND RANDAL C. STOLTE, SUSAN STOLTE, LINDA R. STOLTE, STEPHANIE S. STOLTE, HUGO C. STOLTE, III, OWNERS OF APPROXIMATELY 238.215 ACRES OF LAND, GENERALLY LOCATED WEST OF TALLEY ROAD AND SOUTH OF ELM FORREST ROAD IN THE EXTRATERRITORIAL JURISDICTION ("ETJ") OF THE CITY SAN ANTONIO, BEXAR COUNTY, TEXAS.

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WHEREAS, Randal C. Stolte, Susan Stolte, Linda R. Stolte, Stephanie S. Stolte, Hugo C. Stolte, III (Owners) own approximately 238.215 acres of land, generally located west of Talley Road and south of Elm Forrest Road in the extraterritorial jurisdiction (ETJ) of the City San Antonio, Bexar County, Texas, more particularly described and depicted in **Exhibits "A and B"** enclosed in **Attachment "A"** which is attached hereto and incorporated herein for all purposes; and

WHEREAS, on October 11, 2019, F Randal C. Stolte, Susan Stolte, Linda R. Stolte, Stephanie S. Stolte, Hugo C. Stolte, III (Owners) and Forestar (USA) Real Estate Group, Inc., (Developer), petitioned Bexar County (County) to create a Public Improvement District ("PID") to later be named the Stolte Ranch Special Improvement District pursuant to Chapter 382 of the Texas Local Government Code, a copy of said petition being attached hereto 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 January 30, 20120; and

WHEREAS, in order to protect the City of San Antonio (City)'s infrastructural interests in the ETJ, the City Council found that it was prudent to condition the City's consent to the creation of the PID on the Owners' 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 by the City, pursuant to Chapters 43 and 212 of the Texas Local Government Code; and

WHEREAS, the City and Owners 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 interests 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 Randal C. Stolte, Susan Stolte, Linda R. Stolte, Stephanie S. Stolte, Hugo C. Stolte, III, owners of the property described in **Exhibits "A"**

and “B” to Attachment “A”, a copy of said development agreement being attached hereto 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 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 Owners and/or Developer, a subsequent owner or end-buyers of properties developed with 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 shall remain in effect so long as the Owners execute the development agreement prior to, but no later than thirty (30) days after the date the County creates the District and comply with the terms of the development agreement.

PASSED AND APPROVED on this 30TH day of January 2020.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney