

RESOLUTION NO. 2021-R50

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AND MANAGE A CHAPTER 43 TEXAS LOCAL GOVERNMENT CODE DEVELOPMENT AGREEMENT (NON-ANNEXATION AGREEMENT) WITH JAMES L. WYATT, JR. PROPERTY MANAGEMENT TRUST AND MILDRED M. WYATT PROPERTY MANAGEMENT TRUST, SAID PROPERTY DESCRIBED IN THE ATTACHED AGREEMENT AND METES AND BOUNDS LEGAL DESCRIPTION (36025 IH-10 West)

WHEREAS, the City of Boerne finds it necessary to enter into and manage a Chapter 43 Development Agreement with the said property owners, James L. Wyatt, Jr. Property Management Trust and Mildred M. Wyatt Property Management Trust; and

WHEREAS, the City and the Property Owners listed in said agreement attached as Exhibit "A" desire to have the property described in the attached agreement to remain in the City's ETJ, in consideration for which the Property Owners agree to enter into this agreement with the City;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

Section 1. The facts, findings, recitations contained in the preamble of this resolution hereby found and declared to be true and correct and are incorporated by reference herein and expressly made part hereof, as it copied herein verbatim.

Section 2. The City Council hereby authorizes the City Manager to enter into and manage a Chapter 43 Development Agreement (non-annexation agreement) between the City of Boerne, and James L. Wyatt, Jr. Property Management Trust and Mildred M. Wyatt Property Management Trust, Property Owners.

Section 3. The terms of the Agreement are set out in the Agreement attached as Exhibit "A" and incorporated herein for all intents and purposes.

Section 4. The property subject to this Agreement is described in the metes and bounds legal description attached as Exhibit "B."

Section 5. This Agreement shall be recorded in the Real Property Records of Kendall County, Texas.

Section 6. This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED, and ADOPTED on this the ____ day of October, 2021.

APPROVED:

Mayor

ATTEST:

City Secretary