

ORDER GRANTING PETITION FOR CREATION OF A PUBLIC IMPROVEMENT DISTRICT TO BE NAMED LUCERO SPECIAL IMPROVEMENT DISTRICT, FOR APPOINTMENT OF DIRECTORS, AND IMPOSITION OF AD VALOREM AND SALES AND USE TAXES, EACH TAX AT A SPECIFIED RATE, WITHIN THE BOUNDARIES OF THE DISTRICT, AND FOR AUTHORITY TO ENTER INTO ECONOMIC DEVELOPMENT AGREEMENTS, GRANTS AND LOANS

WHEREAS, on the 9 day of July, 2024, Bexar County Commissioners Court ("Commissioners Court") met in regular session, open to the public, at the Bexar County Courthouse at 100 Dolorosa Street, Suite 2.01, San Antonio, Texas, 78205 to consider adoption of the Order set out below, whereupon roll was called of the members of the Commissioners Court, to wit:

Peter Sakai	County Judge
Rebeca Clay-Flores	Commissioner, Precinct 1
Justin Rodriguez	Commissioner, Precinct 2
Grant Moody	Commissioner, Precinct 3
Tommy Calvert	Commissioner, Precinct 4

All Commissioners were present, except _____; and

WHEREAS, among other business conducted by the Commissioners Court, Commissioner Clay-Flores introduced the Order set out below and moved its adoption, which was seconded by Commissioner Rodriguez, and after a full discussion and the question being before the Court, said motion carried by the following vote:

AYE 5 / NO 0

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED BY THE COMMISSIONERS COURT OF BEXAR COUNTY, TEXAS, THAT THE ORDER SHALL BE ADOPTED AS FOLLOWS:

On February 27, 2024, a petition (the "Petition") attached hereto as Exhibit B was filed with the Bexar County Clerk for the Creation of a Public Improvement District to be named Lucero Special Improvement District (the "District"), appointment of directors, and for imposition of an ad valorem tax and a sales and use tax at a specified rate, within the boundaries of the District, for the authority to enter into economic development agreements, grants and loans, signed by the owners of taxable real property representing more than 50 percent (50%) of the appraised value of taxable real property within the boundaries of the District, praying for the Commissioners Court to grant the Petition.

On March 26, 2024, Commissioners Court reviewed the Petition and entered the Resolution Of Bexar County Commissioners Court Expressing Its Intent, Subject To The Conditions Specified Herein, To Consider The Future Creation Of A Public Improvement District To Be Named The Lucero Special Improvement District And To Include Certain Property In Said District attached as Exhibit "C".

On this date, the Commissioners Court conducted a public hearing to consider the Petition and heard the evidence, both oral and documentary, of all persons who appeared and offered evidence with reference thereto, and find the following:

1. The Petition, duly signed, praying for the creation of the District, to be operated under Chapter 382, of the Texas Local Government Code (the "Code"), appointment of directors and imposition of ad valorem and sales and use taxes, each tax at a specified rate, within the boundaries of the District; and for authorization to use such tax revenues to fund the District's economic development program through issuance of economic development agreements, grants and loans, and planned improvements instead of assessments was considered by the Commissioners Court. Said Petition fully met the requirements of law relating thereto and upon due consideration of said Petition, the same was set down upon the agenda for consideration by this Court on this date. Court proceedings began at 9:00 a.m. at the Bexar County Courthouse, San Antonio, Bexar County (the "County"), Texas and public notice of the hearing was given in accordance with the requirements of the Code.
2. This Commissioners Court is authorized to (a) consider the Petition; (b) enter an Order creating the District, designating that its operation shall be pursuant to the provisions of Chapter 382 of the Code; (c) appoint its board of directors; and, (d) authorize the board of directors of the District to impose an ad valorem tax and a sales and use tax within the District, each at a specified rate to be used to fund the District's planned improvements and any economic development program (including to the extent authorized by Article III Section 52 of the Texas Constitution, road improvement projects) to induce and incentivize economic development projects through the use of economic development agreements, grants and loans. Upon creation, the District will become endowed with the powers granted by Article XVI, Section 59, Article III, Section 52, and Article III, Section 52a of the Constitution of the State of Texas; Chapters 382, 381 and 380 of the Code. The powers granted by Article III, Section 52 cannot be exercised by the District until the City of San Antonio, Texas (the "City") consents by resolution for the District to exercise these powers.
3. The proposed District lies outside the full purpose city limits of any incorporated area and within Bexar County. The area proposed to be included within the District lies entirely within the extra territorial jurisdiction of the City. At the present time, there are fewer than 1,000 inhabitants residing in the proposed District.
4. The Commissioners Court for its authority to undertake action herein, relies upon the law as specifically found in Chapter 382 of the Code, wherein it is provided that a commissioners court of certain counties with a population of more than 1.5 million may create a public improvement district, and authorize such a district to take such actions as are authorized under Chapters 382, 381 and 380 of the Code, including imposition of ad valorem and sales and use taxes, at rates specified by such county, within the boundaries of the public improvement district (collectively the "Laws") if such taxes are approved by the qualified voters in the District at an election called for that purpose.

5. The Commissioners Court relies upon the authority granted in Chapter 271 of the Texas Election Code authorizing political subdivisions, such as the District, to conduct a joint election, and the request of the Petitioner that the County agree to conduct a joint election with the District upon its creation in order to facilitate the orderly conduct of the election required to approve the ad valorem tax and a sales and use tax authorized by this Order.
6. The Commissioners Court recognizes the prayer in the Petition that the District be created and authorized under Chapter 382 of the Code, and that the District impose taxes in lieu of assessments, and finds that the District is not required to submit a feasibility report or assessment plan pursuant to the requirements of such statute.
7. After full consideration by the Commissioners Court, including presentation of testimony and evidence at a public hearing as required by Chapter 382 of the Code, the Commissioners Court affirmatively finds that:
 - (a) the Petition conforms to the requirements of the Laws and that creation of the District under Chapter 382 of the Code;
 - (b) appointment of directors, and imposition of an ad valorem tax and a sales and use tax at a rate specified in this Order is beneficial and advisable to the County and in the County's best interest in order to fund public improvements and economic development programs and induce and incentivize economic development projects through the use of economic development agreements, grants and loans proposed for the District in lieu of assessments, through the issuance of bonds or other financing methods; and
 - (c) creation of the District will provide for the improvement and construction of transportation infrastructure, creation of single-family housing as well as stimulate business and commercial activity and lead to job creation, and would serve the public purpose of economic development and, specifically, providing new jobs, expanding commercial development, construction of residential housing and improvement of roadways.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED BY THE COMMISSIONERS COURT OF BEXAR COUNTY, TEXAS, THAT:

Section 1. The Petition for creation of a public improvement district is in all respects granted, and a public improvement district is hereby created. The District shall be known as the "Lucero Special Improvement District," to be authorized by and to operate pursuant to the provisions of Chapter 382 of the Code; directors are hereby appointed and are named in this Order; and, subject to the approval of the qualified voters in the District, an ad valorem tax and a sales and use tax is hereby authorized to be imposed within the boundaries of the District, at the rate set forth in this Order, as prayed for in the Petition to fund the District's planned public improvements and economic development grants, by the issuance of bonds or other methods. Assessments may not be levied or imposed by the District's board of directors. Except as may be provided for herein,

the Commissioners Court hereby delegates to the District, all of the powers granted to the County under Chapter 382 of the Code. In addition, the County hereby grants to the District the powers and duties of a road district and the power to construct and provide water, wastewater and drainage facilities contingent upon consent from the City for such a grant of power. The District, upon approval from the Commissioners Court, is authorized to issue bonds for any District purpose secured by any District revenue.

Section 2. The District is required to obtain the approval of the County if it desires to increase the tax rate authorized in this Order. The District may not enter into, and the Commissioners Court does not give the District authority to execute, an Economic Development Agreement without first obtaining the approval of the Commissioners Court. The District may not enter into, and the Commissioners Court does not give the District authority to execute, any agreements to make a loan or grant of District proceeds without first obtaining the approval of the Commissioners Court. In addition, the District may not issue bonds, and the Commissioners Court does not give the District authority to issue bonds, without first obtaining the Commissioners Court approval.

Section 3. The District is created and organized under the terms and provisions of Article XVI, Section 59, Article III, Section 52; and Article III, Section 52a of the Constitution of the State of Texas, and Chapter 382, 381 and 380 of the Code, as amended. The District may not exercise the powers granted by Article III, Section 52 unless the City grants approval for the District to exercise these powers.

Section 4. The District is expressly authorized to impose the taxes listed in this Order and except as conditioned herein, to use tax revenues if, as, and when collected to fund improvements, as defined in Chapter 372, 382, 381 and 380 in the Code, in lieu of assessments and for the payment or repayment of the District's costs, by use of bond issuances or other means, to manage economic development projects, and to make grants and loans of public money to promote state and local economic development and to stimulate investment of private capital, business and commercial activity in the District, and job creation in the District and Bexar County, subject to the approval of the voters within the District.

Section 5. Upon calling for an election by the District, the District will be permitted to negotiate and enter into an agreement to conduct a joint election with the County in order to facilitate the orderly conduct of the District's confirmation, tax and bond election, which may be held November 5, 2024, or on another uniform election date. The District's qualified voters shall cast their ballots for or against the District and its proposed taxes, economic development agreement authority, and bonds at a regular Bexar County polling place because no public building will exist within the District at the time of such election. Bexar County agrees to enter into an agreement to conduct a joint election pursuant to Chapter 271 of the Texas Election Code, and will negotiate the terms of such election with the District's Board of Directors.

Section 6. As a condition of the Commissioners Court to create the District, the Commissioners Court may require the District to prepare an annual report to be presented to the Commissioners Court on the status of District improvements and services, including the compliance with negotiated terms and conditions in any economic development agreement. In

addition, on the request of the Commissioners Court, quarterly reports shall be made to the County's SMWBE Advisory Committee and Program Office regarding all District expenditures to specifically include the efforts made in regards to outreach, solicitation and awards to certified small, minority and women-owned businesses on contracted work opportunities within the District.

Section 7. The Directors nominated in the Petition are hereby appointed, and shall serve staggered two (2) year terms as set forth in Chapter 382 of the Code. The directors listed below are hereby appointed:

1. Sergio Martinez
2. Carlos Rodriguez
3. Jon Adame
4. Jose Diaz
5. Michael McMahon
6. Monica Tipton
7. Juan Ayala, Jr.

The aforementioned Directors shall qualify for office by providing the bond and taking the oath of office provided by law. Thereafter, the Board of Directors shall organize as soon as reasonably possible. The District shall provide for any compensation required under Chapter 382 of the Code to the Board of Directors from the District's proceeds.

Section 8. Subject to the approval of the qualified voters in the District, the taxes that are hereby authorized to be levied and imposed within the District and the rates at which they are authorized to be imposed are as follows:

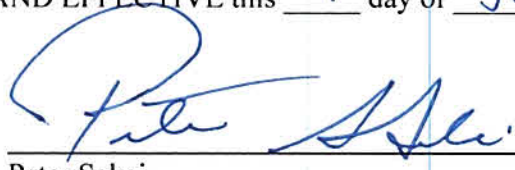
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|--------------------|--|
| Ad Valorem Tax: | \$0.54159 per \$100 valuation, subject to applicable state and local ad valorem tax requirements |
| Sales and Use Tax: | 2% per taxable sale, subject to the state and local sales and use tax rates in the District |

Section 9. The District's boundaries are described in a legal description described in metes and bounds in Exhibit "A" attached hereto and incorporated herein for all purposes.

A certified copy of this Order shall be filed with the County Clerk of Bexar County, Texas, and recorded in a book kept for that purpose, and a certified copy shall be provided to the District. In addition, a certified copy of this Order shall be filed in the Real Property Records of Bexar County.

(Remainder of page intentionally left blank - signatures on next page)

PASSED, ADOPTED, ORDERED AND EFFECTIVE this 9 day of July, 2024.



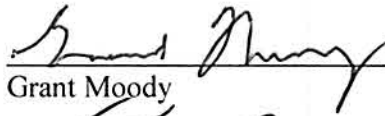
Peter Sakai County Judge



Rebeca Clay-Flores Commissioner, Precinct 1



Justin Rodriguez Commissioner, Precinct 2



Grant Moody Commissioner, Precinct 3



Tommy Calvert Commissioner, Precinct 4

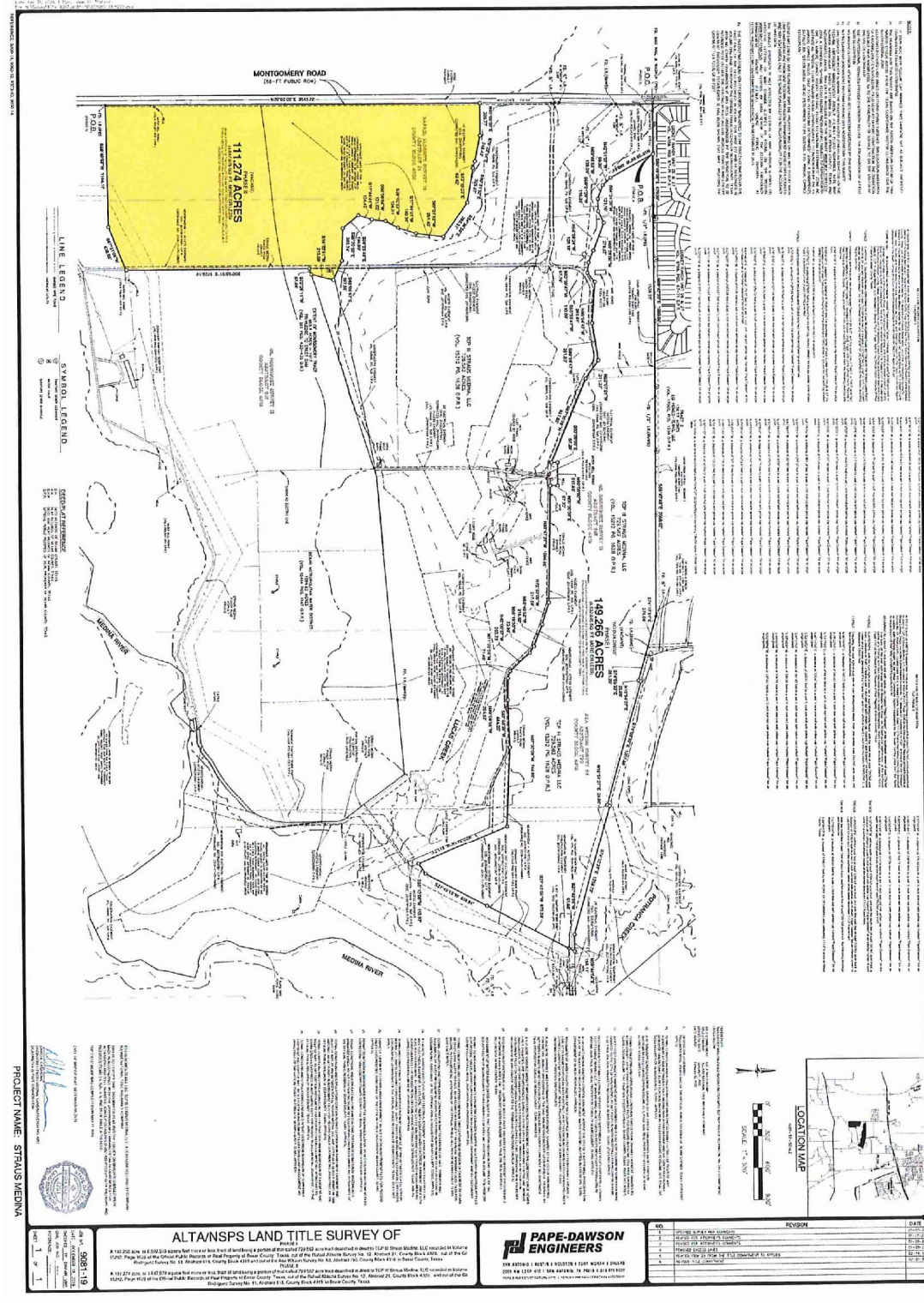
ATTEST:



FOR: Lucy Adame-Clark, County Clerk

EXHIBIT A

LEGAL DESCRIPTION





METES AND BOUNDS DESCRIPTION
FOR PHASE II

A 111.274 acre, or 4,847,078 square feet, more or less, tract of land being a portion of that called 729.582 acre tract described in deed to TCP III Straus Medina, LLC recorded in Volume 15212, Page 1628 of the Official Public Records of Real Property of Bexar County, Texas, out of the Rafael Alderite Survey No. 12, Abstract 21, County Block 4320, and out of the Gil Rodriguez Survey No. 11, Abstract 615, County Block 4319, in Bexar County, Texas. Said 111.274 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a found ½ inch iron rod with yellow cap marked "Pape-Dawson" at the southwest corner of said 729.582 acre tract, on the east right-of-way line of Montgomery Road, an 86-foot public right-of-way, at the northwest corner of a 1094.62 acre tract described in deed to Bexar Metropolitan Water District recorded in Volume 15414, Page 1147 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: N 00°02'08" E, with the east right-of-way line of said Montgomery Road, with the west line of said 729.582 acre tract, a distance of 3545.72 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for the northwest corner of the herein described 111.274 acre tract, and from which a found ½ inch iron rod bears N 00°02'08" E, a distance of 710.60 feet;

THENCE: Departing the east right-of-way line of said Montgomery Road, over and across said 729.582 acre tract, the following bearings and distances:

N 90°00'00" E, a distance of 305.77 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 78°22'14" E, a distance of 245.43 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 73°15'23" E, a distance of 68.42 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 80°21'52" E, a distance of 325.87 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

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S 54°36'50" E, a distance of 393.51 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 07°27'52" W, a distance of 261.43 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 17°44'41" W, a distance of 180.36 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 29°02'52" W, a distance of 134.91 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 06°06'04" W, a distance of 131.02 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 17°44'41" W, a distance of 134.42 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 39°25'49" E, a distance of 194.90 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 88°20'50" E, a distance of 303.74 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 65°05'47" E, a distance of 197.66 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 14°05'41" W, a distance of 213.00 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" on the north line of said 1094.62 acre tract, on the south line of said 729.582 acre tract;

THENCE: S 72°26'11" W, with the north line of said 1094.62 acre tract, and with the south line of said 729.582 acre tract, a distance of 57.99 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" at an exterior corner of said 1094.62 acre tract, and interior corner of the herein described 111.274 acre tract;



THENCE: S 00°05'01" E, with the west line of said 1094.62 acre tract, and with the east line of said 729.582 acre tract, a distance of 1729.14 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an interior corner of said 1094.62 acre tract, and the southeast corner of the herein described 111.274 acre tract;

THENCE: With the north line of said 1094.62 acre tract, and the south line of said 729.582 acre tract, the following bearings and distances:

S 67°31'08" W, a distance of 438.05 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 88°49'03" W, a distance of 1144.17 feet to the POINT OF BEGINNING and containing 111.274 acres in Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 9081-19 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: December 18, 2019
REVISED: January 7, 2020, January 17, 2020
JOB NO. 9081-19
DOC. ID. N:\Survey19\19-9000\9081-19\Word\9081-19 FN PHASE II.docx

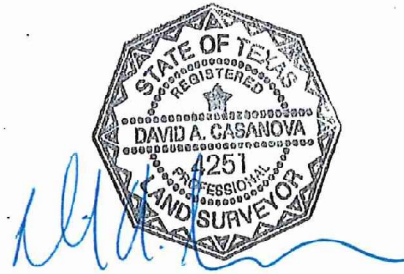


EXHIBIT B

PETITION

**PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT TO BE NAMED
THE LUCERO SPECIAL IMPROVEMENT DISTRICT**

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

SCANNED

TO: THE HONORABLE COMMISSIONERS COURT OF BEXAR COUNTY, TEXAS

The undersigned petitioner (the "Petitioner") acting pursuant to the provisions of Chapter 382 of the Texas Local Government Code, as amended (the "Code"), submits this petition ("Petition") to the Commissioners Court of Bexar County, Texas, to request the creation of a public improvement district, within the extraterritorial jurisdiction (the "ETJ") of the City of San Antonio (the "City"), Bexar County, Texas (the "County"). Specifically, the Petitioner requests that the County create a public improvement district and include the property described in **Exhibit "A"** attached hereto (the "Subject Property") within such public improvement district. In support of this Petition, the Petitioner presents the following:

I. NAME

A public improvement district is being requested, which will be named the "Lucero Special Improvement District" (referred to herein as the "District").

II. PETITIONER

In compliance with the requirements of the Code, and as determined by the current tax roll of the Bexar County Appraisal District, the Petitioner constitutes: the owner representing more than fifty-percent (50%) of the appraised value of taxable real property proposed to be included within the public improvement district proposed in this Petition.

Attached to this Petition is a sworn statement, affirming the Petitioner is the holder of fee simple title to more than fifty-percent (50%) of the appraised value of taxable real property proposed to be included within the District (as defined below) and is the owner representing more than fifty-percent (50%) of all record owners of property within the proposed District. The Petitioner requests, and consents to, the creation of the District, as set forth in this Petition. The sworn statement of the Petitioner is attached hereto as **Exhibit "B"** and incorporated herein for all purposes.

III. BOUNDARIES

The proposed boundaries of the District shall include the Subject Property, more particularly described in **Exhibit "A"** attached hereto and incorporated herein for all purposes. The total acreage of the District is approximately 111.3 acres total. None of the land to be included in the District is within the corporate boundaries of any municipality and all of the land proposed to be included in the District is in the ETJ of the City and in the County.

IV. GENERAL NATURE OF THE PROPOSED PUBLIC IMPROVEMENTS

The Petitioner requests that the County create a public improvement district and authorize it to engage in economic development projects and grant to the District the powers requested in this Petition. The District proposes to enter into development agreements as are deemed advisable to promote state and local economic development and to stimulate residential and commercial activity in the District. The general nature of the work proposed to be done may include, but is not limited to: onsite roads (including, but not limited to, a collector road); offsite roads; offsite utility extension (including, but not limited to, extension of a water line); onsite public improvements for residential lots (septic system, water, streets, and drainage); the improvement and construction of water, septic system, dry utilities (gas and electric) detention ponds, storm sewer (if applicable), impact fees for capacity, road, landscaping in public right of ways, or sidewalks; right of way acquisition costs; easement acquisition costs; appraisal costs; geotechnical engineering costs; environmental inspection/testing and remediation costs; well plugging costs; demolition costs; water and sewer (if applicable) impact fees; floodplain reclamation costs; tree mitigation costs; park/entry/amenity improvement costs; including any cost or expense of purchasing, constructing, maintaining, acquiring, owning, operating, repairing, leasing, improving, extending, or paying for inside (i.e. onsite) and outside (i.e. offsite) the district boundaries flood plains and wetlands regulation and endangered species permits, stormwater permits, including mitigation; and all works, improvements, facilities, plants, equipment, appliances, interest in property, and contract rights needed thereof, and administrative facilities needed in connection therewith, related surveying, engineering, and legal fees, costs and expenses, and all rights of way and other interests in land necessary or convenient in connection therewith, as well as reasonable contingencies, associated with the costs of public improvements. Further, the public improvements financed by the District may include any public improvements in compliance with Chapter 382 of the Code, as amended, and in accordance with the governing laws.

V. ESTIMATED COSTS OF THE PROPOSED CONSTRUCTION OF THE PUBLIC IMPROVEMENTS

The total estimated capital cost for the District's public improvements is approximately \$23,211,016.00. Such costs can be partially offset with the imposition of taxes and the issuance of bonds by the District, as further described herein.

VI. NATURE OF THE DISTRICT AND AUTHORITY

The District is expressly requested pursuant to Chapter 382 of the Code. The District shall be created for the purposes of a district created and organized under Section 52, Article III, and Section 59, Article XVI of the Texas Constitution, Chapters 380, 381, and 382 of the Code, and for the purpose of creating a program for economic development as provided in Section 52, Article III of the Texas Constitution, and for any other lawful purpose authorized by the governing laws.

The Petitioner specifically requests that:

- (1) the County authorize the District to exercise the powers granted under Chapter 382 of the Code;
- (2) the County delegate to the District all powers that the County is granted pursuant to Chapter 382; and

- (3) the County authorize the District to engage in economic development projects, as the District may enter into development agreements which are deemed advisable to promote state and local economic development and to stimulate business and commercial activity in the District.

VII. ROAD IMPROVEMENTS

The Petitioner requests that pursuant to Section 382.109 of the Code the County designate and approve the proposed onsite and offsite road improvements as a "Road Improvement Project" and designate and approve such Road Improvement Project as a targeted economic development project, which is of an economic benefit to the District, to the Subject Property within the District, and to the County.

VIII. ADVISORY BOARD

As authorized by the Code, an advisory body may be established by the County to develop and recommend an improvement plan. However, an improvement plan is not necessary or applicable, as the Petitioner does not propose that the District be granted the power to impose assessments.

IX. MANAGEMENT OF THE DISTRICT AND BOARD OF DIRECTORS

The Petitioner specifically requests the County appoint a seven (7) member Board of Directors to govern the District and approve their respective terms in accordance with Section 382.051 of the Code, as the population of the District is less than 1,000 persons. The Petitioner also requests that the County delegate to the District's Board of Directors the County's powers and duties provided by Chapter 382 of the Code, in order for the Board of Directors to oversee, manage, and govern the District to the fullest extent authorized by the Code.

X. TAXES AND BONDS

The Petitioner requests that the County authorize the District to accomplish its purposes and the costs of services and improvements by imposing an ad valorem tax and a sales and use tax. The District shall also have the authority to issue bonds, negotiate promissory notes, and other District obligations, as further described herein.

The Petitioners specifically request that:

- (1) the District's proposed improvements be financed and paid for with taxes authorized by Chapter 382 of the Code instead of assessments;
- (2) the County grant the District authority to impose an ad valorem tax and sales and use tax to accomplish the economic development purposes prescribed by Section 52a, Article III, of the Texas Constitution;
- (3) the County grant the District authority, in accordance with Section 382.152 of the Code, to issue bonds, negotiable promissory notes and other District obligations, which may be secured by District revenue or any type of District taxes, or any combination of taxes and revenue pledged to the payment of bonds; and
- (4) the County grant the District authority as provided in Sections 382.158 and 382.159 of the Code, regarding borrowing and repayment of costs, respectively.

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In regards to the proposed tax rates, the Petitioner specifically requests that the County authorize the District to:

- (1) impose an ad valorem tax not to exceed the City's tax rate; and
- (2) impose a sales and use tax with a rate not to exceed two-percent (2%).

XI. METHOD OF ASSESSMENT

The Petitioner does not propose that the District be granted the power to impose assessments, and accordingly, the Petitioner is not required to present a Service Plan, an Assessment Plan (including method of assessment), or to prepare an Assessment Roll. As stated above, the Petitioner requests that the District's proposed improvements be financed and paid for with taxes authorized by Chapter 382 of the Code instead of assessments.

XII. APPORTIONMENT OF COST BETWEEN COUNTY AND THE DISTRICT

Approval and creation of the District will not obligate the County to provide any funds to finance the proposed public improvements. All costs of the District shall be paid by and apportioned to the District, and not to the County, as a whole.

XIII. ADVISABILITY AND FEASIBILITY OF THE DISTRICT AND BEST INTERESTS OF THE COUNTY

The District and its proposed improvements and economic development projects appear feasible and are necessary and advisable for the economy of the District and the County. Additionally, the County may create a public improvement district if the County determines it is in the best interest of the County. The area comprising the District is not presently developed, and therefore, the proposed District is necessary to pay for or finance public improvements and economic development within the District. Furthermore, the District will serve the public purpose of promoting and encouraging new residential development in the District and the County, which will encourage employment and economic activity within the District and the County. As such, the County's creation of the District is in the best interest of the County, as the District and the proposed improvements confer a special benefit on the District, the Subject Property within the District, and the County.

XIV. FILING WITH THE COUNTY CLERK

This Petition will be filed with the County Clerk in support of the creation of the District, as described herein.

XV. PRAYER

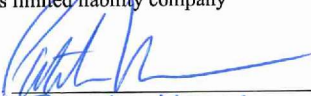
This Petition requests that the County create the District, include the Subject Property therein, and grant to the District the powers requested in the Petition. The Petitioner prays that this Petition be heard and the Commissioners Court set a hearing date, publish notice of, conduct a hearing, make certain findings,

and enter an Order creating the District in a manner authorized under Chapter 382 of the Code and as described herein.

Signature(s) on the Following Page(s)

PETITIONER:

LGI HOMES – TEXAS, LLC,
a Texas limited liability company

By: 
Name: PATRICK VEDRA
Title: OFFICER

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

On the 1 day of February, 2024, before me, the undersigned, personally appeared Patrick Vedra, of LGI Homes - Texas, LLC, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the foregoing instrument and acknowledged to me they executed the same in the capacity and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public *1st Anno for the State of Texas*
My Commission Expires: March 6, 2027

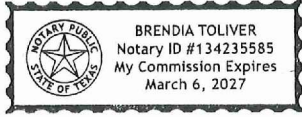


EXHIBIT "A"
FIELD NOTES AND SURVEY OF THE SUBJECT PROPERTY



METES AND BOUNDS DESCRIPTION
FOR PHASE II

A 111.274 acre, or 4,847,078 square feet, more or less, tract of land being a portion of that called 729.582 acre tract described in deed to TCP III Straus Medina, LLC recorded in Volume 15212, Page 1628 of the Official Public Records of Real Property of Bexar County, Texas, out of the Rafael Alderite Survey No. 12, Abstract 21, County Block 4320, and out of the Gil Rodriguez Survey No. 11, Abstract 615, County Block 4319, in Bexar County, Texas. Said 111.274 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a found 1/2 inch iron rod with yellow cap marked "Pape-Dawson" at the southwest corner of said 729.582 acre tract, on the east right-of-way line of Montgomery Road, an 86-foot public right-of-way, at the northwest corner of a 1094.62 acre tract described in deed to Bexar Metropolitan Water District recorded in Volume 15414, Page 1147 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: N 00°02'08" E, with the east right-of-way line of said Montgomery Road, with the west line of said 729.582 acre tract, a distance of 3545.72 feet to a set 1/2 inch iron rod with yellow cap marked "Pape-Dawson" for the northwest corner of the herein described 111.274 acre tract, and from which a found 1/2 inch iron rod bears N 00°02'08" E, a distance of 710.60 feet;

THENCE: Departing the east right-of-way line of said Montgomery Road, over and across said 729.582 acre tract, the following bearings and distances:

N 90°00'00" E, a distance of 305.77 feet to a set 1/2 inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 78°22'14" E, a distance of 245.43 feet to a set 1/2 inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 73°15'23" E, a distance of 68.42 feet to a set 1/2 inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 80°21'52" E, a distance of 325.87 feet to a set 1/2 inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

Page 1 of 3

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2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 www.Pape-Dawson.com

S 54°36'50" E, a distance of 393.51 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 07°27'52" W, a distance of 261.43 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 17°44'41" W, a distance of 180.36 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 29°02'52" W, a distance of 134.91 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 06°06'04" W, a distance of 131.02 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 17°44'41" W, a distance of 134.42 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 39°25'49" E, a distance of 194.90 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 88°20'50" E, a distance of 303.74 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 65°05'47" E, a distance of 197.66 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 14°05'41" W, a distance of 213.00 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" on the north line of said 1094.62 acre tract, on the south line of said 729.582 acre tract;

THENCE:

S 72°26'11" W, with the north line of said 1094.62 acre tract, and with the south line of said 729.582 acre tract, a distance of 57.99 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" at an exterior corner of said 1094.62 acre tract, and interior corner of the herein described 111.274 acre tract;



111.274 Acres
Job No. 9081-19
Page 3 of 3

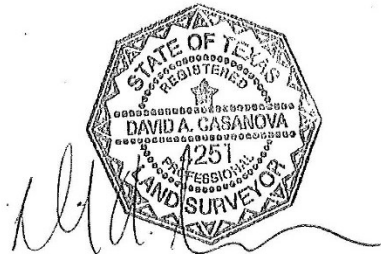
THENCE: S 00°05'01" E, with the west line of said 1094.62 acre tract, and with the east line of said 729.582 acre tract, a distance of 1729.14 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an interior corner of said 1094.62 acre tract, and the southeast corner of the herein described 111.274 acre tract;

THENCE: With the north line of said 1094.62 acre tract, and the south line of said 729.582 acre tract, the following bearings and distances:

S 67°31'08" W, a distance of 438.05 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 88°49'03" W, a distance of 1144.17 feet to the POINT OF BEGINNING and containing 111.274 acres in Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 9081-19 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: December 18, 2019
REVISED: January 7, 2020, January 17, 2020
JOB NO. 9081-19
DOC. ID. N:\Survey19\19-9000\9081-19\Word\9081-19 FN PHASE II.docx



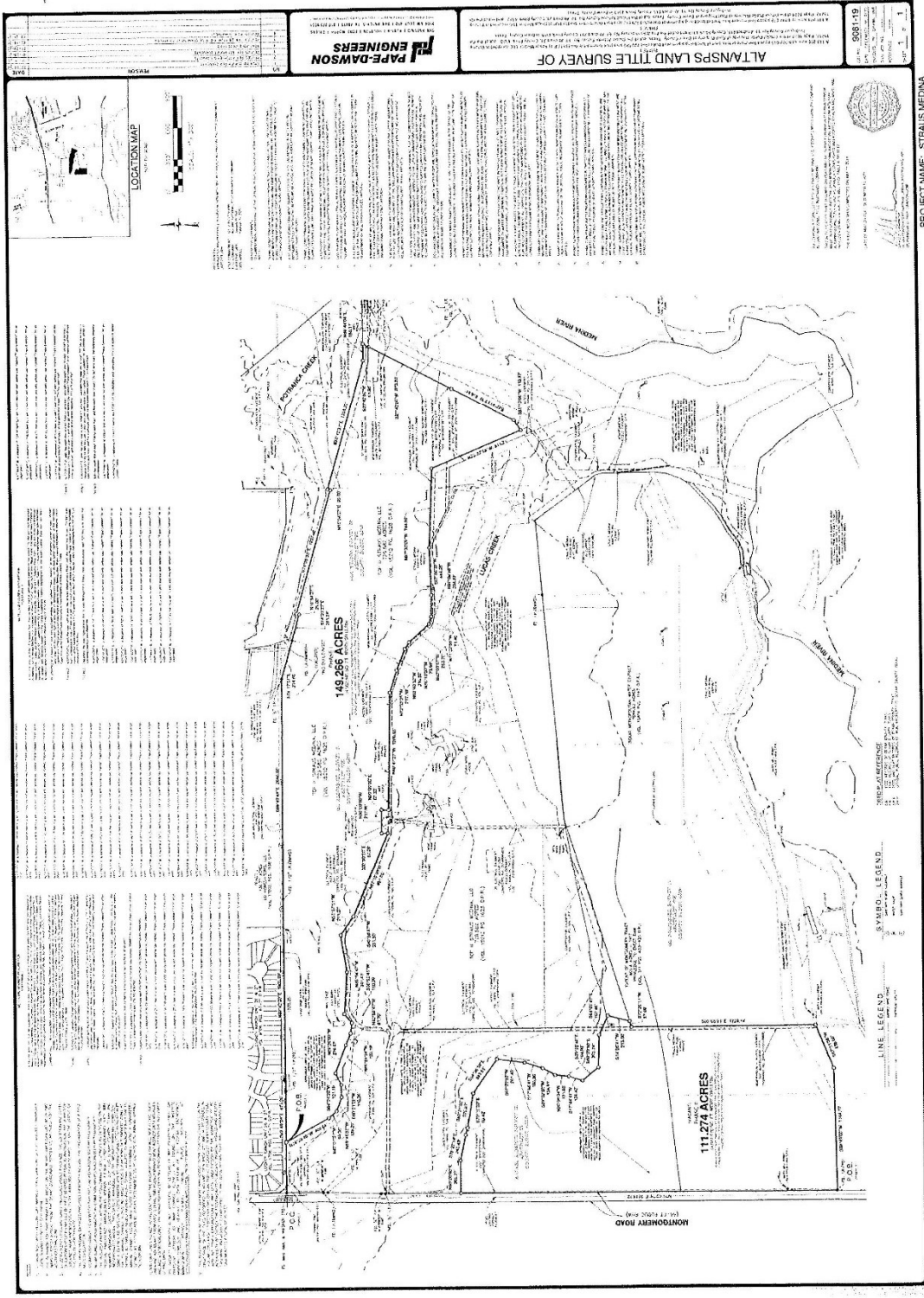


EXHIBIT "B"
PETITIONER'S SWORN STATEMENT

**SWORN AFFIDAVIT OF FEE SIMPLE OWNER OF REAL PROPERTY REQUESTING
CREATION OF, AND CONSENTING TO INCLUSION IN, THE LUCERO SPECIAL
IMPROVEMENT DISTRICT**


LGI Homes - Texas, LLC (hereinafter "Owner") hereby affirms that they are the fee simple owner of real property located in Bexar County. Owner requests the creation of the Lucero Special Improvement District (the "District") and consents to the inclusion of said real property within its boundaries. The description of the real property owned by Owner, and which Owner wishes to include within the proposed District is attached as **Exhibit "A"** to the Petition for the creation of the Lucero Special Improvement District.

By the signature below, Owner verifies, for purposes of Chapter 382 of the Texas Local Government Code that they are the owner of taxable real property, described in **Exhibit "A"** below, representing more than fifty-percent (50%) of the appraised value of taxable real property within the proposed District, and that they constitute more than fifty-percent (50%) of all record owners of property within the proposed District or that they own taxable real property that constitutes more than fifty-percent (50%) of the area of all taxable real property within the proposed District.

-Signature(s) on the Following Page(s)-

OWNER:

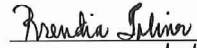
LGI HOMES - TEXAS, LLC,
a Texas limited liability company

By: 
Name: PATRICK VEDRA
Title: OFFICER

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

On the 1 day of February, 2024, before me, the undersigned, personally appeared Patrick Vedra, of LGI Homes - Texas, LLC, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the foregoing instrument and acknowledged to me they executed the same in the capacity and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public in and for the State of TEXAS
My Commission Expires: March 6, 2027



VG-76-2024-20240033913

File Information

**FILED IN THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY
LUCY ADAME-CLARK, BEXAR COUNTY CLERK**

Document Number:	20240033913
Recorded Date:	February 27, 2024
Recorded Time:	8:39 AM
Total Pages:	15
Total Fees:	\$77.00

**** THIS PAGE IS PART OF THE DOCUMENT ****

**** Do Not Remove ****

Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Bexar County, Texas on:
2/27/2024 8:39 AM



Lucy Adame-Clark
 Lucy Adame-Clark
 Bexar County Clerk

EXHIBIT C

MARCH 26, 2024 RESOLUTION



RESOLUTION OF BEXAR COUNTY COMMISSIONERS COURT EXPRESSING ITS INTENT, SUBJECT TO THE CONDITIONS SPECIFIED HEREIN, TO CONSIDER THE FUTURE CREATION OF A PUBLIC IMPROVEMENT DISTRICT TO BE NAMED THE LUCERO SPECIAL IMPROVEMENT DISTRICT AND TO INCLUDE CERTAIN PROPERTY IN SAID DISTRICT.

WHEREAS, a petition ("Petition") was filed with, and an application was submitted to, Bexar County, Texas (the "County"), on February 27, 2024, to create a public improvement district to be named the Lucero Special Improvement District (the "District"), pursuant to Chapter 382 of the Texas Local Government Code, as amended (the "Code"); and

WHEREAS, in compliance with the requirements of Chapter 382 of the Code, and as determined by the current tax roll of the Bexar County Appraisal District, the Petition, attached as Exhibit "A" was filed by the petitioner who constitutes the owner representing more than 50% of the appraised value of taxable real property proposed to be included within the District; and

WHEREAS, the Petition prays for, but is not limited to the following, the creation of the District, the inclusion of certain property within the District, the appointment of board of directors, the imposition of ad valorem and sales and use taxes, instead of assessments, within the boundary of the District; authorization to issue bonds; and the authorization to use such tax revenues to fund the District's economic development programs, all as further described in the Petition; and

WHEREAS, the District may be created for the purposes of a district created and organized under Section 52, Article III, and Section 59, Article XVI of the Texas Constitution, Chapters 380, 381, and 382 of the Code, and for the purposes of creating a program for economic development as provided in Section 52-a, Article III of the Texas Constitution, and for any other lawful purpose authorized by the governing laws; and

WHEREAS, pursuant to the provisions of Chapter 382 of the Code, and pursuant to the County's finding that the District is in the best interest of the County, the County may create the District and approve the inclusion of that certain approximate 111.274 acres of property therein (the "District Property"), the boundaries of which are as more particularly described in **Exhibit "B"** (Aerial Map of Special Improvement District) and **Exhibit "C"** (Metes & Bounds of Special Improvement District), attached hereto and incorporated herein for all purposes; and

WHEREAS, the District and District Property specifically consists of approximately 111.274 acres, as more particularly described in **Exhibit "B"** and **Exhibit "C"**; and

WHEREAS, none of the land to be included in the District is within the corporate boundaries of any municipality and all of the land proposed to be included in the District is in the extraterritorial jurisdiction of the City of San Antonio, Texas (“City”) and in the County; and

WHEREAS, upon the County’s creation of the District, a developer intends to help develop certain proposed onsite public improvements for a single-family residential and commercial development; and

WHEREAS, those certain proposed onsite public improvements are further described in a preliminary summary, which may be subject to revisions and amendments, attached hereto as Exhibit “D” and incorporated herein for all purposes; and

WHEREAS, the District Property is mostly undeveloped and, as such, the District is necessary to pay for and fund public improvements and economic development within (and that benefit) the District and the County; and

WHEREAS, the Commissioners Court has considered this matter and deems it in the public interest to authorize this resolution.

NOW, THEREFORE BE IT RESOLVED BY THE COMMISSIONERS COURT OF BEXAR COUNTY:

SECTION I

The proposed District, and the proposed District Property to be included therein, include approximately 111.274 acres within the City’s extraterritorial jurisdiction and within the County, generally located south of Highway 90 and along the east side of Montgomery Road, as more particularly described in Exhibit “B” and Exhibit “C”.

SECTION II

Upon an affirmative finding that the proposed District is in the best interest of the County and is beneficial and advisable, Commissioners Court hereby expresses its intent, subject to Section III of this resolution, to consider creating the Lucero Special Improvement District at a future date and include that certain District Property therein, on terms and conditions Commissioners Court, in its sole discretion, deem advisable.

SECTION III

Consideration for the future creation of the District, and the inclusion of the District Property therein, by Commissioners Court will be subject to the following:

- A. Submission of documents and information for the District, including, but not limited to, financial projections, exhibits, and any additional information or documents considered necessary and appropriate in order for County staff to make a recommendation to Commissioners Court that creation of the proposed District is in the best interest of the County, as required by the Code.
- B. Submission of documents and information for the proposed public improvements described in Exhibit “D”, including, but not limited to, public improvement descriptions, infrastructure costs,

and any additional information or documents considered necessary and appropriate in order for County staff to make a recommendation to Commissioners Court that creation of the proposed District is in the best interest of the County, as required by the Code.

- C. Consent of the City of San Antonio, by resolution or ordinance, authorizing the County's creation of the District.

SECTION IV

This Resolution of Intent shall be effective immediately upon its passage and adoption.

Passed and Approved this 26 day of March, 2024.


Peter Sakai County Judge


Rebeca Clay-Flóres Commissioner, Precinct 1


Justin Rodriguez Commissioner, Precinct 2


Grant Moody Commissioner, Precinct 3


Tommy Calvert, Jr. Commissioner, Precinct 4

EXHIBIT "A"

**Petition For The Creation Of A Public Improvement District To Be Named
The Lucero Special Improvement District
Filed February 27, 2024**

**PETITION FOR THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT TO BE NAMED
THE LUCERO SPECIAL IMPROVEMENT DISTRICT**

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

SCANNED

TO: THE HONORABLE COMMISSIONERS COURT OF BEXAR COUNTY, TEXAS

The undersigned petitioner (the "Petitioner") acting pursuant to the provisions of Chapter 382 of the Texas Local Government Code, as amended (the "Code"), submits this petition ("Petition") to the Commissioners Court of Bexar County, Texas, to request the creation of a public improvement district, within the extraterritorial jurisdiction (the "ETJ") of the City of San Antonio (the "City"), Bexar County, Texas (the "County"). Specifically, the Petitioner requests that the County create a public improvement district and include the property described in **Exhibit "A"** attached hereto (the "Subject Property") within such public improvement district. In support of this Petition, the Petitioner presents the following:

I. NAME

A public improvement district is being requested, which will be named the "Lucero Special Improvement District" (referred to herein as the "District").

II. PETITIONER

In compliance with the requirements of the Code, and as determined by the current tax roll of the Bexar County Appraisal District, the Petitioner constitutes: the owner representing more than fifty-percent (50%) of the appraised value of taxable real property proposed to be included within the public improvement district proposed in this Petition.

Attached to this Petition is a sworn statement, affirming the Petitioner is the holder of fee simple title to more than fifty-percent (50%) of the appraised value of taxable real property proposed to be included within the District (as defined below) and is the owner representing more than fifty-percent (50%) of all record owners of property within the proposed District. The Petitioner requests, and consents to, the creation of the District, as set forth in this Petition. The sworn statement of the Petitioner is attached hereto as **Exhibit "B"** and incorporated herein for all purposes.

III. BOUNDARIES

The proposed boundaries of the District shall include the Subject Property, more particularly described in **Exhibit "A"** attached hereto and incorporated herein for all purposes. The total acreage of the District is approximately 111.3 acres total. None of the land to be included in the District is within the corporate boundaries of any municipality and all of the land proposed to be included in the District is in the ETJ of the City and in the County.

IV. GENERAL NATURE OF THE PROPOSED PUBLIC IMPROVEMENTS

The Petitioner requests that the County create a public improvement district and authorize it to engage in economic development projects and grant to the District the powers requested in this Petition. The District proposes to enter into development agreements as are deemed advisable to promote state and local economic development and to stimulate residential and commercial activity in the District. The general nature of the work proposed to be done may include, but is not limited to: onsite roads (including, but not limited to, a collector road); offsite roads; offsite utility extension (including, but not limited to, extension of a water line); onsite public improvements for residential lots (septic system, water, streets, and drainage); the improvement and construction of water, septic system, dry utilities (gas and electric) detention ponds, storm sewer (if applicable), impact fees for capacity, road, landscaping in public right of ways, or sidewalks; right of way acquisition costs; easement acquisition costs; appraisal costs; geotechnical engineering costs; environmental inspection/testing and remediation costs; well plugging costs; demolition costs; water and sewer (if applicable) impact fees; floodplain reclamation costs; tree mitigation costs; park/entry/amenity improvement costs; including any cost or expense of purchasing, constructing, maintaining, acquiring, owning, operating, repairing, leasing, improving, extending, or paying for inside (i.e. onsite) and outside (i.e. offsite) the district boundaries flood plains and wetlands regulation and endangered species permits, stormwater permits, including mitigation; and all works, improvements, facilities, plants, equipment, appliances, interest in property, and contract rights needed thereof, and administrative facilities needed in connection therewith, related surveying, engineering, and legal fees, costs and expenses, and all rights of way and other interests in land necessary or convenient in connection therewith, as well as reasonable contingencies, associated with the costs of public improvements. Further, the public improvements financed by the District may include any public improvements in compliance with Chapter 382 of the Code, as amended, and in accordance with the governing laws.

V. ESTIMATED COSTS OF THE PROPOSED CONSTRUCTION OF THE PUBLIC IMPROVEMENTS

The total estimated capital cost for the District's public improvements is approximately \$23,211,016.00. Such costs can be partially offset with the imposition of taxes and the issuance of bonds by the District, as further described herein.

VI. NATURE OF THE DISTRICT AND AUTHORITY

The District is expressly requested pursuant to Chapter 382 of the Code. The District shall be created for the purposes of a district created and organized under Section 52, Article III, and Section 59, Article XVI of the Texas Constitution, Chapters 380, 381, and 382 of the Code, and for the purpose of creating a program for economic development as provided in Section 52, Article III of the Texas Constitution, and for any other lawful purpose authorized by the governing laws.

The Petitioner specifically requests that:

- (1) the County authorize the District to exercise the powers granted under Chapter 382 of the Code;
- (2) the County delegate to the District all powers that the County is granted pursuant to Chapter 382; and

Page | 2

- (3) the County authorize the District to engage in economic development projects, as the District may enter into development agreements which are deemed advisable to promote state and local economic development and to stimulate business and commercial activity in the District.

VII. ROAD IMPROVEMENTS

The Petitioner requests that pursuant to Section 382.109 of the Code the County designate and approve the proposed onsite and offsite road improvements as a "Road Improvement Project" and designate and approve such Road Improvement Project as a targeted economic development project, which is of an economic benefit to the District, to the Subject Property within the District, and to the County.

VIII. ADVISORY BOARD

As authorized by the Code, an advisory body may be established by the County to develop and recommend an improvement plan. However, an improvement plan is not necessary or applicable, as the Petitioner does not propose that the District be granted the power to impose assessments.

IX. MANAGEMENT OF THE DISTRICT AND BOARD OF DIRECTORS

The Petitioner specifically requests the County appoint a seven (7) member Board of Directors to govern the District and approve their respective terms in accordance with Section 382.051 of the Code, as the population of the District is less than 1,000 persons. The Petitioner also requests that the County delegate to the District's Board of Directors the County's powers and duties provided by Chapter 382 of the Code, in order for the Board of Directors to oversee, manage, and govern the District to the fullest extent authorized by the Code.

X. TAXES AND BONDS

The Petitioner requests that the County authorize the District to accomplish its purposes and the costs of services and improvements by imposing an ad valorem tax and a sales and use tax. The District shall also have the authority to issue bonds, negotiate promissory notes, and other District obligations, as further described herein.

The Petitioners specifically request that:

- (1) the District's proposed improvements be financed and paid for with taxes authorized by Chapter 382 of the Code instead of assessments;
- (2) the County grant the District authority to impose an ad valorem tax and sales and use tax to accomplish the economic development purposes prescribed by Section 52a, Article III, of the Texas Constitution;
- (3) the County grant the District authority, in accordance with Section 382.152 of the Code, to issue bonds, negotiable promissory notes and other District obligations, which may be secured by District revenue or any type of District taxes, or any combination of taxes and revenue pledged to the payment of bonds; and
- (4) the County grant the District authority as provided in Sections 382.158 and 382.159 of the Code, regarding borrowing and repayment of costs, respectively.

Page | 3

In regards to the proposed tax rates, the Petitioner specifically requests that the County authorize the District to:

- (1) impose an ad valorem tax not to exceed the City's tax rate; and
- (2) impose a sales and use tax with a rate not to exceed two-percent (2%).

XI. METHOD OF ASSESSMENT

The Petitioner does not propose that the District be granted the power to impose assessments, and accordingly, the Petitioner is not required to present a Service Plan, an Assessment Plan (including method of assessment), or to prepare an Assessment Roll. As stated above, the Petitioner requests that the District's proposed improvements be financed and paid for with taxes authorized by Chapter 382 of the Code instead of assessments.

XII. APPORTIONMENT OF COST BETWEEN COUNTY AND THE DISTRICT

Approval and creation of the District will not obligate the County to provide any funds to finance the proposed public improvements. All costs of the District shall be paid by and apportioned to the District, and not to the County, as a whole.

XIII. ADVISABILITY AND FEASIBILITY OF THE DISTRICT AND BEST INTERESTS OF THE COUNTY

The District and its proposed improvements and economic development projects appear feasible and are necessary and advisable for the economy of the District and the County. Additionally, the County may create a public improvement district if the County determines it is in the best interest of the County. The area comprising the District is not presently developed, and therefore, the proposed District is necessary to pay for or finance public improvements and economic development within the District. Furthermore, the District will serve the public purpose of promoting and encouraging new residential development in the District and the County, which will encourage employment and economic activity within the District and the County. As such, the County's creation of the District is in the best interest of the County, as the District and the proposed improvements confer a special benefit on the District, the Subject Property within the District, and the County.

XIV. FILING WITH THE COUNTY CLERK

This Petition will be filed with the County Clerk in support of the creation of the District, as described herein.

XV. PRAYER

This Petition requests that the County create the District, include the Subject Property therein, and grant to the District the powers requested in the Petition. The Petitioner prays that this Petition be heard and the Commissioners Court set a hearing date, publish notice of, conduct a hearing, make certain findings,

Page | 4

and enter an Order creating the District in a manner authorized under Chapter 382 of the Code and as described herein.

Signature(s) on the Following Page(s)

Page | 5

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EXHIBIT "A"
FIELD NOTES AND SURVEY OF THE SUBJECT PROPERTY



METES AND BOUNDS DESCRIPTION
FOR PHASE II

A 111.274 acre, or 4,847,078 square feet, more or less, tract of land being a portion of that called 729.582 acre tract described in deed to TCP III Straus Medina, LLC recorded in Volume 15212, Page 1628 of the Official Public Records of Real Property of Bexar County, Texas, out of the Rafael Alderite Survey No. 12, Abstract 21, County Block 4320, and out of the Gil Rodriguez Survey No. 11, Abstract 615, County Block 4319, in Bexar County, Texas. Said 111.274 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a found ½ inch iron rod with yellow cap marked "Pape-Dawson" at the southwest corner of said 729.582 acre tract, on the east right-of-way line of Montgomery Road, an 86-foot public right-of-way, at the northwest corner of a 1094.62 acre tract described in deed to Bexar Metropolitan Water District recorded in Volume 15414, Page 1147 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: N 00°02'08" E, with the east right-of-way line of said Montgomery Road, with the west line of said 729.582 acre tract, a distance of 3545.72 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for the northwest corner of the herein described 111.274 acre tract, and from which a found ½ inch iron rod bears N 00°02'08" E, a distance of 710.60 feet;

THENCE: Departing the east right-of-way line of said Montgomery Road, over and across said 729.582 acre tract, the following bearings and distances:

N 90°00'00" E, a distance of 305.77 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 78°22'14" E, a distance of 245.43 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 73°15'23" E, a distance of 68.42 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 80°21'52" E, a distance of 325.87 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

Page 1 of 3

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Transportation | Water Resources | Land Development | Surveying | Environmental
2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 www.Pape-Dawson.com

S 54°36'50" E, a distance of 393.51 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 07°27'52" W, a distance of 261.43 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 17°44'41" W, a distance of 180.36 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

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S 06°06'04" W, a distance of 131.02 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

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S 65°05'47" E, a distance of 197.66 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 14°05'41" W, a distance of 213.00 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" on the north line of said 1094.62 acre tract, on the south line of said 729.582 acre tract;

THENCE: S 72°26'11" W, with the north line of said 1094.62 acre tract, and with the south line of said 729.582 acre tract, a distance of 57.99 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" at an exterior corner of said 1094.62 acre tract, and interior corner of the herein described 111.274 acre tract;



111.274 Acres
Job No. 9081-19
Page 3 of 3

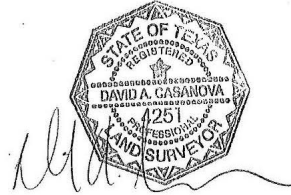
THENCE: S 00°05'01" E, with the west line of said 1094.62 acre tract, and with the east line of said 729.582 acre tract, a distance of 1729.14 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an interior corner of said 1094.62 acre tract, and the southeast corner of the herein described 111.274 acre tract;

THENCE: With the north line of said 1094.62 acre tract, and the south line of said 729.582 acre tract, the following bearings and distances:

S 67°31'08" W, a distance of 438.05 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 88°49'03" W, a distance of 1144.17 feet to the POINT OF BEGINNING and containing 111.274 acres in Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 9081-19 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: December 18, 2019
REVISED: January 7, 2020, January 17, 2020
JOB NO. 9081-19
DOC. ID. N:\Survey\19\19-9000\9081-19\Word\9081-19 FN PHASE II.docx



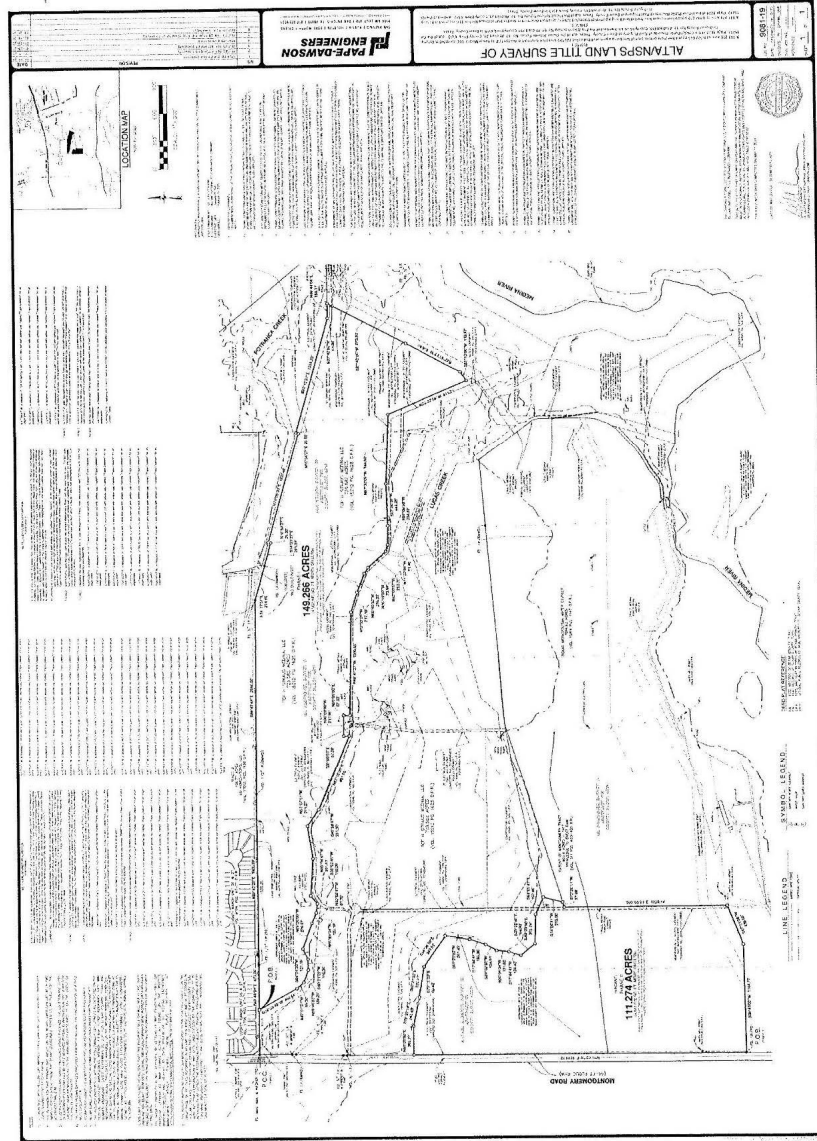


EXHIBIT "B"
PETITIONER'S SWORN STATEMENT

**SWORN AFFIDAVIT OF FEE SIMPLE OWNER OF REAL PROPERTY REQUESTING
CREATION OF, AND CONSENTING TO INCLUSION IN, THE LUCERO SPECIAL
IMPROVEMENT DISTRICT**

LGI Homes - Texas, LLC (hereinafter "Owner") hereby affirms that they are the fee simple owner of real property located in Bexar County. Owner requests the creation of the Lucero Special Improvement District (the "District") and consents to the inclusion of said real property within its boundaries. The description of the real property owned by Owner, and which Owner wishes to include within the proposed District is attached as **Exhibit "A"** to the Petition for the creation of the Lucero Special Improvement District.

By the signature below, Owner verifies, for purposes of Chapter 382 of the Texas Local Government Code that they are the owner of taxable real property, described in **Exhibit "A"** below, representing more than fifty-percent (50%) of the appraised value of taxable real property within the proposed District, and that they constitute more than fifty-percent (50%) of all record owners of property within the proposed District or that they own taxable real property that constitutes more than fifty-percent (50%) of the area of all taxable real property within the proposed District.

-Signature(s) on the Following Page(s)-

1

OWNER:

LGI HOMES - TEXAS, LLC,
a Texas limited liability company

By: 
Name: PATRICK VEDRA
Title: OFFICER

ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF MONTGOMERY §

On the 1 day of February, 2024, before me, the undersigned, personally appeared Patrick Vedra, of LGI Homes - Texas, LLC, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the foregoing instrument and acknowledged to me they executed the same in the capacity and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

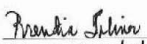

Notary Public in and for the State of TEXAS
My Commission Expires: March 6, 2029

EXHIBIT "B"

Aerial Map of Special Improvement District



EXHIBIT "C"

Metes & Bounds of Special Improvement District



METES AND BOUNDS DESCRIPTION
FOR PHASE II

A 111.274 acre, or 4,847,078 square feet, more or less, tract of land being a portion of that called 729.582 acre tract described in deed to TCP III Straus Medina, LLC recorded in Volume 15212, Page 1628 of the Official Public Records of Real Property of Bexar County, Texas, out of the Rafael Alderite Survey No. 12, Abstract 21, County Block 4320, and out of the Gil Rodriguez Survey No. 11, Abstract 615, County Block 4319, in Bexar County, Texas. Said 111.274 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a found ½ inch iron rod with yellow cap marked "Pape-Dawson" at the southwest corner of said 729.582 acre tract, on the east right-of-way line of Montgomery Road, an 86-foot public right-of-way, at the northwest corner of a 1094.62 acre tract described in deed to Bexar Metropolitan Water District recorded in Volume 15414, Page 1147 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: N 00°02'08" E, with the east right-of-way line of said Montgomery Road, with the west line of said 729.582 acre tract, a distance of 3545.72 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for the northwest corner of the herein described 111.274 acre tract, and from which a found ½ inch iron rod bears N 00°02'08" E, a distance of 710.60 feet;

THENCE: Departing the east right-of-way line of said Montgomery Road, over and across said 729.582 acre tract, the following bearings and distances:

N 90°00'00" E, a distance of 305.77 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 78°22'14" E, a distance of 245.43 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 73°15'23" E, a distance of 68.42 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 80°21'52" E, a distance of 325.87 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

Page 1 of 3

TPCE Firm Registration #470 | TEPLS Firm Registration #10028800
San Antonio | Austin | Houston | Fort Worth | Dallas
Transportation | Water Resources | Land Development | Surveying | Environmental
2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 www.Pape-Dawson.com

S 54°36'50" E, a distance of 393.51 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 07°27'52" W, a distance of 261.43 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 17°44'41" W, a distance of 180.36 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 29°02'52" W, a distance of 134.91 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 06°06'04" W, a distance of 131.02 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 17°44'41" W, a distance of 134.42 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 39°25'49" E, a distance of 194.90 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 88°20'50" E, a distance of 303.74 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 65°05'47" E, a distance of 197.66 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 14°05'41" W, a distance of 213.00 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" on the north line of said 1094.62 acre tract, on the south line of said 729.582 acre tract;

THENCE:

S 72°26'11" W, with the north line of said 1094.62 acre tract, and with the south line of said 729.582 acre tract, a distance of 57.99 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" at an exterior corner of said 1094.62 acre tract, and interior corner of the herein described 111.274 acre tract;



THENCE: S 00°05'01" E, with the west line of said 1094.62 acre tract, and with the east line of said 729.582 acre tract, a distance of 1729.14 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an interior corner of said 1094.62 acre tract, and the southeast corner of the herein described 111.274 acre tract;

THENCE: With the north line of said 1094.62 acre tract, and the south line of said 729.582 acre tract, the following bearings and distances:

S 67°31'08" W, a distance of 438.05 feet to a set ½ inch iron rod with yellow cap marked "Pape-Dawson" for an angle point;

S 88°49'03" W, a distance of 1144.17 feet to the POINT OF BEGINNING and containing 111.274 acres in Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 9081-19 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: December 18, 2019
REVISED: January 7, 2020, January 17, 2020
JOB NO. 9081-19
DOC. ID. N:\Survey\19\19-9000\9081-19\Word\9081-19 FN PHASE II.docx



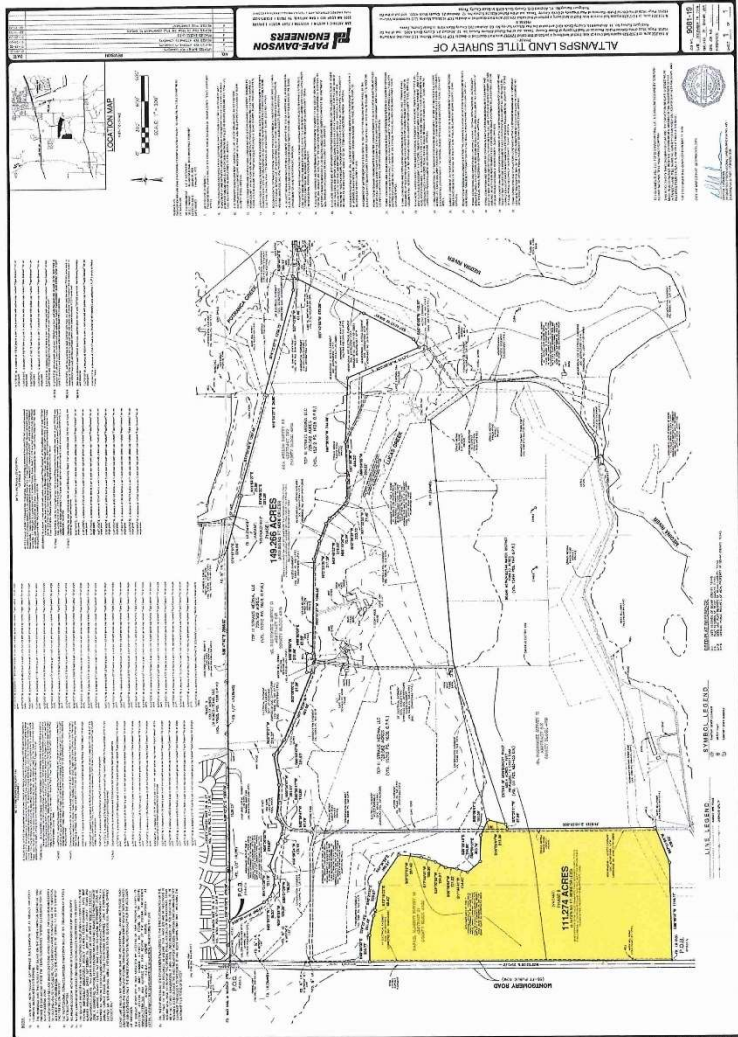


EXHIBIT “D”

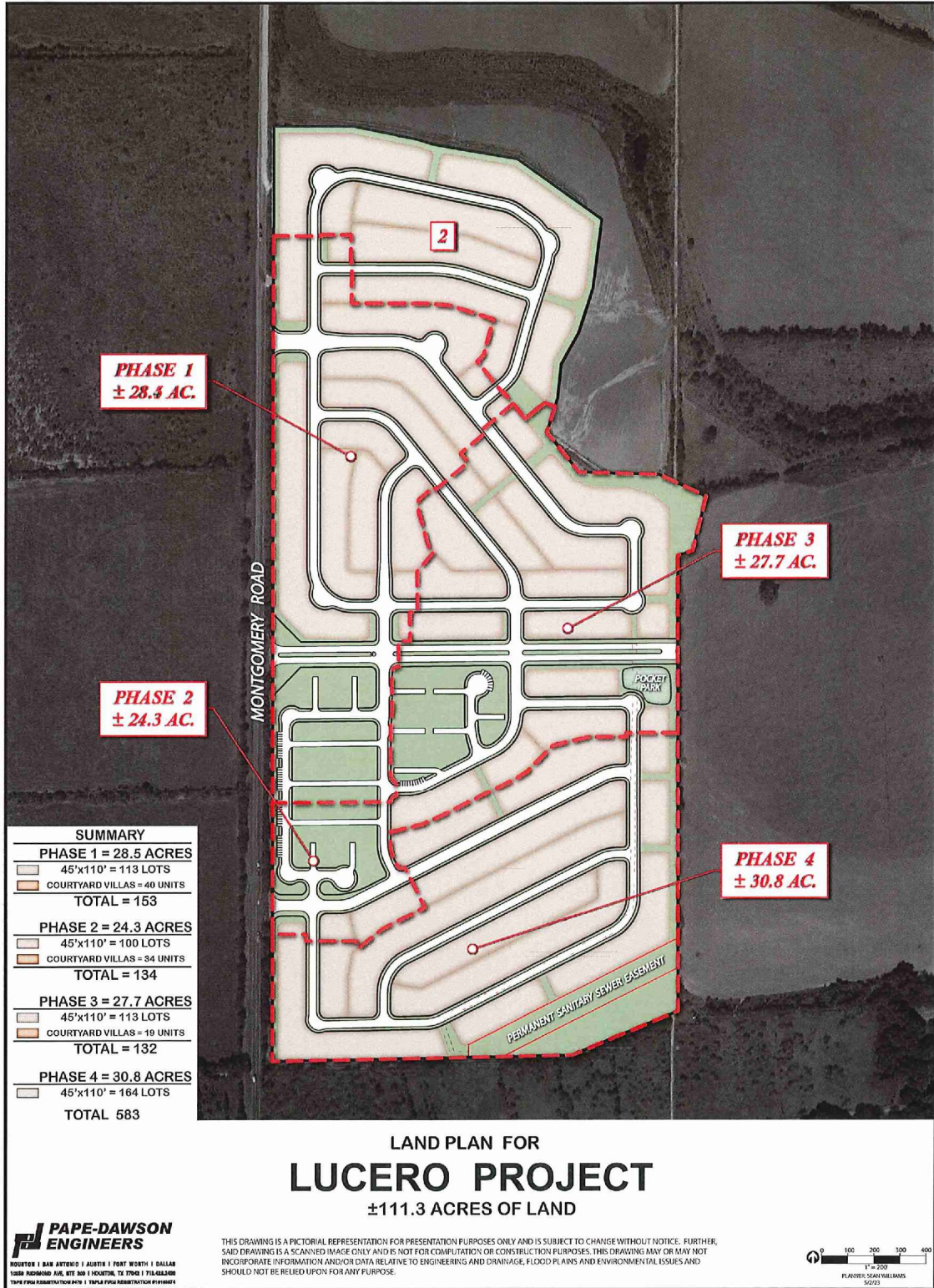
Proposed Public Improvements of Special Improvement District

(subject to change)

1. Onsite; Development infrastructure to include streets, sidewalks, water, drainage, and sewer 583 single family units and a to be determined amount of commercial acreage

EXHIBIT D

DOCUMENTS CONSIDERED NECESSARY AND APPROPRIATE



LUCERO PUBLIC IMPROVEMENT DISTRICT - FINANCIAL ANALYSIS

PID Revenues Analysis

Year No.	Year on Tax Rolls	Cumulative Housing Units on Ground	Taxable Basis Per Unit	Total Taxable Basis ¹	Ad Valorem Tax/(100*0.54161) ²	Cumulative	
1	2024	0	\$ 250,000.00	\$ -	\$ -	\$ -	
2	2025	0	\$ 250,000.00	\$ -	\$ -	\$ -	
3	2026	100	\$ 250,000.00	\$ 25,000,000.00	\$ 128,632.38	\$ 128,632.38	
4	2027	200	\$ 250,000.00	\$ 50,000,000.00	\$ 257,264.75	\$ 385,897.13	
5	2028	300	\$ 250,000.00	\$ 75,000,000.00	\$ 385,897.13	\$ 771,794.25	
6	2029	400	\$ 250,000.00	\$ 100,000,000.00	\$ 514,529.50	\$ 1,286,323.75	
7	2030	500	\$ 250,000.00	\$ 125,000,000.00	\$ 643,161.88	\$ 1,929,485.63	
8	2031	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 2,679,412.37	
9	2032	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 3,429,339.12	
10	2033	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 4,179,265.86	
11	2034	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 4,929,192.61	
12	2035	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 5,679,119.36	
13	2036	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 6,429,046.10	
14	2037	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 7,178,972.85	
15	2038	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 7,928,899.60	
16	2039	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 8,678,826.34	
17	2040	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 9,428,753.09	
18	2041	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 10,178,679.83	
19	2042	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 10,928,606.58	
20	2043	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 11,678,533.33	
21	2044	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 12,428,460.07	
22	2045	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 13,178,386.82	
23	2046	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 13,928,313.57	
24	2047	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 14,678,240.31	
25	2048	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 15,428,167.06	
26	2049	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 16,178,093.80	
27	2050	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 16,928,020.55	
28	2051	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 17,677,947.30	
29	2052	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 18,427,874.04	
30	2053	583	\$ 250,000.00	\$ 145,750,000.00	\$ 749,926.75	\$ 19,177,800.79	
TOTALS					\$	19,177,800.79	\$ 19,177,800.79

¹Assumes 0.0% annual inflation

²Assumes a Collection Ratio of 95%

LUCERO PUBLIC IMPROVEMENT DISTRICT
FINANCIAL ANALYSIS

Summary of Projected PID Qualified Costs

Improvement	Cost
Streets	\$ 7,795,933.00
Drainage	\$ 1,618,397.00
Sanitary Sewer	\$ 3,890,149.00
Water	\$ 3,776,803.00
Electric	\$ 1,623,800.00
Platting, Drainage Impact, and Misc.	\$ 554,956.00
Engineering & Surveying	\$ 1,730,410.00
Material Testing	\$ 512,439.00
Contingency	\$ 1,708,129.00
Total	\$ 23,211,016.00

EXHIBIT E

JUNE 20, 2024 CITY OF SAN ANTONIO CONSENT TO CREATION



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: {{item.number}}

Agenda Date: June 20, 2024

In Control: City Council A Session

DEPARTMENT: Planning Department

DEPARTMENT HEAD: Bridgett White

COUNCIL DISTRICTS IMPACTED: ETJ

SUBJECT:

A Resolution granting the City of San Antonio’s consent to the creation by Bexar County of the proposed Lucero Public Improvement District (PID) in the City’s Extraterritorial Jurisdiction (ETJ).

SUMMARY:

A Resolution granting the City’s consent to the creation by Bexar County of a proposed PID, to later be named the Lucero Special Improvement District, generally located southeast of Highway 90 between West Montgomery and Strauss Medina Road, in the ETJ of the City of San Antonio. This Resolution enables the Landowners to pay a \$7,500 Special District application fee to the City’s General Fund.

BACKGROUND INFORMATION:

Texas Local Government Code (LGC) Chapter 382 allows for the creation of PIDs by a municipality or a county. PIDs are economic development tools used to pay or finance public improvements and economic development within (and that benefit) a defined geographical area, which will become the PID. The proposed public improvement may include the improvement and construction of roadways, utilities, water, wastewater, or drainage systems, trail, and

park/recreational facilities in the PID boundaries. These PIDs may levy assessments and impose ad valorem, sales and use, or hotel occupancy taxes as sources of funding, and costs are apportioned and paid by landowners within its boundaries.

To create a PID in a county, more than fifty percent (50%) of owners of taxable real property liable for assessment within the proposed PID area must submit a petition to the governing body of the county. The municipality has the option to object to the creation of PIDs in its ETJ pursuant to State law. However, a PID being created with road district powers to supply roadways, fresh water, sanitary sewer, or drainage facilities, may not be created in the ETJ of a municipality unless the municipality gives its written consent.

In accordance with Section 212.172 of the LGC, a municipality and a landowner may enter into a written development agreement by which the municipality may establish terms for annexation or non-annexation of the land and extend its development regulations and standards for the infrastructure on the land. In addition, a PID in the ETJ of a municipality may negotiate and enter into a written strategic partnership agreement (SPA) with the PID board that allows the municipality to annex for limited purposes, and impose and collect sales taxes in the commercial property in the PID boundaries, in accordance to Chapter 43 of the LGC.

On February 8, 2024, LGI Homes-Texas, LLC., (Landowner) filed a petition and application to Bexar County (County) to create a PID, to be named the Lucero Special Improvement District, pursuant to Chapter 382 of the LGC. On March 26, 2024, the County Commissioners Court approved a resolution stating their intent to create the PID with road district powers and authority to impose taxes on future landowners located within the PID's boundaries. On February 8, 2024, the Applicant and Landowners also petitioned the City to grant its consent to the creation of the PID with road district powers in its ETJ as required by State law. As a condition of the City's consent, the Landowners and the City will enter into a development agreement, which includes development and land use regulations, voluntary annexation for the PID land and the framework of a SPA.

The proposed PID Property consists of 111.27 acres of land generally located southeast of Highway 90 between West Montgomery and Strauss Medina Road. The PID Property is located within the Water and Sewer Certificate of Convenience and Necessity (CCN) of SAWS. Furthermore, the PID project will be a single-family development with 583 single-family residential units. The proposed individual lot improvements, water/sewer improvements, drainage, utilities, streets, landscaping, and park/open space construction are estimated at \$23.2 million. The proposed PID's revenue is estimated at \$19.1 million.

ISSUE:

If approved, this resolution recommends the City's consent to the creation of the Lucero PID by the County, which includes the delegation of the road district powers along with the powers to construct water, wastewater, and drainage facilities subject to the execution of a 30-year Development Agreement (Agreement) between the City and the PID's Landowner. However, the

City’s consent will not include the following:

The power to exercise eminent domain by the PID; and

- The power to exercise eminent domain by the PID; and
- The power to annex, expand or exclude land into the PID’s existing boundaries.

The Agreement sets the conditions of the City’s consent, as mentioned above, and includes the following terms and obligations between the City and the Landowner with respect to the development of the PID property:

- The Applicant/Landowner will pay to the City a \$7,500 Special District application fee.
- The Applicant/Landowner will pay to the City an operations fee of \$175 per built residential unit, totaling \$102,025.00.
- The proposed PID’s tax rates shall not exceed the City’s tax rates.
- The City will guarantee the continuation of the extraterritorial status of the PID property for a period of 30 years.
- The Landowner agrees that the Agreement constitutes a petition consenting to annexation at the City’s discretion at the end of the Agreement’s term.
- The Agreement includes a Written Services Agreement between the Landowners, subsequent Landowners, and the City under Chapter 43 of the Local Government Code.
- The Landowner agrees to comply with all municipal regulations, ordinances, and other laws applicable to all properties located within the City’s ETJ during all phases of development and construction of the PID Project and during the term of the Agreement.
- The Applicant/Landowner will reimburse the City for the recordings of the Agreement with Bexar County Real Property Records (up to \$1,000.00).

The Agreement includes the proposed framework of a SPA between the City and the PID, which will include the following provisions:

- The PID will pay for costs related to the SPA and limited purpose annexation and will reimburse the City for legal recordings of the SPA with Bexar County Real Property Records.
- Commencing after the effective date of the limited purpose annexation of the commercial property, the City will remit to the PID an amount equal to 25% of the sales and use taxes collected within the annexed commercial property.

The proposed timeline for the establishment of the proposed PID is as follows:

Dates	Schedule of Action
March 26, 2024	Bexar County Commissioners Court consideration of a resolution expressing their intent to create the PID
May 22, 2024	San Antonio Planning Commission public hearing and recommendation
June 20, 2024	City Council’s consideration and action
July 9, 2024	Bexar County Commissioners Court consideration to create the proposed PID and appoint a board of directors
November 4, 2024	PID Election and approval of PID’s taxes and bonds

ALTERNATIVES:

A denial of the Resolution would result in the PID not being created by the County. This action would require the Landowner to seek a different financing mechanism for the development of the property. It may result in the PID development occurring in a traditional method instead of the manner proposed by the developer.

City Council may require staff to re-negotiate the terms of the Agreement which would delay the activation of PID development.

FISCAL IMPACT:

This item is to consider the Resolution granting the City’s consent to the creation by the County of a PID located in an unincorporated area of the ETJ of the City, subject to the execution of a Development Agreement between the City and the Landowner, LGI Homes-Texas, LLC. This Resolution enables the Landowner to pay a \$7,500 Special District application fee to the City’s General Fund.

RECOMMENDATION:

Staff recommends approval of a Resolution granting the City’s consent to the creation by Bexar County of the proposed Lucero PID.

On May 22, 2024, the Planning Commission recommended to City Council to grant its consent to the PID creation by Bexar County subject to the execution of a Development Agreement with the Landowners.

RESOLUTION NO. 24 05 15

RECOMMENDING THE CITY OF SAN ANTONIO GRANT ITS CONSENT TO THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT TO BE CALLED “LUCERO SPECIAL IMPROVEMENT DISTRICT” BY BEXAR COUNTY; AND TO APPROVE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND LGI HOMES-TEXAS LLC., LANDOWNERS OF THE APPROXIMATELY 111.274 ACRE PROPERTY GENERALLY LOCATED SOUTHEAST OF HIGHWAY 90 BETWEEN WEST MONTGOMERY ROAD AND STRAUSS MEDINA ROAD IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY SAN ANTONIO, BEXAR COUNTY, TEXAS.

WHEREAS, the Texas Local Government Code Chapters 382 allows a county to create a Public Improvement District (PID) pursuant to Section 52, Article III, and Section 59, Article XVI of the Texas Constitution and for the purposes of creating a program to engage in economic development projects as provided in Section 52-a, Article III, Texas Constitution; and

WHEREAS, the Texas Local Government Code Chapter 382 provides that if one purpose of a political subdivision, which includes a PID, is to supply fresh water for domestic or commercial use or to furnishing sanitary sewer services, roadways, or drainage, a municipality in whose extraterritorial jurisdiction (ETJ) the subdivision is located must give its written consent by ordinance or resolution in order for the subdivision to be created; and

WHEREAS, LGI Homes-Texas, LLC., (Landowners) own approximately 111.274 acres of land generally located southeast of Highway 90 between West Montgomery Road and Strauss medina Road within the City of San Antonio’s ETJ (the “Property”), more particularly described and depicted in the PID Petition attached as **ATTACHMENT “A,”**; and

WHEREAS, the Applicant and Landowners propose to develop the Property to consist of approximately 583 single-family residential units. The project will also have proposed individual lot improvements, water/sewer improvements, drainage, utilities, streets, landscaping, and park/open space construction. Said improvements are depicted in the PID Summary and Master Development Plan (MDP) included in **ATTACHMENT “A”**. Costs for the improvements specified herein are to be paid for through reimbursements by the PID once it has been created; and

WHEREAS, on February 8, 2024, the Owners filed a petition with Bexar County (County) requesting that the County create the Lucero Special Improvement District under Chapter 382 of the Local Government Code, authorize the PID to impose certain taxes within the PID, and delegate the powers of a road district and the powers to construct water, wastewater, and drainage facilities to the PID; and

WHEREAS, on February 8, 2024, the Applicant and Landowners submitted a petition to the City requesting the City’s consent to the creation of the PID by the County in accordance with Section 382.101 of the Local Government Code; and

WHEREAS, on March 26, 2024, the County Commissioners Court approved a resolution stating their intent to create the PID; and

WHEREAS, in consideration of the City’s consent to the creation of the PID by the County, the Landowners have agreed to enter into a 30-year Development Agreement, enclosed in substantially

final form as **ATTACHMENT "B,"** which will set forth the conditions of the City's consent, including the City's authority to enforce development regulations and city ordinances applicable to other land within the City's ETJ, and will provide terms for the voluntary annexation of the District Property upon expiration of the term of the Agreement; and

WHEREAS, the Development Agreement will also include a Strategic Partnership Agreement (attached in substantial form as an exhibit to the Development Agreement attached hereto as Attachment "B"), which sets out the terms for limited purpose annexation by City of commercial property in the PID and revenue sharing of the of sales and use taxes collected within the PID; and

WHEREAS, the Owners will pay an application fee in the amount of \$7,500.00 and will pay an Operations Assessment Fee in the amount of \$175.00 per residential lot and multi-family unit, which in the Landowners' estimation amounts to approximately One Hundred and Two Thousand, Twenty-Five and No/100 (\$102,025) U.S. dollars, and which shall be paid annually based on the number of units built within the PID reflected in an annual report provided by the Owners and as verified by staff; and shall reimburse the City for all costs paid by City for the recording of this Agreement and related documents in the Bexar County property records.

WHEREAS, the San Antonio Planning Commission held a public hearing on May 22, 2024, and at the conclusion thereof, determined that, subject to the conditions set forth herein, the City should grant its consent to the creation of the PID.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1. The San Antonio Planning Commission recommends that the City of San Antonio grant its consent to the creation by Bexar County of the Lucero Public Improvement District ("PID") as detailed in the Applicant/Landowner's petition attached as **ATTACHMENT "A"** in accordance with Section 382.101 of the Local Government Code and to the County's delegation to the District the powers granted by Section 52, Article III of the Texas Constitution, the powers and duties of a road district and the power or to construct water, wastewater and drainage. The Planning Commission does not recommend that the City's consent include the powers to exercise eminent domain, annexation, expansion, division, or exclusion of property from the District.

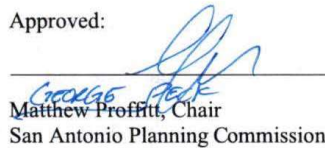
SECTION 2. The San Antonio Planning Commission further recommends that the City Council approve a 30-year Development Agreement, attached in substantially final form as **ATTACHMENT "B"** between the City and LGI Homes-Texas, LLC., (Landowners) of the PID property, which includes provisions for the voluntary annexation of the property upon expiration of the term of the Agreement and that establishes services and terms for future annexation of the PID property.

PASSED AND APPROVED ON THIS 22nd DAY OF MAY, 2024.

Attest:


Executive Secretary
San Antonio Planning Commission

Approved:


Matthew Proffitt, Chair
San Antonio Planning Commission