

ORDER GRANTING PETITION FOR CREATION OF A PUBLIC IMPROVEMENT DISTRICT TO BE NAMED STONE GARDEN 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 12 day of September, 2023, 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 Calvert introduced the Order set out below and moved its adoption, which was seconded by Commissioner Clay-Flores, and after a full discussion and the question being before the Court, said motion carried by the following vote:

AYE ✓ / NO \_\_\_\_\_

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

On October 6, 2022, 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 Stone Garden 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 December 13, 2022, 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 Stone Garden 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. On December 13, 2022, 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 "Stone Garden 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 May 4, 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. Connor Dziuk
2. Rogelio Olivarez
3. John Lohr
4. Clifton Karam
5. Richard Mott
6. Dane Wright
- 7.

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:

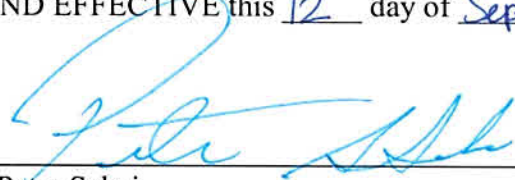
Ad Valorem Tax:	\$0.54161 per \$100 valuation, subject to applicable state and local ad valorem tax requirements
Sales and Use Tax:	2% per taxable sale, subject to the state and local sales and use tax rates in the District

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 12 day of September, 2023.



Peter Sakai

County Judge



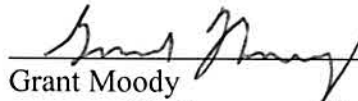
Rebeca Clay-Flores

Commissioner, Precinct 1



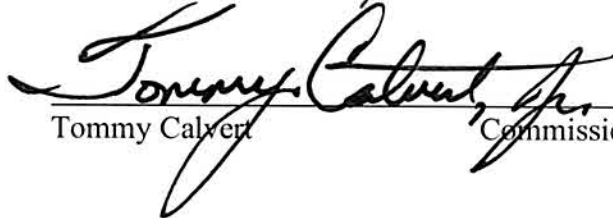
Justin Rodriguez

Commissioner, Precinct 2



Grant Moody

Commissioner, Precinct 3



Tommy Calvert

Commissioner, Precinct 4

ATTEST:

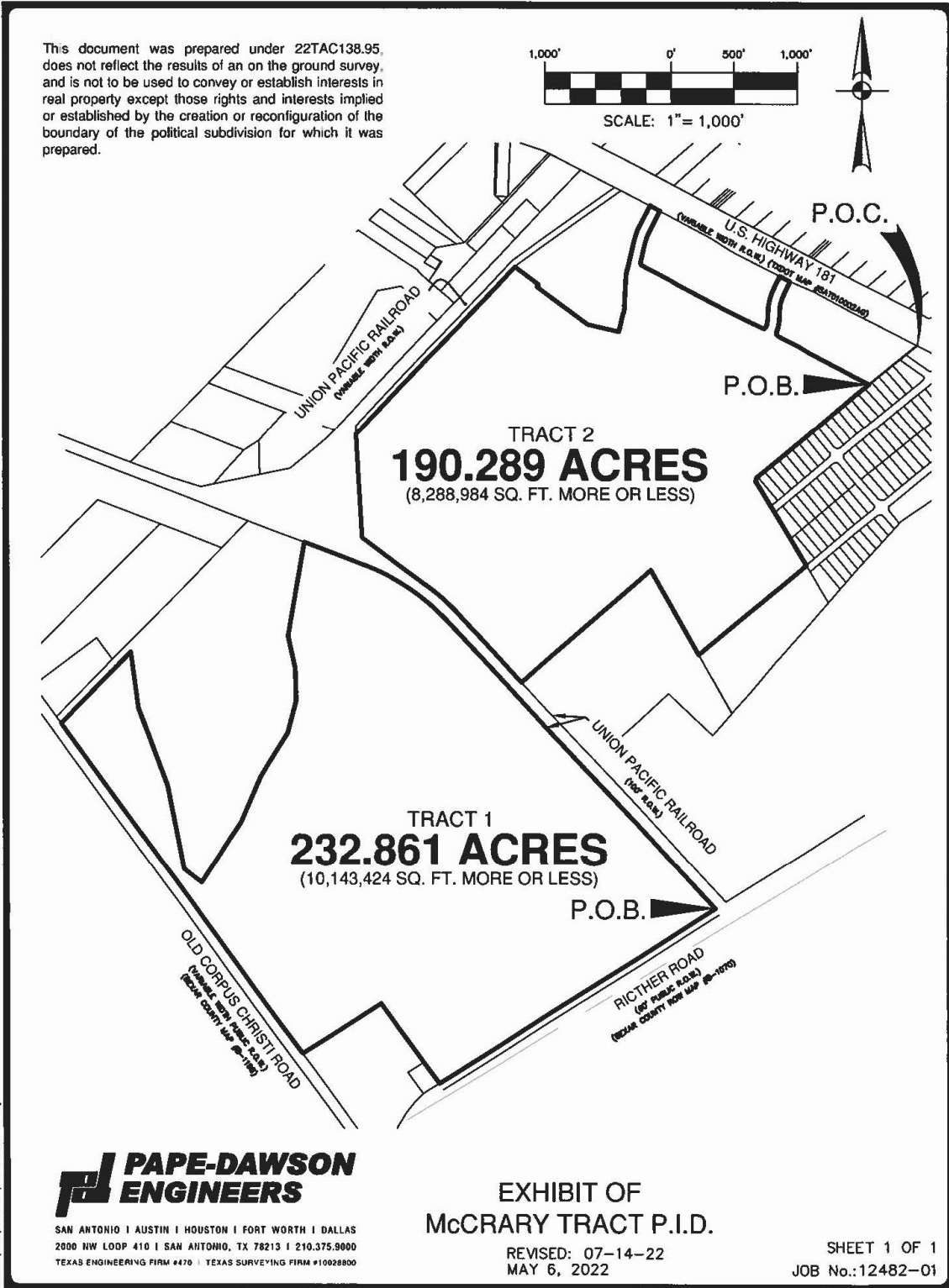
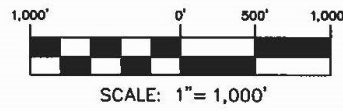


Lucy Adame-Clark, County Clerk

**EXHIBIT A**

**LEGAL DESCRIPTION**

This document was prepared under 22TAC138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



Date: September 30, 2021, 10:17 AM - User ID: jkramer  
File: H:\DWG\12482-01\12482-01.dwg

**PAPE-DAWSON ENGINEERS**

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS  
2000 NW LODP 410 | SAN ANTONIO, TX 78213 | 210.375.9000  
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10028800

EXHIBIT OF  
McCRARY TRACT P.I.D.

REVISED: 07-14-22  
MAY 6, 2022

SHEET 1 OF 1  
JOB No.: 12482-01

REFERENCE:

**METES AND BOUNDS DESCRIPTION  
FOR**

A 190.289 acre tract of land out of the Juan Montes Grant, Abstract 11, County Block 4007, Bexar County, Texas, in the name of the Davis-McCrary Property Trust by deed executed July 22, 1992 and recorded in Volume 5429, Page 878 of the Official Public Records of Bexar County, Texas, being a portion of that called 240.10 acre tract described in deed unto Ruth Ann Davis McCrary, executed February 24, 1984 and recorded in Volume 3048, Page 708, said Official Public Records, SAVE AND EXCEPT an 11.097 acre tract conveyed unto Parkett Drive Land Trust by deed executed March 10, 2003 and recorded in Volume 9892, Page 1730, said Official Public Records, also SAVE AND EXCEPT a 3.263 acre tract conveyed unto the City of San Antonio by deed executed December 26, 2007 and recorded in Volume 13283, Page 1325, said Official Public Records. Said 190.289 acre tract being more particularly 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:

COMMENCING: At a point on the southwest right-of-way line of U.S. Highway 181, a variable width right-of-way shown in Txdot Map #SAT010002AG, at the north corner of that tract conveyed unto Ricardo C. Palomo by deed executed May 28, 1996 and recorded in Volume 6772, Page 1356 of said Official Public Records;

THENCE: departing the southwest right-of-way line of said U.S. Highway 181, with and along the northwest line of Palm Park recorded in Volume 3975, Page 57 of the Deed and Plat Records of Bexar County, Texas, the southeast line of said 240.10 acre tract, S 50°02'47" W, 481.68 feet to the POINT OF BEGINNING of the herein described tract;

THENCE: with and along the northwest, the west and the southwest lines of said Palm Park, the southeast, the east and the northeast lines of said 240.10 acre tract, the following courses and distances:

S 50°02'47" W, 1163.23 feet to a point;

S 17°07'58" W, 30.17 feet to a point;

And, S 30°55'03" E, 776.25 feet to a point at the north corner of an 11.089 acre tract conveyed unto Efrain V. Hernandez by deed executed March 20, 2020 and recorded in Document No. 20200064169 of said Official Public Records, for an east exterior corner of the herein described tract;

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THENCE: with and along the northwest line of said 11.089 acre tract, S 49°58'51" W, 1111.11 feet to a point on the northeast line of a 27.54 acre tract conveyed unto Jose M. Garza and Daisy I. Garza by deed executed April 9, 2003 and recorded in Volume 9969, Page 744 of said Official Public Records, the west corner of said 11.089 acre tract, for a south exterior corner of the herein described tract;

THENCE: with and along the northeast line of said 27.54 acre tract, N 29°50'28" W, 775.69 feet to a point at the north corner of said 27.54 acre tract and an interior corner of the herein described tract;

THENCE: with and along the northwest line of said 27.54 acre tract, S 48°56'24" W, 1359.61 feet to a point on the northeast right-of-way line of Union Pacific Railroad, a variable width right-of-way, the west corner of said 27.54 acre tract, a south exterior corner of the herein described tract;

THENCE: with and along the northeast line of said Union Pacific Railroad, the following courses and distances:

N 43°03'10" W, 764.33 feet to a point;

Northwesterly, along a tangent curve to the left, said curve having a radius of 1838.44 feet, a central angle of 10°01'42", a chord bearing and distance of N 48°04'01" W, 321.37 feet, for an arc length of 321.78 feet to a point;

N 53°20'30" W, 630.99 feet to a point;

And, N 03°28'35" W, 820.96 feet to a point at the south corner of said 3.263 acre tract and a west exterior corner of herein described tract;

THENCE: with and along the southeast line of said 3.263 acre tract, N 43°31'36" E, 1840.96 feet to a point;

THENCE: departing the southeast line of said 3.263 acre tract, over and across said 240.10 acre tract, the following courses and distances:

S 53°04'03" E, 235.18 feet to a point;

S 36°55'22" W, 18.95 feet to a point;



S 53°20'30" E, 502.02 feet to a point;

S 76°47'40" E, 250.00 feet to a point;

N 13°12'20" E, 144.40 feet to a point;

Along a tangent curve to the left, said curve having a radius of 355.00 feet, a central angle of 10°12'05", a chord bearing and distance of N 08°06'17" E, 63.12 feet, for an arc length of 63.21 feet to a point;

N 03°00'15" E, 210.90 feet to a point;

Along a tangent curve to the right, said curve having a radius of 445.00 feet, a central angle of 10°12'05", a chord bearing and distance of N 08°06'17" E, 79.13 feet, for an arc length of 79.23 feet to a point;

N 13°12'20" E, 241.97 feet to a point;

Along a tangent curve to the right, said curve having a radius of 445.00 feet, a central angle of 14°19'16", a chord bearing and distance of N 20°21'58" E, 110.94 feet, for an arc length of 111.23 feet to a point;

And, N 27°31'36" E, 187.77 feet to a point on the southwest right-of-way line of said U.S. Highway 181;

THENCE: with and along said southwest right-of-way line, S 62°27'15" E, 90.00 feet to a point;

THENCE: departing said southwest right-of-way line, over and across said 240.10 acre tract, the following courses and distances:

S 27°31'36" W, 187.74 feet to a point;

Along a tangent curve to the left, said curve having a radius of 355.00 feet, a central angle of 14°19'16", a chord bearing and distance of S 20°21'58" W, 88.50 feet, for an arc length of 88.73 feet to a point;

S 13°12'20" W, 167.76 feet to a point;



Along a tangent curve to the left, said curve having a radius of 15.00 feet, a central angle of 75°55'20", a chord bearing and distance of S 24°45'20" E, 18.45 feet, for an arc length of 19.88 feet to a point;

S 62°43'00" E, 243.92 feet to a point;

S 59°32'13" E, 90.14 feet to a point;

S 62°43'00" E, 521.67 feet to a point;

S 65°53'48" E, 90.14 feet to a point;

S 62°43'00" E, 140.82 feet to a point;

Along a tangent curve to the left, said curve having a radius of 20.00 feet, a central angle of 104°04'40", a chord bearing and distance of N 65°14'40" E, 31.54 feet, for an arc length of 36.33 feet to a point;

N 13°12'20" E, 11.38 feet to a point;

Along a tangent curve to the left, said curve having a radius of 355.00 feet, a central angle of 14°06'22", a chord bearing and distance of N 06°09'09" E, 87.18 feet, for an arc length of 87.40 feet to a point;

Along a reverse curve to the right, said curve having a radius of 445.00 feet, a central angle of 28°05'01", a chord bearing and distance of N 13°08'29" E, 215.94 feet, for an arc length of 218.12 feet to a point;

And, N 27°10'59" E, 103.09 feet to a point on the southwest right-of-way line of said U.S. Highway 181;

THENCE: with and along said southwest right-of-way line, the following courses and distances:

S 62°27'15" E, 77.30 feet to a point;

And, S 66°44'36" E, 12.73 feet to a point;

THENCE: departing said southwest right-of-way line, over and across said 240.10 acre tract, the following courses and distances:



S 27°10'59" W, 103.48 feet to a point;

Along a tangent curve to the left, said curve having a radius of 355.00 feet, a central angle of 28°05'01", a chord bearing and distance of S 13°08'29" W, 172.27 feet, for an arc length of 174.00 feet to a point;

Along a reverse curve to the right, said curve having a radius of 445.00 feet, a central angle of 14°06'22", a chord bearing and distance of S 06°09'09" W, 109.28 feet, for an arc length of 109.56 feet to a point;

S 13°12'20" W, 47.88 feet to a point;

Along a tangent curve to the left, said curve having a radius of 15.00 feet, a central angle of 75°55'20", a chord bearing and distance of S 24°45'20" E, 18.45 feet, for an arc length of 19.88 feet to a point;

S 62°43'00" E, 22.57 feet to a point;

S 62°43'00" E, 169.80 feet to a point;

S 59°32'13" E, 90.14 feet to a point;

And, S 62°43'00" E, 544.62 feet to the POINT OF BEGINNING and containing 190.289 or 8,288,984 square feet of land more or less in Bexar County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12482-01 by Pape-Dawson Engineers, Inc.

This document was prepared under 22TAC138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interest in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: July 15, 2022  
JOB NO. 12482-01  
DOC. ID. N:\CIVIL\12482-01\Word\12482-01 FN\_PID 190.289 AC.docx



**METES AND BOUNDS DESCRIPTION  
FOR**

A 232.861 acre tract of land out of the Juan Montes Grant, Abstract 11, County Block 4007, in Bexar County, Texas, in the name of the Davis-McCrary Property Trust by deed executed July 22, 1992 and recorded in Volume 5429, Page 878 of the Official Public Records of Bexar County, Texas, being a portion of that called 289.64 acre tract described in deed unto Ruth Ann Davis McCrary, executed February 24, 1984 and recorded in Volume 3048, Page 708, said Official Public Records. Said 232.861 acre tract being more particularly 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 point at the intersection of the northwest right-of-way line of Richter Road, a 60 foot public right-of-way shown in Bexar County Map #B-1070 with the southwest right-of-way line of Union Pacific Railroad, a 100 foot right-of-way, the east corner of the herein described tract;

**THENCE:** with and along the northwest line of said Richter Road, South 57° 37' 47" West, 2605.09 feet to a point at the east corner of a 0.708 acre tract conveyed unto Olivia Seguin by deed executed September 20, 2004 and recorded in Volume 11180, Page 1408 of said Official Public Records and a south exterior corner of the herein described tract;

**THENCE:** departing said right-of-way, with and along the northeast line of said 0.708 acre tract and the northeast line of the remainder of a 13.747 acre tract conveyed unto City of San Antonio (City Public Service Board) by deed recorded in Volume 4571, Page 544 of said Official Public Records, North 35° 54' 19" West, 787.86 feet to a point at the north corner of said 13.747 acre tract, an interior corner of the herein described tract;

**THENCE:** with and along the northwest line of said 13.747 acre tract, South 57° 45' 42" West, 745.72 feet to a point on the northeast right-of-way line of Old Corpus Christi Road, a variable width right-of-way shown in Bexar County Map #B-1198, the west corner of said 13.747 acre tract, a south exterior corner of the herein described tract;

**THENCE:** with and along the northeast line of said Old Corpus Christi Road, the following courses and distances:

North 36° 06' 17" West, 604.36 feet to a point for an angle point;

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Transportation | Water Resources | Land Development | Surveying | Environmental

telephone: 210-375-9000 address: 2000 NW LOOP 410 SAN ANTONIO, TX 78213 website: PAPE-DAWSON.COM  
San Antonio | Austin | Houston | Fort Worth | Dallas Texas Engineering Firm #470 Texas Surveying Firm #10028800

232.861 Acres  
McCrary Tract PID  
Job No. 12482-01  
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North 35° 28' 17" West, 146.51 feet to a point for an angle point;

North 36° 31' 21" West, 199.58 feet to a point for an angle point;

North 36° 05' 53" West, 422.15 feet to a point for an angle point;

North 36° 11' 42" West, 1882.86 feet to a point for an angle point;

THENCE: departing said northeast right-of-way line, over and across said 289.64 acre tract, the following courses:

North 44° 30' 07" East, 794.47 feet to a point for an angle point;

South 07° 39' 25" East, 448.19 feet to a point for an angle point;

South 20° 25' 35" East, 659.32 feet to a point for an angle point;

South 11° 14' 09" East, 678.75 feet to a point for an angle point;

South 52° 51' 04" East, 175.49 feet to a point for an angle point;

North 33° 24' 40" East, 577.97 feet to a point for an angle point;

North 23° 30' 29" East, 399.63 feet to a point for an angle point;

North 31° 51' 03" East, 399.69 feet to a point for an angle point;

North 14° 25' 43" East, 263.00 feet to a point for an angle point;

North 00° 59' 58" West, 264.09 feet to a point for an angle point;

North 12° 52' 52" West, 262.28 feet to a point for an angle point;

North 09° 43' 14" East, 754.21 feet to a point on the southwest line of said Union Pacific Railroad, the northeast line of said 289.64 acre tract;

THENCE: with and along said right-of-way line, the following courses and distances:

South 69° 07' 11" East, 519.98 feet to a point;



232.861 Acres  
McCrary Tract PID  
Job No. 12482-01  
Page 3 of 3

Southeasterly, along a tangent curve to the right, said curve having a radius of 1738.44 feet, a central angle of 26° 04' 01", a chord bearing and distance of South 56° 05' 10" East, 784.11 feet, for an arc length of 790.91 feet to a point;

And, South 43° 03' 10" East, 3134.56 feet to the POINT OF BEGINNING and containing 232.861 acres or 10,143,424 square feet of land more or less in Bexar County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12482-01 by Pape-Dawson Engineers, Inc.

This document was prepared under 22TAC138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interest in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: July 20, 2022  
JOB NO. 12482-01  
DOC. ID. N:\CIVIL\12482-01\Word\12482-01 FN\_PID 232.861 AC.docx



**EXHIBIT B**

**PETITION**



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

**SCANNED**

STATE OF TEXAS                    §  
  §  
COUNTY OF BEXAR               §

**TO: THE HONORABLE COMMISSIONERS COURT OF BEXAR COUNTY, TEXAS**

Pursuant to the provisions of Chapter 382 of the Texas Local Government Code, as amended (the "Code") **Lennar Homes of Texas Land and Construction, Ltd.**, a Texas limited partnership ("Lennar") and the **Davis-McCrary Property Trust** (the "Davis-McCrary Trust"), hereinafter referred to collectively as Petitioners, submit this petition ("Petition") to the Commissioners Court of Bexar County, Texas, to request the creation of a public improvement district, within the extraterritorial jurisdiction ("ETJ") of the City of San Antonio ("City"), Bexar County, Texas ("County"). Specifically, the Petitioners request that the County create a public improvement district and include the property described in **Exhibit "A"** attached hereto ("Subject Property") within such public improvement district. In support of this Petition, the Petitioners present the following:

**I. DISTRICT NAME**

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

**II. PETITIONERS**

Lennar and the Davis-McCrary Trust execute and submit this Petition in their individual capacities as owners of property within the boundaries of the District. With the submittal of this Petition, Lennar represents that it is the current owner of approximately 72.02-acres of the Subject Property and the Davis-McCrary Trust represents that it is the current owner of approximately 351.13-acres of the Subject Property. Moreover, the Davis-McCrary Trust executes this Petition solely as the owner of land within the boundaries of the District and not as the intended developer and without any promise or agreement to develop any portion of the Subject Property or construct the public improvements referenced in this Petition.

In compliance with the requirements of the Code, and as determined by the current tax roll of the Bexar County Appraisal District, the Petitioners constitute 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 Petitioners are 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 are the owners representing more than fifty-percent (50%) of all record owners of property within the proposed District. Petitioners request, and

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consent to, the creation of the District, as set forth in this Petition. The sworn statement of the Petitioners 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 423.15 acres. 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 and in the County.

### **IV. GENERAL NATURE OF THE PROPOSED PUBLIC IMPROVEMENTS**

The Petitioners request 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 (including construction of a turn lane); offsite utility extension; onsite public improvements for residential lots (sewer, water, streets, and drainage); the improvement and construction of water, sanitary sewer, dry utilities (gas and electric) detention ponds, storm sewer, 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 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 \$109,215,040. Such costs can be partially offset with the imposition of taxes and the issuance of bonds by the District, as further described herein.

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## **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 Petitioners specifically request 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 Petitioners request 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 Petitioners do not propose that the District be granted with the power to impose assessments.

## **IX. MANAGEMENT OF THE DISTRICT AND BOARD OF DIRECTORS**

The Petitioners specifically request 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 Petitioners also request 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.

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## **X. TAXES AND BONDS**

The Petitioners request that the County authorize the District to accomplish its purposes and the costs of services and improvements by imposing an ad valorem tax and 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 a 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.

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 2% per taxable sale, subject to the state and local sales and use tax rates in the District.

## **XI. METHOD OF ASSESSMENT**

The Petitioners do not propose that the District be granted the power to impose assessments, and accordingly, the Petitioners are not required to present a Service Plan, an Assessment Plan (including method of assessment), or to prepare an Assessment Roll. As stated above, the Petitioners request 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 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.

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**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 (among other types of 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 Petitioners pray 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)*

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Wherefore, this Petition satisfies all of the requirements of the Code for the creation of the District, and the Petitioner respectfully requests the County create the District and include the Subject Property within such District, as described herein.

Respectfully submitted, this 10th day of August, 2022

**PETITIONERS:**

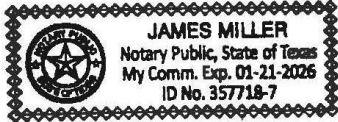
**DAVIS-MCCRARY PROPERTY TRUST**

By: Merry Ann Southwell  
Name: Merry Ann Southwell  
Title: Trustee

**ACKNOWLEDGEMENT**

STATE OF TEXAS §  
COUNTY OF TRAVIS §

The foregoing instrument was acknowledged before me on the 10 day of Aug, 2022, by Merry Ann Southwell, on behalf of the DAVIS-MCCRARY PROPERTY TRUST, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed, in the capacity therein stated.



Notary Public State of Texas  
Printed Name of Notary: JAMES MILLER  
Commission Expiration: 1-21-2026

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Stone Garden Special Improvement District

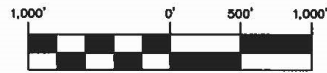


**EXHIBIT "A"**  
**FIELD NOTES AND SURVEY**

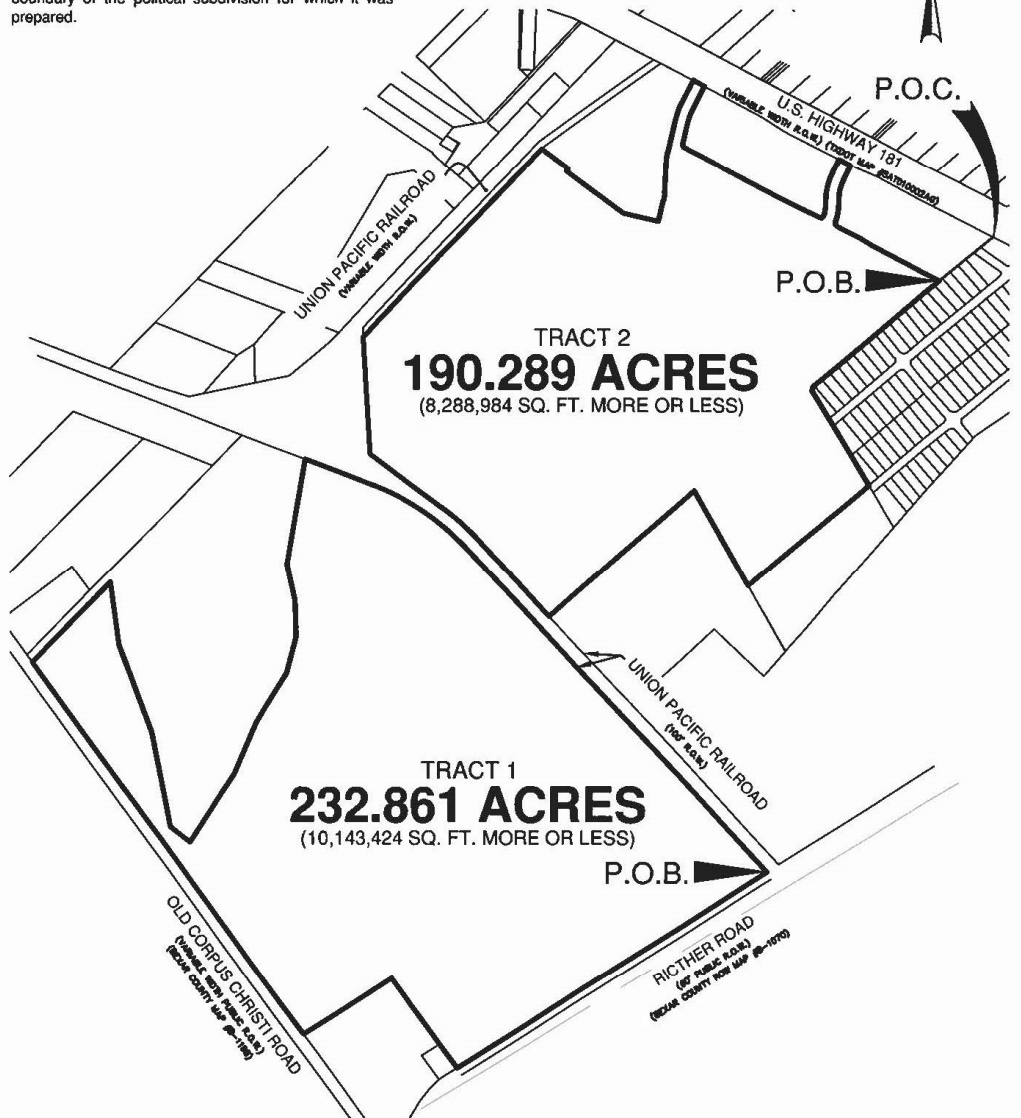
**Petition**  
Stone Garden Special Improvement District



This document was prepared under 22TAC138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



SCALE: 1" = 1,000'



Date: September 15, 2021 10:17 AM User ID: jrmw  
File: N:\Civil\12482-01\12482-01\_EX\_P01.dwg

**PAPE-DAWSON  
ENGINEERS**

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS  
2000 HW LODP 410 | SAN ANTONIO, TX 78213 | 210.375.9000  
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #1002800

EXHIBIT OF  
McCrary Tract P.I.D.

REVISED: 07-14-22  
MAY 6, 2022

SHEET 1 OF 1  
JOB No.: 12482-01

REFERENCE:

**METES AND BOUNDS DESCRIPTION  
FOR**

A 190.289 acre tract of land out of the Juan Montes Grant, Abstract 11, County Block 4007, Bexar County, Texas, in the name of the Davis-McCrary Property Trust by deed executed July 22, 1992 and recorded in Volume 5429, Page 878 of the Official Public Records of Bexar County, Texas, being a portion of that called 240.10 acre tract described in deed unto Ruth Ann Davis McCrary, executed February 24, 1984 and recorded in Volume 3048, Page 708, said Official Public Records, SAVE AND EXCEPT an 11.097 acre tract conveyed unto Parkett Drive Land Trust by deed executed March 10, 2003 and recorded in Volume 9892, Page 1730, said Official Public Records, also SAVE AND EXCEPT a 3.263 acre tract conveyed unto the City of San Antonio by deed executed December 26, 2007 and recorded in Volume 13283, Page 1325, said Official Public Records. Said 190.289 acre tract being more particularly 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:

COMMENCING: At a point on the southwest right-of-way line of U.S. Highway 181, a variable width right-of-way shown in Txdot Map #SAT010002AG, at the north corner of that tract conveyed unto Ricardo C. Palomo by deed executed May 28, 1996 and recorded in Volume 6772, Page 1356 of said Official Public Records;

THENCE: departing the southwest right-of-way line of said U.S. Highway 181, with and along the northwest line of Palm Park recorded in Volume 3975, Page 57 of the Deed and Plat Records of Bexar County, Texas, the southeast line of said 240.10 acre tract, S 50°02'47" W, 481.68 feet to the POINT OF BEGINNING of the herein described tract;

THENCE: with and along the northwest, the west and the southwest lines of said Palm Park, the southeast, the east and the northeast lines of said 240.10 acre tract, the following courses and distances:

S 50°02'47" W, 1163.23 feet to a point;

S 17°07'58" W, 30.17 feet to a point;

And, S 30°55'03" E, 776.25 feet to a point at the north corner of an 11.089 acre tract conveyed unto Efrain V. Hernandez by deed executed March 20, 2020 and recorded in Document No. 20200064169 of said Official Public Records, for an east exterior corner of the herein described tract;

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THENCE: with and along the northwest line of said 11.089 acre tract, S 49°58'51" W, 1111.11 feet to a point on the northeast line of a 27.54 acre tract conveyed unto Jose M. Garza and Daisy I. Garza by deed executed April 9, 2003 and recorded in Volume 9969, Page 744 of said Official Public Records, the west corner of said 11.089 acre tract, for a south exterior corner of the herein described tract;

THENCE: with and along the northeast line of said 27.54 acre tract, N 29°50'28" W, 775.69 feet to a point at the north corner of said 27.54 acre tract and an interior corner of the herein described tract;

THENCE: with and along the northwest line of said 27.54 acre tract, S 48°56'24" W, 1359.61 feet to a point on the northeast right-of-way line of Union Pacific Railroad, a variable width right-of-way, the west corner of said 27.54 acre tract, a south exterior corner of the herein described tract;

THENCE: with and along the northeast line of said Union Pacific Railroad, the following courses and distances:

N 43°03'10" W, 764.33 feet to a point;

Northwesterly, along a tangent curve to the left, said curve having a radius of 1838.44 feet, a central angle of 10°01'42", a chord bearing and distance of N 48°04'01" W, 321.37 feet, for an arc length of 321.78 feet to a point;

N 53°20'30" W, 630.99 feet to a point;

And, N 03°28'35" W, 820.96 feet to a point at the south corner of said 3.263 acre tract and a west exterior corner of herein described tract;

THENCE: with and along the southeast line of said 3.263 acre tract, N 43°31'36" E, 1840.96 feet to a point;

THENCE: departing the southeast line of said 3.263 acre tract, over and across said 240.10 acre tract, the following courses and distances:

S 53°04'03" E, 235.18 feet to a point;

S 36°55'22" W, 18.95 feet to a point;



S 53°20'30" E, 502.02 feet to a point;

S 76°47'40" E, 250.00 feet to a point;

N 13°12'20" E, 144.40 feet to a point;

Along a tangent curve to the left, said curve having a radius of 355.00 feet, a central angle of 10°12'05", a chord bearing and distance of N 08°06'17" E, 63.12 feet, for an arc length of 63.21 feet to a point;

N 03°00'15" E, 210.90 feet to a point;

Along a tangent curve to the right, said curve having a radius of 445.00 feet, a central angle of 10°12'05", a chord bearing and distance of N 08°06'17" E, 79.13 feet, for an arc length of 79.23 feet to a point;

N 13°12'20" E, 241.97 feet to a point;

Along a tangent curve to the right, said curve having a radius of 445.00 feet, a central angle of 14°19'16", a chord bearing and distance of N 20°21'58" E, 110.94 feet, for an arc length of 111.23 feet to a point;

And, N 27°31'36" E, 187.77 feet to a point on the southwest right-of-way line of said U.S. Highway 181;

THENCE: with and along said southwest right-of-way line, S 62°27'15" E, 90.00 feet to a point;

THENCE: departing said southwest right-of-way line, over and across said 240.10 acre tract, the following courses and distances:

S 27°31'36" W, 187.74 feet to a point;

Along a tangent curve to the left, said curve having a radius of 355.00 feet, a central angle of 14°19'16", a chord bearing and distance of S 20°21'58" W, 88.50 feet, for an arc length of 88.73 feet to a point;

S 13°12'20" W, 167.76 feet to a point;



Along a tangent curve to the left, said curve having a radius of 15.00 feet, a central angle of  $75^{\circ}55'20''$ , a chord bearing and distance of  $S\ 24^{\circ}45'20''\ E$ , 18.45 feet, for an arc length of 19.88 feet to a point;

$S\ 62^{\circ}43'00''\ E$ , 243.92 feet to a point;

$S\ 59^{\circ}32'13''\ E$ , 90.14 feet to a point;

$S\ 62^{\circ}43'00''\ E$ , 521.67 feet to a point;

$S\ 65^{\circ}53'48''\ E$ , 90.14 feet to a point;

$S\ 62^{\circ}43'00''\ E$ , 140.82 feet to a point;

Along a tangent curve to the left, said curve having a radius of 20.00 feet, a central angle of  $104^{\circ}04'40''$ , a chord bearing and distance of  $N\ 65^{\circ}14'40''\ E$ , 31.54 feet, for an arc length of 36.33 feet to a point;

$N\ 13^{\circ}12'20''\ E$ , 11.38 feet to a point;

Along a tangent curve to the left, said curve having a radius of 355.00 feet, a central angle of  $14^{\circ}06'22''$ , a chord bearing and distance of  $N\ 06^{\circ}09'09''\ E$ , 87.18 feet, for an arc length of 87.40 feet to a point;

Along a reverse curve to the right, said curve having a radius of 445.00 feet, a central angle of  $28^{\circ}05'01''$ , a chord bearing and distance of  $N\ 13^{\circ}08'29''\ E$ , 215.94 feet, for an arc length of 218.12 feet to a point;

And,  $N\ 27^{\circ}10'59''\ E$ , 103.09 feet to a point on the southwest right-of-way line of said U.S. Highway 181;

THENCE: with and along said southwest right-of-way line, the following courses and distances:

$S\ 62^{\circ}27'15''\ E$ , 77.30 feet to a point;

And,  $S\ 66^{\circ}44'36''\ E$ , 12.73 feet to a point;

THENCE: departing said southwest right-of-way line, over and across said 240.10 acre tract, the following courses and distances:



S 27°10'59" W, 103.48 feet to a point;

Along a tangent curve to the left, said curve having a radius of 355.00 feet, a central angle of 28°05'01", a chord bearing and distance of S 13°08'29" W, 172.27 feet, for an arc length of 174.00 feet to a point;

Along a reverse curve to the right, said curve having a radius of 445.00 feet, a central angle of 14°06'22", a chord bearing and distance of S 06°09'09" W, 109.28 feet, for an arc length of 109.56 feet to a point;

S 13°12'20" W, 47.88 feet to a point;

Along a tangent curve to the left, said curve having a radius of 15.00 feet, a central angle of 75°55'20", a chord bearing and distance of S 24°45'20" E, 18.45 feet, for an arc length of 19.88 feet to a point;

S 62°43'00" E, 22.57 feet to a point;

S 62°43'00" E, 169.80 feet to a point;

S 59°32'13" E, 90.14 feet to a point;

And, S 62°43'00" E, 544.62 feet to the POINT OF BEGINNING and containing 190.289 or 8,288,984 square feet of land more or less in Bexar County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12482-01 by Pape-Dawson Engineers, Inc.

This document was prepared under 22TAC138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interest in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: July 15, 2022  
JOB NO. 12482-01  
DOC. ID. N:\CIVIL\12482-01\Word\12482-01 FN\_PID 190.289 AC.docx



**METES AND BOUNDS DESCRIPTION  
FOR**

A 232.861 acre tract of land out of the Juan Montes Grant, Abstract 11, County Block 4007, in Bexar County, Texas, in the name of the Davis-McCrary Property Trust by deed executed July 22, 1992 and recorded in Volume 5429, Page 878 of the Official Public Records of Bexar County, Texas, being a portion of that called 289.64 acre tract described in deed unto Ruth Ann Davis McCrary, executed February 24, 1984 and recorded in Volume 3048, Page 708, said Official Public Records. Said 232.861 acre tract being more particularly 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 point at the intersection of the northwest right-of-way line of Richter Road, a 60 foot public right-of-way shown in Bexar County Map #B-1070 with the southwest right-of-way line of Union Pacific Railroad, a 100 foot right-of-way, the east corner of the herein described tract;

**THENCE:** with and along the northwest line of said Richter Road, South 57° 37' 47" West, 2605.09 feet to a point at the east corner of a 0.708 acre tract conveyed unto Olivia Seguin by deed executed September 20, 2004 and recorded in Volume 11180, Page 1408 of said Official Public Records and a south exterior corner of the herein described tract;

**THENCE:** departing said right-of-way, with and along the northeast line of said 0.708 acre tract and the northeast line of the remainder of a 13.747 acre tract conveyed unto City of San Antonio (City Public Service Board) by deed recorded in Volume 4571, Page 544 of said Official Public Records, North 35° 54' 19" West, 787.86 feet to a point at the north corner of said 13.747 acre tract, an interior corner of the herein described tract;

**THENCE:** with and along the northwest line of said 13.747 acre tract, South 57° 45' 42" West, 745.72 feet to a point on the northeast right-of-way line of Old Corpus Christi Road, a variable width right-of-way shown in Bexar County Map #B-1198, the west corner of said 13.747 acre tract, a south exterior corner of the herein described tract;

**THENCE:** with and along the northeast line of said Old Corpus Christi Road, the following courses and distances:

North 36° 06' 17" West, 604.36 feet to a point for an angle point;

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Transportation | Water Resources | Land Development | Surveying | Environmental

telephone: 210-375-9000 address: 2000 NW LOOP 410 SAN ANTONIO, TX 78213 website: PAPE-DAWSON.COM  
San Antonio | Austin | Houston | Fort Worth | Dallas Texas Engineering Firm #470 Texas Surveying Firm #10028800

232.861 Acres  
McCrary Tract PID  
Job No. 12482-01  
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North 35° 28' 17" West, 146.51 feet to a point for an angle point;

North 36° 31' 21" West, 199.58 feet to a point for an angle point;

North 36° 05' 53" West, 422.15 feet to a point for an angle point;

North 36° 11' 42" West, 1882.86 feet to a point for an angle point;

THENCE: departing said northeast right-of-way line, over and across said 289.64 acre tract, the following courses:

North 44° 30' 07" East, 794.47 feet to a point for an angle point;

South 07° 39' 25" East, 448.19 feet to a point for an angle point;

South 20° 25' 35" East, 659.32 feet to a point for an angle point;

South 11° 14' 09" East, 678.75 feet to a point for an angle point;

South 52° 51' 04" East, 175.49 feet to a point for an angle point;

North 33° 24' 40" East, 577.97 feet to a point for an angle point;

North 23° 30' 29" East, 399.63 feet to a point for an angle point;

North 31° 51' 03" East, 399.69 feet to a point for an angle point;

North 14° 25' 43" East, 263.00 feet to a point for an angle point;

North 00° 59' 58" West, 264.09 feet to a point for an angle point;

North 12° 52' 52" West, 262.28 feet to a point for an angle point;

North 09° 43' 14" East, 754.21 feet to a point on the southwest line of said Union Pacific Railroad, the northeast line of said 289.64 acre tract;

THENCE: with and along said right-of-way line, the following courses and distances:

South 69° 07' 11" East, 519.98 feet to a point;





232.861 Acres  
McCrary Tract PID  
Job No. 12482-01  
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Southeasterly, along a tangent curve to the right, said curve having a radius of 1738.44 feet, a central angle of 26° 04' 01", a chord bearing and distance of South 56° 05' 10" East, 784.11 feet, for an arc length of 790.91 feet to a point;

And, South 43° 03' 10" East, 3134.56 feet to the POINT OF BEGINNING and containing 232.861 acres or 10,143,424 square feet of land more or less in Bexar County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12482-01 by Pape-Dawson Engineers, Inc.

This document was prepared under 22TAC138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interest in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: July 20, 2022  
JOB NO. 12482-01  
DOC. ID. N:\CIVIL\12482-01\Word\12482-01 FN\_PID 232.861 AC.docx



**EXHIBIT "B"**  
**SWORN STATEMENT**

Petition  
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**SWORN STATEMENT OF FEE SIMPLE OWNER OF REAL PROPERTY REQUESTING  
CREATION OF, AND CONSENTING TO INCLUSION IN, THE STONE GARDEN SPECIAL  
IMPROVEMENT DISTRICT**

Lennar Homes of Texas Land and Construction, Ltd. (“Lennar”) and the Davis-McCrary Property Trust (“Davis-McCrary Trust”), collectively referred to herein as “Owners”, hereby affirm that they are the fee simple owner of approximately 423.15-acres of real property (the “Subject Property”), generally located at the northeast intersection of Old Corpus Christi Road and Richter Road in the City of San Antonio’s extraterritorial jurisdiction and wholly within Bexar County. With the submittal of this Petition and Sworn Statement, the Davis-McCrary Trust represents that it is the current owner of approximately 351.13-acres of the Subject Property and Lennar represents that it is the current owner of approximately 72.02-acres of the Subject Property.

The Owners request the creation of the Stone Garden Special Improvement District (the “District”) and consent to the inclusion of said real property within its boundaries.

By the signatures below, the Owners verify, for purposes of Chapter 382 of the Texas Local Government Code, that they are the owners 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)-*

Sworn Statement  
Stone Garden Special Improvement District

1

**OWNERS:**

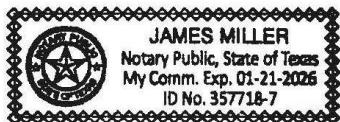
**DAVIS-MCCRARY PROPERTY TRUST**

By: Merry Ann Southwell  
Name: Merry Ann Southwell  
Title: Trustee

**ACKNOWLEDGEMENT**

STATE OF TEXAS           §  
  §  
COUNTY OF Travis       §

The foregoing instrument was acknowledged before me on the 10 day of Aug, 2022, by Merry Ann Southwell, on behalf of the DAVIS MCCRARY PROPERTY TRUST, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed, in the capacity therein stated.



James Miller  
Notary Public State of Texas  
Printed Name of Notary: James Miller  
Commission Expiration: 1-21-2026

Sworn Affidavit  
Stone Garden Special Improvement District

**OWNERS:**

**LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD.**  
a Texas limited partnership

By: Lennar Texas Holding Company,  
its General Partner

By: [Signature]  
Name: Richard Mott  
Title: Assistant Agent

**ACKNOWLEDGEMENT**

STATE OF TEXAS                   §  
  §  
COUNTY OF Bexar                   §

The foregoing instrument was acknowledged before me on the 1 day of Sept, 2022, by Richard Mott, on behalf of the Lennar Homes of Texas Land and Construction, Ltd., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes therein expressed, in the capacity therein stated.

Notary Public State of Texas  
Printed Name of Notary: [Signature]  
Commission Expiration: \_\_\_\_\_



Sworn Statement  
Stone Garden Special Improvement District



\*VG-76-2022-20220254828\*

**File Information**

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

**Document Number:** 20220254828

**Recorded Date:** October 26, 2022

**Recorded Time:** 1:24 PM

**Total Pages:** 22

**Total Fees:** \$106.00

**\*\* 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:  
10/26/2022 1:24 PM



*Lucy Adame-Clark*  
 Lucy Adame-Clark  
 Bexar County Clerk

**EXHIBIT C**

**DECEMBER 13, 2022 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 STONE GARDEN 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 October 26, 2022, to create a public improvement district to be named the Stone Garden 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 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 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 423.15 acres of property therein (the “District Property”), the boundaries of which are as more particularly described in **Exhibit “A”** and **Exhibit “B”** attached hereto and incorporated herein for all purposes; and

**WHEREAS**, the District and District Property specifically consists of approximately 423.15 acres, as more particularly described in **Exhibit “A”** and **Exhibit “B”**; 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 “C” 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 423.15 acres within the City’s extraterritorial jurisdiction and within the County, generally located northeast of Old Corpus Christi Rd and Richter Road, as more particularly described in Exhibit “A” and Exhibit “B.”

**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 Stone Garden 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 “C,” 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.

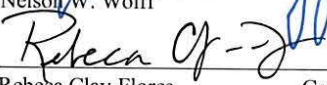
- C. Consent of the City of San Antonio, by resolution or ordinance, authorizing the County's creation of the District.

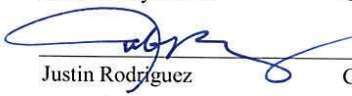
**SECTION IV**

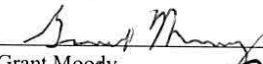
This Resolution of Intent shall be effective immediately upon its passage and adoption.


Passed and Approved this 13 day of December, 2022.

  
\_\_\_\_\_  
Nelson W. Wolff County Judge

  
\_\_\_\_\_  
Rebeca Clay-Flores Commissioner, Precinct 1

  
\_\_\_\_\_  
Justin Rodriguez Commissioner, Precinct 2

  
\_\_\_\_\_  
Grant Moody Commissioner, Precinct 3

  
\_\_\_\_\_  
Tommy Calvert Commissioner, Precinct 4

**EXHIBIT "A"**

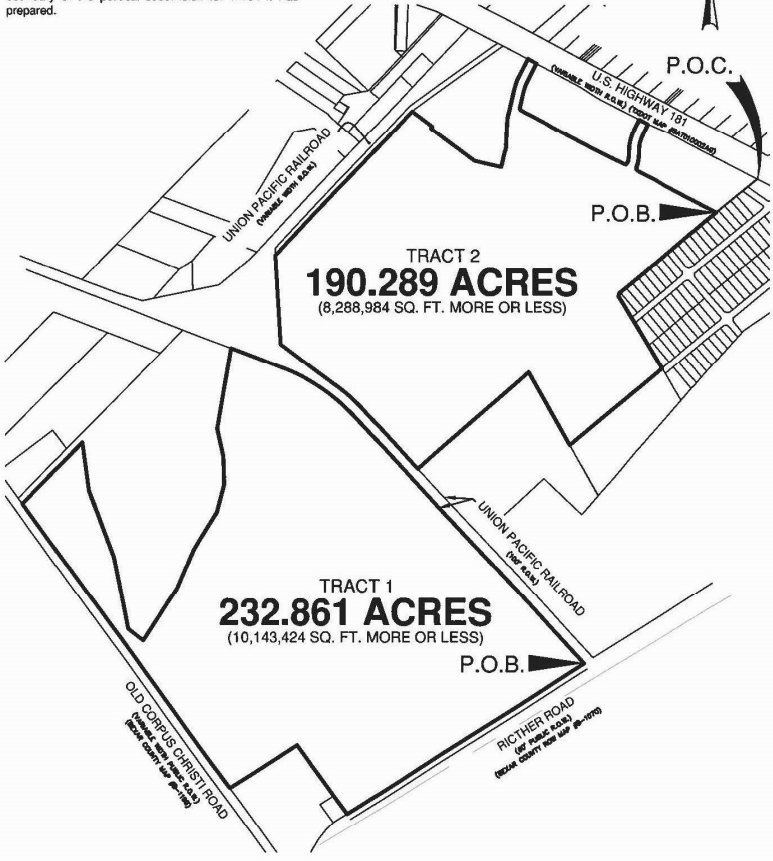
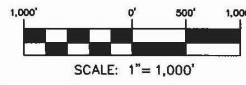
**Aerial Map of Special Improvement District**



**EXHIBIT "B"**

**Metes & Bounds of Special Improvement District**

This document was prepared under 22TAC138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



**Pape-Dawson**  
**ENGINEERS**

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS  
2000 HW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000  
TEXAS ENGINEERING FIRM #470 | TEXAS SURVEYING FIRM #10698900

EXHIBIT OF  
**McCrary Tract P.I.D.**  
REVISED: 07-14-22  
MAY 6, 2022

SHEET 1 OF 1  
JOB No.: 12482-01

Date: September 25, 2021, 10:17 AM - User: JD - Project: Pape-Dawson Engineers - McCrary Tract P.I.D.

REFERENCE

**METES AND BOUNDS DESCRIPTION  
FOR**

A 190.289 acre tract of land out of the Juan Montes Grant, Abstract 11, County Block 4007, Bexar County, Texas, in the name of the Davis-McCrary Property Trust by deed executed July 22, 1992 and recorded in Volume 5429, Page 878 of the Official Public Records of Bexar County, Texas, being a portion of that called 240.10 acre tract described in deed unto Ruth Ann Davis McCrary, executed February 24, 1984 and recorded in Volume 3048, Page 708, said Official Public Records, SAVE AND EXCEPT an 11.097 acre tract conveyed unto Parkett Drive Land Trust by deed executed March 10, 2003 and recorded in Volume 9892, Page 1730, said Official Public Records, also SAVE AND EXCEPT a 3.263 acre tract conveyed unto the City of San Antonio by deed executed December 26, 2007 and recorded in Volume 13283, Page 1325, said Official Public Records. Said 190.289 acre tract being more particularly 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:

COMMENCING: At a point on the southwest right-of-way line of U.S. Highway 181, a variable width right-of-way shown in Txdot Map #SAT010002AG, at the north corner of that tract conveyed unto Ricardo C. Palomo by deed executed May 28, 1996 and recorded in Volume 6772, Page 1356 of said Official Public Records;

THENCE: departing the southwest right-of-way line of said U.S. Highway 181, with and along the northwest line of Palm Park recorded in Volume 3975, Page 57 of the Deed and Plat Records of Bexar County, Texas, the southeast line of said 240.10 acre tract, S 50°02'47" W, 481.68 feet to the POINT OF BEGINNING of the herein described tract;

THENCE: with and along the northwest, the west and the southwest lines of said Palm Park, the southeast, the east and the northeast lines of said 240.10 acre tract, the following courses and distances:

S 50°02'47" W, 1163.23 feet to a point;

S 17°07'58" W, 30.17 feet to a point;

And, S 30°55'03" E, 776.25 feet to a point at the north corner of an 11.089 acre tract conveyed unto Efrain V. Hernandez by deed executed March 20, 2020 and recorded in Document No. 20200064169 of said Official Public Records, for an east exterior corner of the herein described tract;

Page 1 of 5

190.289 Acres  
McCrary Tract PID  
Job No. 12482-01  
Page 2 of 5

THENCE: with and along the northwest line of said 11.089 acre tract, S 49°58'51" W, 1111.11 feet to a point on the northeast line of a 27.54 acre tract conveyed unto Jose M. Garza and Daisy I. Garza by deed executed April 9, 2003 and recorded in Volume 9969, Page 744 of said Official Public Records, the west corner of said 11.089 acre tract, for a south exterior corner of the herein described tract;

THENCE: with and along the northeast line of said 27.54 acre tract, N 29°50'28" W, 775.69 feet to a point at the north corner of said 27.54 acre tract and an interior corner of the herein described tract;

THENCE: with and along the northwest line of said 27.54 acre tract, S 48°56'24" W, 1359.61 feet to a point on the northeast right-of-way line of Union Pacific Railroad, a variable width right-of-way, the west corner of said 27.54 acre tract, a south exterior corner of the herein described tract;

THENCE: with and along the northeast line of said Union Pacific Railroad, the following courses and distances:

N 43°03'10" W, 764.33 feet to a point;

Northwesterly, along a tangent curve to the left, said curve having a radius of 1838.44 feet, a central angle of 10°01'42", a chord bearing and distance of N 48°04'01" W, 321.37 feet, for an arc length of 321.78 feet to a point;

N 53°20'30" W, 630.99 feet to a point;

And, N 03°28'35" W, 820.96 feet to a point at the south corner of said 3.263 acre tract and a west exterior corner of herein described tract;

THENCE: with and along the southeast line of said 3.263 acre tract, N 43°31'36" E, 1840.96 feet to a point;

THENCE: departing the southeast line of said 3.263 acre tract, over and across said 240.10 acre tract, the following courses and distances:

S 53°04'03" E, 235.18 feet to a point;

S 36°55'22" W, 18.95 feet to a point;



S 53°20'30" E, 502.02 feet to a point;

S 76°47'40" E, 250.00 feet to a point;

N 13°12'20" E, 144.40 feet to a point;

Along a tangent curve to the left, said curve having a radius of 355.00 feet, a central angle of 10°12'05", a chord bearing and distance of N 08°06'17" E, 63.12 feet, for an arc length of 63.21 feet to a point;

N 03°00'15" E, 210.90 feet to a point;

Along a tangent curve to the right, said curve having a radius of 445.00 feet, a central angle of 10°12'05", a chord bearing and distance of N 08°06'17" E, 79.13 feet, for an arc length of 79.23 feet to a point;

N 13°12'20" E, 241.97 feet to a point;

Along a tangent curve to the right, said curve having a radius of 445.00 feet, a central angle of 14°19'16", a chord bearing and distance of N 20°21'58" E, 110.94 feet, for an arc length of 111.23 feet to a point;

And, N 27°31'36" E, 187.77 feet to a point on the southwest right-of-way line of said U.S. Highway 181;

THENCE: with and along said southwest right-of-way line, S 62°27'15" E, 90.00 feet to a point;

THENCE: departing said southwest right-of-way line, over and across said 240.10 acre tract, the following courses and distances:

S 27°31'36" W, 187.74 feet to a point;

Along a tangent curve to the left, said curve having a radius of 355.00 feet, a central angle of 14°19'16", a chord bearing and distance of S 20°21'58" W, 88.50 feet, for an arc length of 88.73 feet to a point;

S 13°12'20" W, 167.76 feet to a point;





Along a tangent curve to the left, said curve having a radius of 15.00 feet, a central angle of  $75^{\circ}55'20''$ , a chord bearing and distance of  $S 24^{\circ}45'20'' E$ , 18.45 feet, for an arc length of 19.88 feet to a point;

$S 62^{\circ}43'00'' E$ , 243.92 feet to a point;

$S 59^{\circ}32'13'' E$ , 90.14 feet to a point;

$S 62^{\circ}43'00'' E$ , 521.67 feet to a point;

$S 65^{\circ}53'48'' E$ , 90.14 feet to a point;

$S 62^{\circ}43'00'' E$ , 140.82 feet to a point;

Along a tangent curve to the left, said curve having a radius of 20.00 feet, a central angle of  $104^{\circ}04'40''$ , a chord bearing and distance of  $N 65^{\circ}14'40'' E$ , 31.54 feet, for an arc length of 36.33 feet to a point;

$N 13^{\circ}12'20'' E$ , 11.38 feet to a point;

Along a tangent curve to the left, said curve having a radius of 355.00 feet, a central angle of  $14^{\circ}06'22''$ , a chord bearing and distance of  $N 06^{\circ}09'09'' E$ , 87.18 feet, for an arc length of 87.40 feet to a point;

Along a reverse curve to the right, said curve having a radius of 445.00 feet, a central angle of  $28^{\circ}05'01''$ , a chord bearing and distance of  $N 13^{\circ}08'29'' E$ , 215.94 feet, for an arc length of 218.12 feet to a point;

And,  $N 27^{\circ}10'59'' E$ , 103.09 feet to a point on the southwest right-of-way line of said U.S. Highway 181;

THENCE: with and along said southwest right-of-way line, the following courses and distances:

$S 62^{\circ}27'15'' E$ , 77.30 feet to a point;

And,  $S 66^{\circ}44'36'' E$ , 12.73 feet to a point;

THENCE: departing said southwest right-of-way line, over and across said 240.10 acre tract, the following courses and distances:



S 27°10'59" W, 103.48 feet to a point;

Along a tangent curve to the left, said curve having a radius of 355.00 feet, a central angle of 28°05'01", a chord bearing and distance of S 13°08'29" W, 172.27 feet, for an arc length of 174.00 feet to a point;

Along a reverse curve to the right, said curve having a radius of 445.00 feet, a central angle of 14°06'22", a chord bearing and distance of S 06°09'09" W, 109.28 feet, for an arc length of 109.56 feet to a point;

S 13°12'20" W, 47.88 feet to a point;

Along a tangent curve to the left, said curve having a radius of 15.00 feet, a central angle of 75°55'20", a chord bearing and distance of S 24°45'20" E, 18.45 feet, for an arc length of 19.88 feet to a point;

S 62°43'00" E, 22.57 feet to a point;

S 62°43'00" E, 169.80 feet to a point;

S 59°32'13" E, 90.14 feet to a point;

And, S 62°43'00" E, 544.62 feet to the POINT OF BEGINNING and containing 190.289 or 8,288,984 square feet of land more or less in Bexar County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12482-01 by Pape-Dawson Engineers, Inc.

This document was prepared under 22TAC138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interest in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: July 15, 2022  
JOB NO. 12482-01  
DOC. ID. N:\CIVIL\12482-01\Word\12482-01 FN\_PID 190.289 AC.docx



**METES AND BOUNDS DESCRIPTION  
FOR**

A 232.861 acre tract of land out of the Juan Montes Grant, Abstract 11, County Block 4007, in Bexar County, Texas, in the name of the Davis-McCrary Property Trust by deed executed July 22, 1992 and recorded in Volume 5429, Page 878 of the Official Public Records of Bexar County, Texas, being a portion of that called 289.64 acre tract described in deed unto Ruth Ann Davis McCrary, executed February 24, 1984 and recorded in Volume 3048, Page 708, said Official Public Records. Said 232.861 acre tract being more particularly 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 point at the intersection of the northwest right-of-way line of Richter Road, a 60 foot public right-of-way shown in Bexar County Map #B-1070 with the southwest right-of-way line of Union Pacific Railroad, a 100 foot right-of-way, the east corner of the herein described tract;

**THENCE:** with and along the northwest line of said Richter Road, South 57° 37' 47" West, 2605.09 feet to a point at the east corner of a 0.708 acre tract conveyed unto Olivia Seguin by deed executed September 20, 2004 and recorded in Volume 11180, Page 1408 of said Official Public Records and a south exterior corner of the herein described tract;

**THENCE:** departing said right-of-way, with and along the northeast line of said 0.708 acre tract and the northeast line of the remainder of a 13.747 acre tract conveyed unto City of San Antonio (City Public Service Board) by deed recorded in Volume 4571, Page 544 of said Official Public Records, North 35° 54' 19" West, 787.86 feet to a point at the north corner of said 13.747 acre tract, an interior corner of the herein described tract;

**THENCE:** with and along the northwest line of said 13.747 acre tract, South 57° 45' 42" West, 745.72 feet to a point on the northeast right-of-way line of Old Corpus Christi Road, a variable width right-of-way shown in Bexar County Map #B-1198, the west corner of said 13.747 acre tract, a south exterior corner of the herein described tract;

**THENCE:** with and along the northeast line of said Old Corpus Christi Road, the following courses and distances:

North 36° 06' 17" West, 604.36 feet to a point for an angle point;

Page 1 of 3

Transportation | Water Resources | Land Development | Surveying | Environmental

telephone: 210-375-9000 address: 2000 NW LOOP 410 SAN ANTONIO, TX 78213 website: PAPE-DAWSON.COM  
San Antonio | Austin | Houston | Fort Worth | Dallas Texas Engineering Firm #470 Texas Surveying Firm #10028800

Page 12 of 15

232.861 Acres  
McCrary Tract PID  
Job No. 12482-01  
Page 2 of 3

North 35° 28' 17" West, 146.51 feet to a point for an angle point;

North 36° 31' 21" West, 199.58 feet to a point for an angle point;

North 36° 05' 53" West, 422.15 feet to a point for an angle point;

North 36° 11' 42" West, 1882.86 feet to a point for an angle point;

THENCE: departing said northeast right-of-way line, over and across said 289.64 acre tract, the following courses:

North 44° 30' 07" East, 794.47 feet to a point for an angle point;

South 07° 39' 25" East, 448.19 feet to a point for an angle point;

South 20° 25' 35" East, 659.32 feet to a point for an angle point;

South 11° 14' 09" East, 678.75 feet to a point for an angle point;

South 52° 51' 04" East, 175.49 feet to a point for an angle point;

North 33° 24' 40" East, 577.97 feet to a point for an angle point;

North 23° 30' 29" East, 399.63 feet to a point for an angle point;

North 31° 51' 03" East, 399.69 feet to a point for an angle point;

North 14° 25' 43" East, 263.00 feet to a point for an angle point;

North 00° 59' 58" West, 264.09 feet to a point for an angle point;

North 12° 52' 52" West, 262.28 feet to a point for an angle point;

North 09° 43' 14" East, 754.21 feet to a point on the southwest line of said Union Pacific Railroad, the northeast line of said 289.64 acre tract;

THENCE: with and along said right-of-way line, the following courses and distances:

South 69° 07' 11" East, 519.98 feet to a point;



232.861 Acres  
McCrary Tract PID  
Job No. 12482-01  
Page 3 of 3

Southeasterly, along a tangent curve to the right, said curve having a radius of 1738.44 feet, a central angle of 26° 04' 01", a chord bearing and distance of South 56° 05' 10" East, 784.11 feet, for an arc length of 790.91 feet to a point;

And, South 43° 03' 10" East, 3134.56 feet to the POINT OF BEGINNING and containing 232.861 acres or 10,143,424 square feet of land more or less in Bexar County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 12482-01 by Pape-Dawson Engineers, Inc.

This document was prepared under 22TAC138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interest in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: July 20, 2022  
JOB NO. 12482-01  
DOC. ID. N:\CIVIL\12482-01\Word\12482-01 FN\_PID 232.861 AC.docx



**EXHIBIT “C”**

**Proposed Public Improvements of Special Improvement District**

**(subject to change)**

1. Onsite; Development infrastructure to include streets, utilities, drainage and grading
2. Offsite; Turn lane, Traffic Light, Driveways and Utility Extension

**EXHIBIT D**

**DOCUMENTS CONSIDERED NECESSARY AND APPROPRIATE**



**LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION  
STONE GARDEN PID**

**Stone Garden Project and PID Revenues Analysis**

Year No.	Year on Tax Rolls	Cumulative Housing Units on Ground	Taxable Basis Per Unit	Total Taxable Basis <sup>1</sup>	Ad Valorem Tax/(100*0.54161) <sup>2</sup>	Cumulative
1	2024	144	\$ 250,000.00	\$ 36,000,000.00	\$ 190,928.34	\$ 190,928.34
2	2025	432	\$ 250,000.00	\$ 108,000,000.00	\$ 572,785.02	\$ 763,713.36
3	2026	720	\$ 250,000.00	\$ 180,000,000.00	\$ 954,641.70	\$ 1,718,355.06
4	2027	1008	\$ 250,000.00	\$ 252,000,000.00	\$ 1,336,498.38	\$ 3,054,853.44
5	2028	1296	\$ 250,000.00	\$ 324,000,000.00	\$ 1,718,355.06	\$ 4,773,208.50
6	2029	1584	\$ 250,000.00	\$ 396,000,000.00	\$ 2,100,211.74	\$ 6,873,420.24
7	2030	1872	\$ 250,000.00	\$ 468,000,000.00	\$ 2,482,068.42	\$ 9,355,488.66
8	2031	2122	\$ 250,000.00	\$ 530,500,000.00	\$ 2,813,541.23	\$ 12,169,029.89
9	2032	2185	\$ 250,000.00	\$ 546,250,000.00	\$ 2,897,072.38	\$ 15,066,102.27
10	2033	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 17,987,040.70
11	2034	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 20,907,979.12
12	2035	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 23,828,917.55
13	2036	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 26,749,855.97
14	2037	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 29,670,794.39
15	2038	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 32,591,732.82
16	2039	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 35,512,671.24
17	2040	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 38,433,609.66
18	2041	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 41,354,548.09
19	2042	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 44,275,486.51
20	2043	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 47,196,424.94
21	2044	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 50,117,363.36
22	2045	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 53,038,301.78
23	2046	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 55,959,240.21
24	2047	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 58,880,178.63
25	2048	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 61,801,117.05
26	2049	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 64,722,055.48
27	2050	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 67,642,993.90
28	2051	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 70,563,932.33
29	2052	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 73,484,870.75
30	2053	2203	\$ 250,000.00	\$ 550,750,000.00	\$ 2,920,938.42	\$ 76,405,809.17
<b>TOTALS</b>					\$ 76,405,809.17	\$ 76,405,809.17

<sup>1</sup>Assumes 0.0% annual inflation

<sup>2</sup>Assumes a Collection Ratio of 95%



LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION  
STONE GARDEN PID

Stone Garden Ad Valorem Tax Revenues

Year or Tax Roll	Bexar County		SA River Authority		Alamo Community College		University Health System		Bexar County		East Central ISD		Bexar CO Emergency District #10	
	Annual	Cumulative	Annual	Cumulative	Annual	Cumulative	Annual	Cumulative	Annual	Cumulative	Annual	Cumulative	Annual	Cumulative
2024	\$ 0.026368	\$ 4,518.89	\$ 3,547.45	\$ 0.21858	\$ 28,476.96	\$ 59,241.09	\$ 5,275.94	\$ 2,077,730.03	\$ 5,275.94	\$ 2,077,730.03	\$ 5,275.94	\$ 2,077,730.03	\$ 19,082.53	\$ 19,082.53
2025	\$ 13,536.68	\$ 8,075.37	\$ 14,897.79	\$ 10,642.25	\$ 11,907.83	\$ 28,223.27	\$ 15,827.83	\$ 2,103,643.30	\$ 15,827.83	\$ 2,119,471.13	\$ 15,827.83	\$ 2,135,298.96	\$ 57,278.50	\$ 76,371.34
2026	\$ 25,594.46	\$ 40,673.35	\$ 31,827.04	\$ 42,538.81	\$ 256,292.66	\$ 263,795.45	\$ 47,463.88	\$ 4,742,609.81	\$ 263,795.45	\$ 4,742,609.81	\$ 263,795.45	\$ 4,742,609.81	\$ 95,464.17	\$ 171,835.51
2027	\$ 31,632.24	\$ 72,302.37	\$ 24,832.14	\$ 56,759.18	\$ 455,631.39	\$ 369,187.63	\$ 84,415.07	\$ 1,454,110.24	\$ 369,187.63	\$ 1,454,110.24	\$ 369,187.63	\$ 1,454,110.24	\$ 133,649.84	\$ 303,485.34
2028	\$ 40,670.03	\$ 112,972.30	\$ 31,927.04	\$ 38,686.21	\$ 71,924.05	\$ 471,658.81	\$ 47,433.48	\$ 1,318,527.25	\$ 471,658.81	\$ 1,318,527.25	\$ 471,658.81	\$ 1,318,527.25	\$ 171,835.51	\$ 477,320.85
2029	\$ 48,707.81	\$ 162,680.11	\$ 39,021.53	\$ 127,708.15	\$ 312,246.48	\$ 580,151.99	\$ 1,838,679.24	\$ 58,035.36	\$ 1,838,679.24	\$ 58,035.36	\$ 1,838,679.24	\$ 58,035.36	\$ 210,021.17	\$ 687,342.02
2030	\$ 28,425.60	\$ 221,482.71	\$ 46,114.83	\$ 173,824.98	\$ 3,020,306.50	\$ 625,654.71	\$ 2,524,134.41	\$ 68,985.24	\$ 2,524,134.41	\$ 68,985.24	\$ 2,524,134.41	\$ 68,985.24	\$ 348,206.84	\$ 952,548.87
2031	\$ 64,590.89	\$ 288,015.50	\$ 32,272.60	\$ 226,002.38	\$ 4,192,639.67	\$ 777,198.56	\$ 3,581,511.97	\$ 77,746.87	\$ 3,581,511.97	\$ 77,746.87	\$ 3,581,511.97	\$ 77,746.87	\$ 281,594.12	\$ 1,215,922.99
2032	\$ 68,567.91	\$ 356,583.41	\$ 53,827.60	\$ 279,828.18	\$ 432,038.35	\$ 800,272.79	\$ 4,151,784.76	\$ 80,055.09	\$ 4,151,784.76	\$ 80,055.09	\$ 4,151,784.76	\$ 80,055.09	\$ 389,707.24	\$ 1,505,630.23
2033	\$ 69,132.77	\$ 425,711.28	\$ 51,271.61	\$ 327,099.22	\$ 435,657.97	\$ 806,885.43	\$ 4,983,650.19	\$ 80,714.58	\$ 4,983,650.19	\$ 80,714.58	\$ 4,983,650.19	\$ 80,714.58	\$ 499,037.69	\$ 1,799,670.07
2034	\$ 69,132.77	\$ 494,844.05	\$ 54,271.64	\$ 381,370.25	\$ 3,118,425.09	\$ 806,885.43	\$ 5,775,151.61	\$ 80,714.58	\$ 5,775,151.61	\$ 80,714.58	\$ 5,775,151.61	\$ 80,714.58	\$ 592,093.84	\$ 2,080,757.91
2035	\$ 69,132.77	\$ 563,976.82	\$ 54,271.64	\$ 440,641.29	\$ 435,657.97	\$ 806,885.43	\$ 6,552,381.04	\$ 80,714.58	\$ 6,552,381.04	\$ 80,714.58	\$ 6,552,381.04	\$ 80,714.58	\$ 592,093.84	\$ 2,382,851.75
2036	\$ 69,132.77	\$ 633,109.59	\$ 54,271.64	\$ 497,012.32	\$ 3,989,741.02	\$ 806,885.43	\$ 7,339,546.46	\$ 80,714.58	\$ 7,339,546.46	\$ 80,714.58	\$ 7,339,546.46	\$ 80,714.58	\$ 592,093.84	\$ 2,674,945.63
2037	\$ 69,132.77	\$ 702,242.36	\$ 54,271.64	\$ 551,283.35	\$ 4,425,598.98	\$ 806,885.43	\$ 8,196,111.89	\$ 819,856.03	\$ 8,196,111.89	\$ 819,856.03	\$ 8,196,111.89	\$ 819,856.03	\$ 592,093.84	\$ 2,967,079.44
2038	\$ 69,132.77	\$ 771,375.13	\$ 54,271.64	\$ 605,554.40	\$ 435,657.97	\$ 806,885.43	\$ 9,032,977.31	\$ 80,714.58	\$ 9,032,977.31	\$ 80,714.58	\$ 9,032,977.31	\$ 80,714.58	\$ 592,093.84	\$ 3,259,173.23
2039	\$ 69,132.77	\$ 840,507.90	\$ 54,271.64	\$ 659,825.43	\$ 435,657.97	\$ 806,885.43	\$ 9,839,842.74	\$ 80,714.58	\$ 9,839,842.74	\$ 80,714.58	\$ 9,839,842.74	\$ 80,714.58	\$ 592,093.84	\$ 3,541,267.12
2040	\$ 69,132.77	\$ 909,640.67	\$ 54,271.64	\$ 714,096.47	\$ 5,732,372.82	\$ 806,885.43	\$ 10,616,708.17	\$ 80,714.58	\$ 10,616,708.17	\$ 80,714.58	\$ 10,616,708.17	\$ 80,714.58	\$ 592,093.84	\$ 3,823,360.97
2041	\$ 69,132.77	\$ 978,773.44	\$ 54,271.64	\$ 768,367.40	\$ 6,188,030.85	\$ 806,885.43	\$ 11,423,573.59	\$ 80,714.58	\$ 11,423,573.59	\$ 80,714.58	\$ 11,423,573.59	\$ 80,714.58	\$ 592,093.84	\$ 4,105,454.81
2042	\$ 69,132.77	\$ 1,047,906.21	\$ 54,271.64	\$ 822,638.24	\$ 6,603,688.81	\$ 806,885.43	\$ 12,230,359.02	\$ 80,714.58	\$ 12,230,359.02	\$ 80,714.58	\$ 12,230,359.02	\$ 80,714.58	\$ 592,093.84	\$ 4,387,548.65
2043	\$ 69,132.77	\$ 1,117,038.98	\$ 54,271.64	\$ 876,909.38	\$ 7,039,346.78	\$ 806,885.43	\$ 13,037,204.44	\$ 80,714.58	\$ 13,037,204.44	\$ 80,714.58	\$ 13,037,204.44	\$ 80,714.58	\$ 592,093.84	\$ 4,670,642.49
2044	\$ 69,132.77	\$ 1,186,171.76	\$ 54,271.64	\$ 931,180.61	\$ 435,657.97	\$ 806,885.43	\$ 13,844,169.87	\$ 80,714.58	\$ 13,844,169.87	\$ 80,714.58	\$ 13,844,169.87	\$ 80,714.58	\$ 592,093.84	\$ 4,952,736.31
2045	\$ 69,132.77	\$ 1,255,304.53	\$ 54,271.64	\$ 985,451.65	\$ 435,657.97	\$ 806,885.43	\$ 14,651,035.29	\$ 80,714.58	\$ 14,651,035.29	\$ 80,714.58	\$ 14,651,035.29	\$ 80,714.58	\$ 592,093.84	\$ 5,234,830.13
2046	\$ 69,132.77	\$ 1,324,437.30	\$ 54,271.64	\$ 1,039,722.68	\$ 435,657.97	\$ 806,885.43	\$ 15,456,906.72	\$ 80,714.58	\$ 15,456,906.72	\$ 80,714.58	\$ 15,456,906.72	\$ 80,714.58	\$ 592,093.84	\$ 5,516,923.97
2047	\$ 69,132.77	\$ 1,393,570.07	\$ 54,271.64	\$ 1,093,994.32	\$ 435,657.97	\$ 806,885.43	\$ 16,262,782.15	\$ 80,714.58	\$ 16,262,782.15	\$ 80,714.58	\$ 16,262,782.15	\$ 80,714.58	\$ 592,093.84	\$ 5,800,017.85
2048	\$ 69,132.77	\$ 1,462,702.84	\$ 54,271.64	\$ 1,148,265.95	\$ 435,657.97	\$ 806,885.43	\$ 17,069,657.10	\$ 80,714.58	\$ 17,069,657.10	\$ 80,714.58	\$ 17,069,657.10	\$ 80,714.58	\$ 592,093.84	\$ 6,083,111.71
2049	\$ 69,132.77	\$ 1,531,835.61	\$ 54,271.64	\$ 1,202,537.59	\$ 435,657.97	\$ 806,885.43	\$ 17,876,532.05	\$ 80,714.58	\$ 17,876,532.05	\$ 80,714.58	\$ 17,876,532.05	\$ 80,714.58	\$ 592,093.84	\$ 6,365,205.55
2050	\$ 69,132.77	\$ 1,600,968.38	\$ 54,271.64	\$ 1,256,809.23	\$ 435,657.97	\$ 806,885.43	\$ 18,683,406.99	\$ 80,714.58	\$ 18,683,406.99	\$ 80,714.58	\$ 18,683,406.99	\$ 80,714.58	\$ 592,093.84	\$ 6,648,300.39
2051	\$ 69,132.77	\$ 1,670,101.15	\$ 54,271.64	\$ 1,311,077.86	\$ 435,657.97	\$ 806,885.43	\$ 19,490,281.94	\$ 80,714.58	\$ 19,490,281.94	\$ 80,714.58	\$ 19,490,281.94	\$ 80,714.58	\$ 592,093.84	\$ 6,931,395.23
2052	\$ 69,132.77	\$ 1,739,233.92	\$ 54,271.64	\$ 1,365,348.90	\$ 435,657.97	\$ 806,885.43	\$ 20,299,156.88	\$ 80,714.58	\$ 20,299,156.88	\$ 80,714.58	\$ 20,299,156.88	\$ 80,714.58	\$ 592,093.84	\$ 7,214,489.07
2053	\$ 69,132.77	\$ 1,808,366.69	\$ 54,271.64	\$ 1,419,619.53	\$ 435,657.97	\$ 806,885.43	\$ 21,108,031.81	\$ 80,714.58	\$ 21,108,031.81	\$ 80,714.58	\$ 21,108,031.81	\$ 80,714.58	\$ 592,093.84	\$ 7,496,582.91
Total	\$ 1,808,366.69	\$ 14,191,619.53	\$ 1,419,619.53	\$ 1,419,619.53	\$ 1,419,619.53	\$ 1,419,619.53	\$ 1,419,619.53	\$ 1,419,619.53	\$ 1,419,619.53	\$ 1,419,619.53	\$ 1,419,619.53	\$ 1,419,619.53	\$ 1,419,619.53	\$ 1,419,619.53

\*Tax Rates per B/CAT 2020 Tax Rate Chart

LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION  
STONE GARDEN PID

Stone Garden PID PID Qualified Costs		
	Lots 2203	Acres 423.15
Offsite Improvements		
Soft Costs	Per Lot	Cost
Engineering	\$ 1,106.67	\$ 2,438,000.00
Geotechnical	\$ 105.76	\$ 233,000.00
Subtotal	1,212.44	\$ 2,671,000.00
Hard Costs	Linear Feet	Cost
Sewer	2,900	\$ 11,617,000.00
Water		\$ 2,335,000.00
Drainage		\$ 1,803,400.00
Streets (Lump Sum) <sup>1</sup>	1	\$ 6,533,000.00
Electric		\$ 981,000.00
Subtotal	N/A	\$ 23,269,400.00
<b>Total Offsite Linear Feet and Costs</b>	<b>N/A</b>	<b>\$ 25,940,400.00</b>
Onsite Improvements		
Soft Costs <sup>2</sup>	Per Lot <sup>3</sup>	Cost
Engineering	4,188.83	\$ 9,228,000.00
Geotechnical	1,016.80	\$ 2,240,000.00
Mailboxes	324.10	\$ 714,000.00
Subtotal	5,529.73	\$ 12,182,000.00
Hard Costs	Linear Feet	Cost
Land Clearing (per acre) <sup>4</sup>	\$ 4,341.25	\$ 1,837,000.00
Sewer <sup>5</sup>	\$ 30,797.59	\$ 13,032,000.00
Water <sup>5</sup>	\$ 21,054.00	\$ 8,909,000.00
Drainage <sup>5</sup>	\$ 27,302.38	\$ 11,553,000.00
Streets <sup>5</sup>	\$ 43,944.23	\$ 18,595,000.00
Electric	\$ 17,105.05	\$ 7,238,000.00
Subtotal	\$ 144,544.49	\$ 61,164,000.00
<b>Total Onsite Costs</b>		<b>\$ 73,346,000.00</b>
Contingency <sup>6</sup>		
Onsite/Offsite	% of Total Cost	Cost
Offsite Contingency	10	\$ 2,594,040.00
Onsite Contingency	10	\$ 7,334,600.00
Subtotal	10	\$ 9,928,640.00
<b>Total Eligible PID Costs (Total Linear Feet, Offsite Costs, Onsite Costs, &amp; Contingency Costs)</b>	<b>-</b>	<b>\$ 109,215,040.00</b>

<sup>1</sup> Turn lane, Deceleration lane, contingency. No bid, estimate based on typical cost for improvements consistent with development and preliminary review with Engineer

<sup>2</sup> Engineering, Geotechnical, mailboxes cost is on a per lot basis

<sup>3</sup> Per lot cost - not per linear foot

<sup>4</sup> Land clearing is based on the total acreage

<sup>5</sup> 25,000 linear feet of Streets, drainage water and sewer running parallel to each other

<sup>6</sup> Lennar corporate requirement is 10% contingency. 100% of our developments include a 10% contingency that is only released upon project completion.

**EXHIBIT E**

**AUGUST 31, 2023 CITY OF SAN ANTONIO CONSENT TO CREATION**



## City of San Antonio

### Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 34

**Agenda Date:** August 31, 2023

**In Control:** City Council A Session

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**DEPARTMENT:** Planning Department

**DEPARTMENT HEAD:** Rudy Nino

**COUNCIL DISTRICTS IMPACTED:** ETJ

**SUBJECT:**

A Resolution authorizing the City of San Antonio's consent to the creation by Bexar County of the proposed Stone Garden Public Improvement District (PID) in the City's Extraterritorial Jurisdiction (ETJ).

**SUMMARY:**

A resolution authorizing the City Council's consent to the creation by Bexar County of a proposed PID, to later be named the Stone Garden Special Improvement District, generally located northeast of Old Corpus Christi Road and Richter Road in the extraterritorial jurisdiction (ETJ) of the City of San Antonio (City).

**BACKGROUND INFORMATION:**

Texas Local Government Code (LGC) Chapter 382 allows for the creation of PIDs by a municipality or a county. PIDs are tools used to finance public improvements and economic development to benefit a defined geographical area, which will become the PID. The proposed improvement may include roadways, utilities, water, wastewater, or drainage systems, trail, and park/recreational facilities. These PIDs may sell bonds to finance these improvements, and then issue assessments and ad valorem, sales and use, or hotel occupancy taxes on future landowners

in its boundaries.

To create a PID in a county, more than fifty percent (50%) of owners of taxable real property within the proposed PID area must submit a petition to the county. The municipality may 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, in the municipality's ETJ require the municipality's written consent.

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

On October 26, 2022, Davis-McCrary Property Trust & Lennar Homes of Texas Land and Construction, Ltd., the (Owners) filed a petition to Bexar County (County), to create a PID to be named the Stone Garden Special Improvement District, pursuant to Chapter 382 of the LGC. On December 13, 2022, 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 May 25, 2023, the Owners 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 Owners 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 the Stone Garden Tracts, totaling 423.15 acres of land generally located northeast of Old Corpus Christi Road and Richter Road. The PID Property is located within the water and sewer Certificates of Convenience and Necessity (CCNs) of SAWS and East Central Special Utility District. Furthermore, the PID project will be a single-family development with 2,202 single-family residential units. The proposed individual lot improvements, streets, utilities, drainage, grading, amenity, open space, sanitary sewer extension with lift station improvements, and offsite traffic/turn lane and offsite utilities are estimated at \$109.2 million. The proposed PID's revenue is estimated at \$76.4 million.

**ISSUE:**

If approved, this resolution grants the City's consent to the creation of the Stone Garden 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 Owners. However, the City's consent will not include the following:

- 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 Owners with respect to the development of the PID property:

- The Owners will pay to the City a \$7,500.00 Special District application fee.
- The Owners will pay to the City an operations fee of \$175.00 per each built residential unit, totaling \$385,350.00.
- 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 Owners agree 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 Owner, subsequent Owners, and the City under Chapter 43 of the Local Government Code.
- The Owners agree 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 Owners will reimburse the City for the recordings of the development agreement with Bexar County Real Property Records.

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 Tax Revenues collected within the annexed commercial property.

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

<b>Dates</b>	<b>Schedule of Action</b>
December 13, 2022	Bexar County Commissioners Court's resolution expressing their intent to create the PID
July 12, 2023	San Antonio Planning Commission public hearing and recommendation
August 31, 2023	City Council’s consideration and action
Pending	Commissioners Court consideration to create the proposed PID and appoint a board of directors.

**ALTERNATIVES:**

A denial of the Resolution would result in the PID not being created by the County. This action would require the Owner 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.

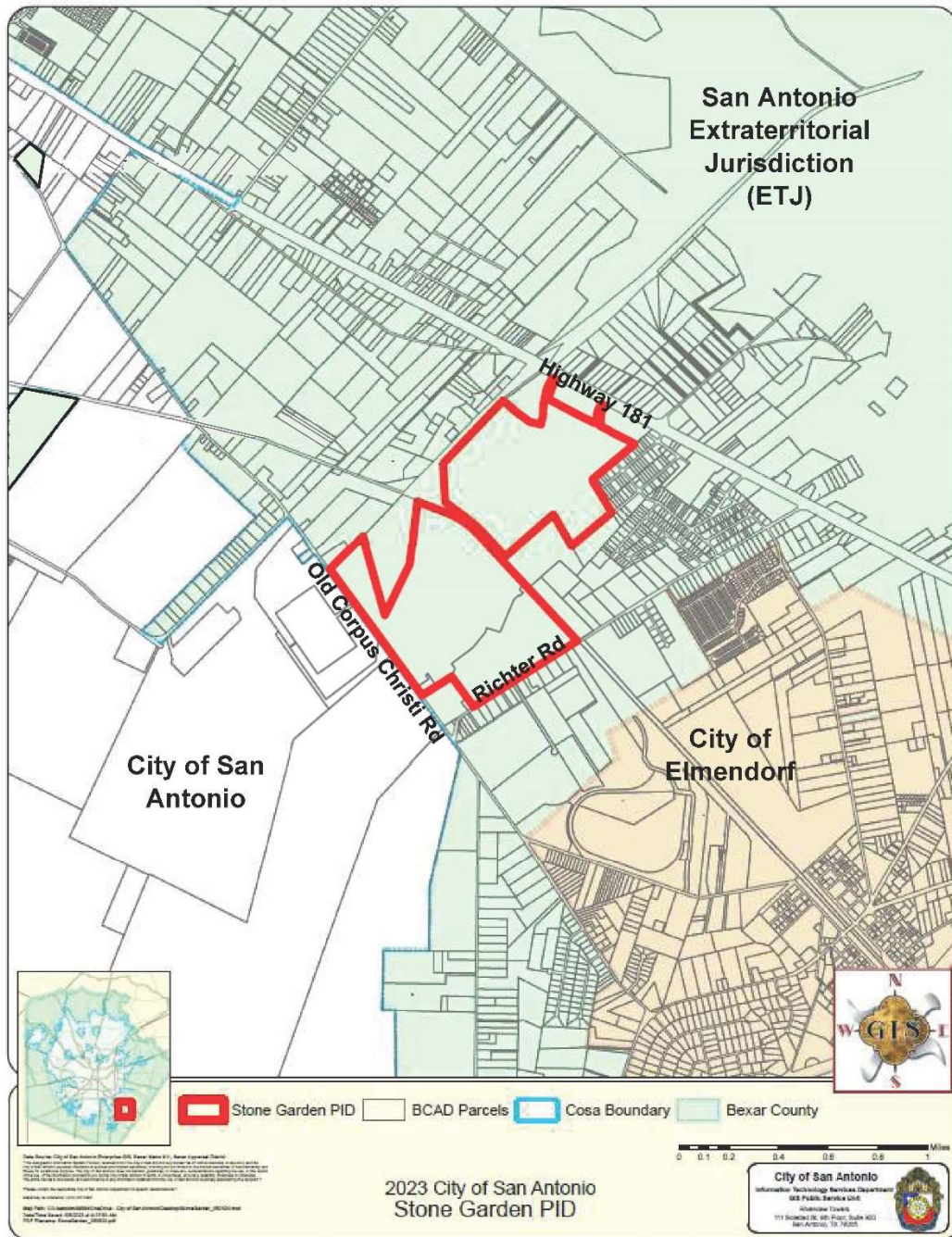
**FISCAL IMPACT:**

This resolution authorizes a Special District application fee of \$7,500.00 to be collected and deposited into the City's general fund . The resolution authorizing 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 Davis-McCrary Property Trust & Lennar Homes of Texas Land and Construction, Ltd, Owner of PID Property.

**RECOMMENDATION:**

Staff recommends approval of a Resolution granting the City's consent to the creation by Bexar County of the Stone Garden Public Improvement District,

On July 12, 2023, 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 Owner.





RESOLUTION NO. 23 07 08

RECOMMENDING THE CITY OF SAN ANTONIO GRANT ITS CONSENT TO THE CREATION OF A PUBLIC IMPROVEMENT DISTRICT TO BE CALLED "STONE GARDEN SPECIAL IMPROVEMENT DISTRICT" BY BEXAR COUNTY; AND TO APPROVE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND DAVIS-MCCRARY PROPERTY TRUST AND LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., OWNERS OF THE APPROXIMATELY 423.15 ACRE PROPERTY GENERALLY LOCATED GENERALLY LOCATED NORTHEAST OF OLD CORPUS CHRISTI ROAD AND RICHTER 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 Districts (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, Davis-McCrary Property Trust & Lennar Homes of Texas Land and Construction, Ltd. (Owners) own approximately 423.15 acres of land generally located northeast of Old Corpus Christi Road and Richter 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 Owners propose to develop the Property to consist of approximately 2,202 single family units. The project will also have on-site improvements, including individual lot improvements, streets, utilities, drainage, grading, and SAWS water/sewer extension improvements. 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 October 26, 2022, the Owners filed a petition with Bexar County (County) requesting that the County create the Stone Garden 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 May 25, 2023 Owner 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 December 13, 2022, 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 Owners 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 multifamily unit, which in the Owners' estimation amounts to approximately three hundred eighty-five thousand, three hundred fifty and No/100 (\$385,350) 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 July 12, 2023, 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.

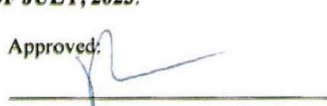
**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:**

**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 Northlake Special Improvement District ("PID") as detailed in the Owner's petition attached as **ATTACHMENT "A"** facilities 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 Davis-McCrary Property Trust & Lennar Homes of Texas Land and Construction, Ltd., Owners 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 12<sup>th</sup> DAY OF JULY, 2023.**

Attest:  
  
Executive Secretary  
San Antonio Planning Commission

Approved:  
  
Matthew Proffitt, Chair  
San Antonio Planning Commission