

RESOLUTION NO. 2025-74R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS GRANTING CONSENT TO THE CREATION OF THE LA CIMA MUNICIPAL MANAGEMENT DISTRICT FOR APPROXIMATELY 1,215.533 ACRES OF LAND GENERALLY LOCATED NEAR THE INTERSECTION OF CENTERPOINT ROAD AND OLD RANCH ROAD 12; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of San Marcos received a request for consent to create the La Cima Municipal Management District (the “District”) encompassing 1,215.533 acres, consisting of 10 parcels of land as more particularly described in Exhibits A-1 to A-10, attached hereto and incorporated by reference; and

WHEREAS, the District is intended to be created pursuant to action of the 89th Texas Legislature and will be organized pursuant to Article XVI, Section 59 and Article III, Section 52, of the Texas Constitution and Chapter 375 of the Texas Local Government Code, as amended; and

WHEREAS, the City wishes to evidence its support for the introduction and passage of legislation during the 89th Texas Legislature creating the District and its consent for the creation of the District within the City’s extraterritorial jurisdiction, subject to certain considerations set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. All of the above premises are hereby found to be true and correct legislative findings of the City Council and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

PART 2. Subject to the conditions in Part 3, the City Council of the City (the “City Council”) hereby grants (i) its support for the introduction and passage of legislation during the 89th Texas Legislature creating the District; (ii) its consent for the creation of the District, operating pursuant to Article XVI, Section 59 and Article III, Section 52, Texas Constitution and Chapter 375, Texas Local Government Code, as amended, within its extraterritorial jurisdiction; and (iii) its consent to the inclusion in the District of land described more fully in Exhibits A-1 to A-10.

PART 3. The consent of the City to the creation of the District and inclusion of lands within the District described in (ii) and (iii) is conditioned on the agreement of the owner of lands within the District and the District that: (a) no bonds secured by ad valorem tax debt shall be issued in the name of or for the benefit of the District as to any portion of land within the District until such portion of land has been annexed into the corporate boundaries of the City provided that, if the city elects not to annex following a petition by the owner the District may proceed to issue bonds as to the Property that the City elects not to annex; (b) neither the District nor any owner of land within the District shall authorize the creation of a nonprofit corporation for the purpose of

owning or developing tax exempt properties without the written approval of the City, in its sole discretion; and (c) no land within the District shall be released from the City's Extraterritorial Jurisdiction or disannexed once the land is annexed into City Limits. Such agreement of the owner shall be evidenced in writing through an amendment to that certain Seventh Amended and Restated Development Agreement, recorded in Hays County Records Document Number 22046142 (the "Development Agreement"), as amended.

PART 4. Within 120 days after the creation of the District, the owner or owners of the lands within the District shall submit to the City a request to amend the Seventh Amended and Restated Development Agreement, recorded in Hays County Records document number 22046142, consistent with this Resolution.

PART 5. The City Council acknowledges that it has not relinquished any rights, duties or powers relating to the inclusion of the District within its extraterritorial jurisdiction.

PART 6. This Resolution shall be effective from and after its passage by the City Council.

ADOPTED on April 15, 2025.

Jane Hughson
Mayor

Attest:

Elizabeth Trevino
City Secretary

EXHIBITS A-1 TO A-10
(Legal Descriptions of Property to be included in the District)