

**ORDINANCE NO. 2024-45**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS TERMINATING THE LASALLE (A/K/A WATERSTONE) MUNICIPAL UTILITY DISTRICT CONSENT AGREEMENT, ACKNOWLEDGING RELEASE OF LAND FROM THE LASALLE (WATERSTONE) DEVELOPMENT AGREEMENT, AND APPROVING RELEASE OF LAND FROM THE CITY'S EXTRATERRITORIAL JURISDICTION; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.**

**RECITALS:**

- 1.** The City Council, on April 16, 2013, approved the Consent Agreement for the creation of LaSalle Municipal Utility Districts (MUD) 2, 3, 4 and 5 (Ord. 2013-18).
- 2.** The City Council, on March 4, 2014, approved the Consent Agreement for the creation of LaSalle MUD 1 (Ord. 2014-13).
- 3.** The City Council, on May 19, 2015 and December 20, 2016, approved amendments to the Consent Agreements for the creation of LaSalle MUD 1, 2, 3, 4 and 5 (Ord. 2015-18 & Ord. 2016-54, respectively).
- 4.** The City Council, on November 21, 2017, consolidated the Consent Agreements into a single document (Ord. 2017-60).
- 5.** The City Council, on October 6, 2014, entered into a Development Agreement with LaSalle Holdings LTD (Resolution 2014-114R). All landowning parties have opted out of the Development Agreement in accordance with Section 2.08 of said agreement.
- 6.** The City, by letters dated October 25, 2023 and January 4, 2023 released all property from the City of San Marcos' Extraterritorial Jurisdiction based on petitions signed by the relevant land owners.
- 7.** The City of San Marcos, LaSalle MUDs and LaSalle Holdings, Ltd each desire to terminate the Consent Agreement and acknowledge release of land from the Development Agreement by mutual agreement.
- 8.** The City of San Marcos and LaSalle Holdings each desire to memorialize the release of the property from the City's Extraterritorial Jurisdiction.
- 9.** The City Council hereby finds and determines that the adoption of the following ordinance is in the interest of the public health, morals, welfare, and safety.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:**

**SECTION 1.** The recitals of this ordinance are approved and adopted.

**SECTION 2.** The City Council of the City of San Marcos, Texas agrees to terminate the Consent Agreement related to LaSalle MUDs 1-5 and all obligations therein.

**SECTION 3.** The City Council acknowledges all landowning parties have opted out of the Development Agreement in accordance with said agreement.

**SECTION 4.** The City Council of the City of San Marcos, Texas, hereby grants the Petitions to remove the subject property from the City of San Marcos' Extraterritorial Jurisdiction.

**SECTION 5.** If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

**SECTION 6.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

**SECTION 7.** This ordinance shall be effective upon its adoption on second reading.

**PASSED AND APPROVED** on first reading on September 3, 2024.

**PASSED, APPROVED, AND ADOPTED** on second reading on September 17, 2024.

Jane Hughson  
Mayor

Attest:

Approved:

Elizabeth Trevino  
City Clerk

Samuel J. Aguirre  
City Attorney