

# ANNEXATION APPLICATION

Updated: September, 2020



## CONTACT INFORMATION

Applicant's Name	Amanda Brown	Property Owner	John Maberry
Company	Kimley-Horn and Associates	Company	Highlander Real Estate Partners
Applicant's Mailing Address	10814 Jollyville Rd, Bldg 4 Ste 200 Austin, TX 78759	Owner's Mailing Address	2505 Allston Lane, Austin, TX 78746
Applicant's Phone #	737-471-0333	Owner's Phone #	214-505-7854
Applicant's Email	Amanda.brown@kimley-horn.com	Owner's Email	jmaberry@highlanderrep.com

## PROPERTY INFORMATION

Is the property adjacent to city limits:  YES  NO

Is the property proposing to connect to City utilities:  YES, WATER  YES, WASTE WATER  NO

Is the property subject to an approved development or other agreement :  YES  NO

Proposed Use: Single family Proposed Zoning: CD-2.5

Reason for Annexation / Other Considerations: Development and connection to City utilities

## AUTHORIZATION

*By submitting this digital application, I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.*

Filing Fee \$1,181      Technology Fee \$13      TOTAL COST \$1,194

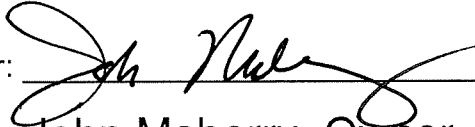
Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

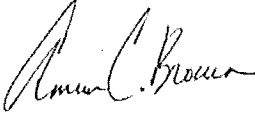
**APPLY ONLINE – [WWW.MYGOVERNMENTONLINE.ORG/](http://WWW.MYGOVERNMENTONLINE.ORG/)**

PROPERTY OWNER AUTHORIZATION

I, John Maberry (owner name) on behalf of Highlander Real Estate Partners (company, if applicable) acknowledge that I/we am/are the rightful owner of the property located at 900 Francis Harris Lane, San Marcos, TX 78666 (address).

I hereby authorize Amanda Brown (agent name) on behalf of Kimley-Horn and Associates, Inc. (agent company) to file this application for Annexation and Rezoning (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  Date: 04/06/2022  
Printed Name, Title: John Maberry, Owner

Signature of Agent:  Date: 04/06/2022  
Printed Name, Title: Amanda Brown

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

### OWNER'S CONSENT TO ANNEXATION OF LAND

**Date:** 04/06/2022  
**City:** City of San Marcos, Texas, a home rule municipal corporation  
**Owner:** Highlander SM One, LLC  
**Property:** 900 Francis Harris Ln

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Owner petitioned the City to initiate proceedings to annex the Property. Owner acknowledges and agrees that, in connection with annexation of the Property:

1. Owner does not wish to enter into a development agreement with the City under Section 212.172 and has declined the offer by the City of such a development agreement.

2. Unless specifically authorized by a written agreement with Owner approved by the City Council under applicable ordinances, the City has no obligation to extend water, wastewater, or electric utility services, roads, or other infrastructure to the Property at the City's expense, and the City has made no offers, representations or promises that the City will, at the City's expense, extend water, wastewater, or electric utility services, roads, or other infrastructure to the Property. Such extensions to the Property shall be made available in the same manner and on the same basis as available to other areas of the City, whereby it shall be Owner's sole obligation, and at Owner's sole expense, to construct and install all infrastructure necessary to extend such services to the Property under applicable ordinances.

3. Owner waives any and all rights of Owner to assert any claim or demand, or to file suit against, and covenants not to sue, the City on the basis that the annexation of the Property by the City is invalid, void or voidable, in whole or in part. The annexation is not effective until approval of the Zoning Case APP-Z-39787

4. This instrument is made, and shall be construed and interpreted under the laws of the State of Texas. Venue for any legal proceedings concerning this instrument shall lie in State courts having jurisdiction located in Hays County, Texas. Venue for any matters in federal court will be in the United States District Court for the Western District of Texas.

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

6. This instrument may be recorded in the Official Public Records of the County or Counties in which the Property is located and is binding on Owner's successors, heirs and assigns, and any future owners of the Property.

[SIGNATURE(S) ON NEXT PAGE]

OWNER:

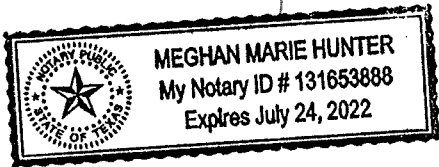
John Moberly

ACKNOWLEDGMENT

STATE OF TX §

COUNTY OF Hays §

This instrument was acknowledged before me on March 6<sup>th</sup>, 2022 by John Moberly.



Meghan Marie Hunter  
Notary Public, State of TX

OWNER: Highlander SM One, LLC

By: John Maberry

Name: John Maberry

Title: Manager

ACKNOWLEDGMENT

STATE OF TX §

COUNTY OF Tarrant §

This instrument was acknowledged before me on March 6<sup>th</sup>, 2022 by John Maberry, Manager of Highlander SM One, LLC in such capacity on behalf of said entity.



Meghan Marie Hunter  
Notary Public, State of TX

**DECLINATION OF OFFER OF DEVELOPMENT AGREEMENT**

The attached Development Agreement was offered by the City of San Marcos to the owner of the property subject to the following application/petition (check one):

Out of City Utility Connection of Extension Application

Petition for Annexation (without OCU Request)

By signing below, the owner of the subject property declines the offer to enter into such Development Agreement.

**OWNER (individual):**

\_\_\_\_\_

**Date:** \_\_\_\_\_

**OWNER (Entity):** Highlander <sup>[OR]</sup> SM One, LLC

**By:** John Maberry

**Name:** John Maberry

**Title:** Manager

**Date:** 4/6/2022

Case No. \_\_\_\_\_ (to be inserted by City Staff)