



RESOLUTION OF BEXAR COUNTY COMMISSIONERS COURT EXPRESSING ITS INTENT, SUBJECT TO THE CONDITIONS SPECIFIED HEREIN, TO CONSIDER THE FUTURE AMENDMENTS OF PUBLIC IMPROVEMENT DISTRICTS NAMED THE ESPADA SPECIAL IMPROVEMENT DISTRICT NO. 1 AND ESPADA SPECIAL IMPROVEMENT DISTRICT NO. 2 AND TO REVISE THE BOUNDARIES OF SAID DISTRICTS

WHEREAS, the Espada Special Improvement District No. 1 (“ESID No. 1”) and Espada Special Improvement District No. 2 (“ESID No. 2”) are located within the extraterritorial jurisdiction (the “ETJ”) of the City of San Antonio (the “City”), Bexar County (the “County”), Texas; and

WHEREAS, ESID No. 1 currently contains approximately 494.976 acres of land and ESID No. 2 contains approximately 758.895 acres of land; and

WHEREAS, on October 21, 2008, the County, pursuant to Chapter 372, Subchapter C¹ of the Texas Local Government Code, as amended (the “Code”), acting by and through the Commissioners Court, approved separate orders creating ESID No. 1 and ESID No. 2 (the “Original Creation Orders;” attached hereto as **Exhibit “A”** and incorporated herein for all purposes), which described ESID No. 1 and ESID No. 2’s purpose, powers, and authority; and

WHEREAS, on October 7, 2009, the County approved separate amendments to the Original Creation Orders (the “Amended Creation Orders;” attached hereto as **Exhibit “B”** and incorporated herein for all purposes), which restated the purpose, powers, and authority granted to each district and moreover amended the boundaries of ESID No. 1 and ESID No. 2; and

WHEREAS, pursuant to Section 382.113 of the Code, a petition (“Petition”) was filed with, and an application was submitted to, Bexar County, Texas (the “County”) to further amend the boundaries of ESID No. 1 and ESID No. 2; and

WHEREAS, the boundaries of ESID No. 1 are proposed to be revised to encompass approximately 426.794 acres of land (the “Subject Property”), the boundaries of which are more particularly described in **Exhibit “C”** and **Exhibit “D”** attached hereto and incorporated herein

¹ Now codified as Chapter 382 of the Texas Local Government Code.
Espada Special Improvement District Resolution of Intent

for all purposes; and

WHEREAS, none of the Subject Property is within the corporate boundaries of any municipality and all of the Subject Property is in the ETJ of the City and in the County; and

WHEREAS, a portion of the Subject Property is located within ESID No. 2; and

WHEREAS, upon the County's amendment of ESID No. 1 to encompass the boundaries of the Subject Property, and amendment to ESID No. 2 to remove that portion of the Subject Property from within the boundaries of ESID No. 2, 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 "E"** and incorporated herein for all purposes; and

WHEREAS, the Subject Property is mostly undeveloped and, as such, the inclusion of the Subject Property in ESID No. 1 is necessary to pay for, or finance, public improvements and economic development within and that benefit ESID No. 1 and the County; and

WHEREAS, Section 382.113 of the Code authorizes a district to adopt an order excluding land from the district and moreover permits a district to adopt an order adding land to the district if, among other requirements, the district obtains consent of the county that created the district, which consent may be by a resolution of the county commissioners court;

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 Creation Order for ESID No. 1 is proposed to be amended and restated to revise the district boundaries to include the Subject Property and to encompass approximately 426.794 acres of property, generally located at the southeast intersection of Roosevelt Avenue and Loop 410, as more particularly described in **Exhibit "C"** and **Exhibit "D"**. Moreover, a resolution to amend the boundaries of ESID No. 2 to remove that portion of the Subject Property within ESID No. 2's boundaries is proposed.

SECTION II

Upon an affirmative finding that the proposed amendment to ESID No. 1's Creation Order is in the best interest of the County and beneficial and advisable, Commissioners Court hereby expresses its intent, subject to Section III of this resolution, to consider: (1) an order amending ESID No. 1's Creation Order at a future date and revise the boundaries of ESID No. 1 to include the Subject Property, on terms and conditions Commissioners Court, in its sole discretion, deem advisable and (2) a resolution amending the boundaries of ESID No. 2 to remove that portion of the Subject Property within ESID No. 2's boundaries.

SECTION III

Consideration for the future amendment to ESID No. 1's Creation Order and revision of boundaries to include the Subject Property and resolution removing that portion of the Subject Property from the boundaries of ESID No. 2 will be subject to the following:

- A. Submission of documents and information for the proposed amendment to ESID No. 1, 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 revision of ESID No. 1's boundaries to include the Subject Property 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 "E"**, 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 revision of ESID No. 1's boundaries to include the Subject Property is in the best interest of the County, as required by the Code.
- C. Consultation with Precinct 4 Commissioner's Office related to proposed single-family residential lot layout within the District.
- D. Consent of the City of San Antonio, by resolution or ordinance, authorizing revision of ESID No. 1's boundaries to include the Subject Property and the revision of ESID No. 2 to remove that portion of the Subject Property which is presently located within its ESID No. 2's boundaries.

SECTION IV

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

Passed and Approved this 21 day of February, 2023.



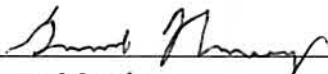
Peter Sakai County Judge



Rebeca Clay Flores Commissioner, Precinct 1



Justin Rodriguez Commissioner, Precinct 2



Grant Moody Commissioner, Precinct 3



Tommy Calvert Commissioner, Precinct 4