

## **FIRST AMENDMENT TO CONSENT AGREEMENT**

THE STATE OF TEXAS     §  
                                      §  
COUNTY OF HAYS       §

This First Amendment to Consent Agreement (“Agreement”) is between the City of San Marcos, Texas (“the City”), a home-rule city located in Hays County, Texas, and LaSalle Holdings, Ltd. a Texas limited partnership (the “Developer”). City previously consented to the creation of four municipal utility districts together to include approximately 1,437 acres of land, at least partially within the extraterritorial jurisdiction of the City of San Marcos, Texas. The name of the Districts is the LaSalle Municipal Utility District Nos. 2-5 (the “Districts”). The Districts were created in the 83<sup>rd</sup> Legislative Session pursuant Texas Water Code Sections 49 and 54 by special act of the Texas legislature.

### **RECITALS**

**WHEREAS**, The Developer owns approximately 1,437 acres of land located within the extraterritorial jurisdiction of the City (the “Land”).

**WHEREAS**, The City consented to the creation of LaSalle Municipal Utility Districts Nos. 2-5.

**WHEREAS**, The Consent Agreement has a term in Section 2.04 requiring a confirmation election to be held within two years from the districts’ creation of the legislature.

**WHEREAS**, The City and the Developer each desire to amend Section 2.04.

**NOWHEREFORE, FOR VALUABLE CONSIDERATION**, The City and the Developer Agree as follows:

The Consent Agreement, in Section 2.04, shall be amended as follows:

“The City’s consent shall be deemed withdrawn and the Districts shall be dissolved if:

(a) The District has not held a confirmation election within ~~two (2)~~ four (4) years from the date of its creation by legislature;...”

All other provisions of the Consent Agreement remain the same.

**City of San Marcos**

By: \_\_\_\_\_  
Daniel Guerrero, Mayor

ATTEST:

\_\_\_\_\_  
Jamie Lee Pettijohn  
City Clerk

STATE OF TEXAS                   §  
   §  
COUNTY OF HAYS               §

This instrument was acknowledged before me the \_\_\_\_\_ day of \_\_\_\_\_,  
2015 by \_\_\_\_\_ of the City of San Marcos, Texas, a home-rule city,  
on behalf of the City.

\_\_\_\_\_  
Notary Public, State of Texas

Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

LaSalle Holdings, Ltd.  
a Texas Limited Partnership

By: LaSalle Management, LLC  
a Texas limited liability company  
its General Partner

Name: \_\_\_\_\_

Title: Manager

STATE OF TEXAS                   §

§

COUNTY OF TRAVIS           §

This instrument was executed by Michael Schroeder, as the in his capacity as an authorized representative of LaSalle Holdings, Ltd., before me on this, the \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public, State of Texas

Printed Name:\_\_\_\_\_

My Commission Expires:\_\_\_\_\_