

ANNEXATION APPLICATION

Updated: September, 2020



CONTACT INFORMATION

Applicant's Name	Douglas Goss	Property Owner	Bryan Lee, Manager
Company	Natural Development Austin, LLC	Company	LCSM PH. 3, LLC
Applicant's Mailing Address	11612 FM 2244, Bldg 1, Ste 140, Austin, TX 78738	Owner's Mailing Address	303 Colorado, Suite 2300, Austin, TX 78701
Applicant's Phone #	512-402-1790	Owner's Phone #	303 Colorado, Suite 2300, Austin, TX 78701
Applicant's Email	dougg@nd-austin.com	Owner's Email	blee@dbcllp.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: HOA Amenity Center Proposed Zoning: SF 4.5

Reason for Annexation / Other Considerations: Required per La Cima Development agreement. Current development agreement resolution 2020-179R

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/

PROPERTY OWNER AUTHORIZATION

I, Bryan Lee, Manager (owner name) on behalf of
LCSM Ph. 3, LLC (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
301 Central Park Loop (address).

I hereby authorize Douglas Goss (agent name) on behalf of
Natural Development Austin, LLC (agent company) to file this application for
Annexation and Zoning (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner:  Date: 4-30-2021
Printed Name, Title: Bryan Lee, Manager

Signature of Agent:  Date: 4/30/2021
Printed Name, Title: Douglas Goss, Project Manager

Form Updated October, 2019

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: _____

[OR]

OWNER (Entity):

By: 

Name: Bryan Lee

Title: Manager, LCSM Ph3, LLC

Date: 6-10-2021

Case No. _____ (to be inserted by City Staff)

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:

City: City of San Marcos, Texas, a home rule municipal corporation

Owner: LCSM PH 3, LLC

Property: 8.704 Ac Final Plat La Cima Amenity Center

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.
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:

By: Bryan Lee

Name: Bryan Lee

Title: Manager

ACKNOWLEDGMENT

STATE OF TX §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on APRIL 30, 2021 by Bryan Lee, Manager of LCSM PH 3, LLC in such capacity on behalf of said entity.



Shelly Magnon
Notary Public, State of TEXAS