

**RESOLUTION NO. 2020-232R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING THE TERMS OF A SETTLEMENT AGREEMENT TO RESOLVE ALL CLAIMS IN THE PENDING LITIGATION STYLED – THE MAYAN AT SAN MARCOS RIVER, LLC AND THE CITY OF MARTINDALE TEXAS V. CITY OF SAN MARCOS; CASE NO. 18-0985-CV-A IN THE 25<sup>TH</sup> JUDICIAL DISTRICT COURT OF GUADALUPE COUNTY, TEXAS AND ON APPEAL TO THE FOURTH COURT OF APPEALS OF TEXAS UNDER CASE NO. 04-19-00018-CV; AUTHORIZING THE CITY MANAGER TO SIGN THE SETTLEMENT AGREEMENT; AND DECLARING AN EFFECTIVE DATE.**

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

**PART 1.** The terms of the Settlement Agreement attached to this resolution are hereby approved to resolve all claims in the currently pending litigation regarding the annexation of property in Hays County and Guadalupe County by Ordinance No. 2008-16 in a suit styled: The Mayan at San Marcos River, LLC and The City of Martindale, Texas v. City of San Marcos, in the 25<sup>th</sup> Judicial District Court of Guadalupe County, Texas under Case No. 18-0985-CV-A and on appeal to the Fourth Court of Appeals of Texas under Case No. 04-19-00018. The city manager is hereby authorized to sign the Settlement Agreement on behalf of the city after it has been approved by The Mayan at San Marcos River, LLC and the City of Martindale.

**PART 2.** This resolution shall be in full force and effect immediately from and after its passage.

**ADOPTED** on October 29, 2020.

Jane Hughson  
Mayor

Attest:

Tammy K. Cook  
Interim City Clerk