

MEMORANDUM

To: City of Seguin Mayor and Council Members
Steve Parker, City Manager

From: Helena Schaefer, Senior Planner

Through: Rick Cortes, Deputy City Manager

Subject: **Request for Annexation by Property Owner located at 7817 IH 10 East; Approximately 17.72 acres (Prop ID: 174278)**

Date: May 25, 2021

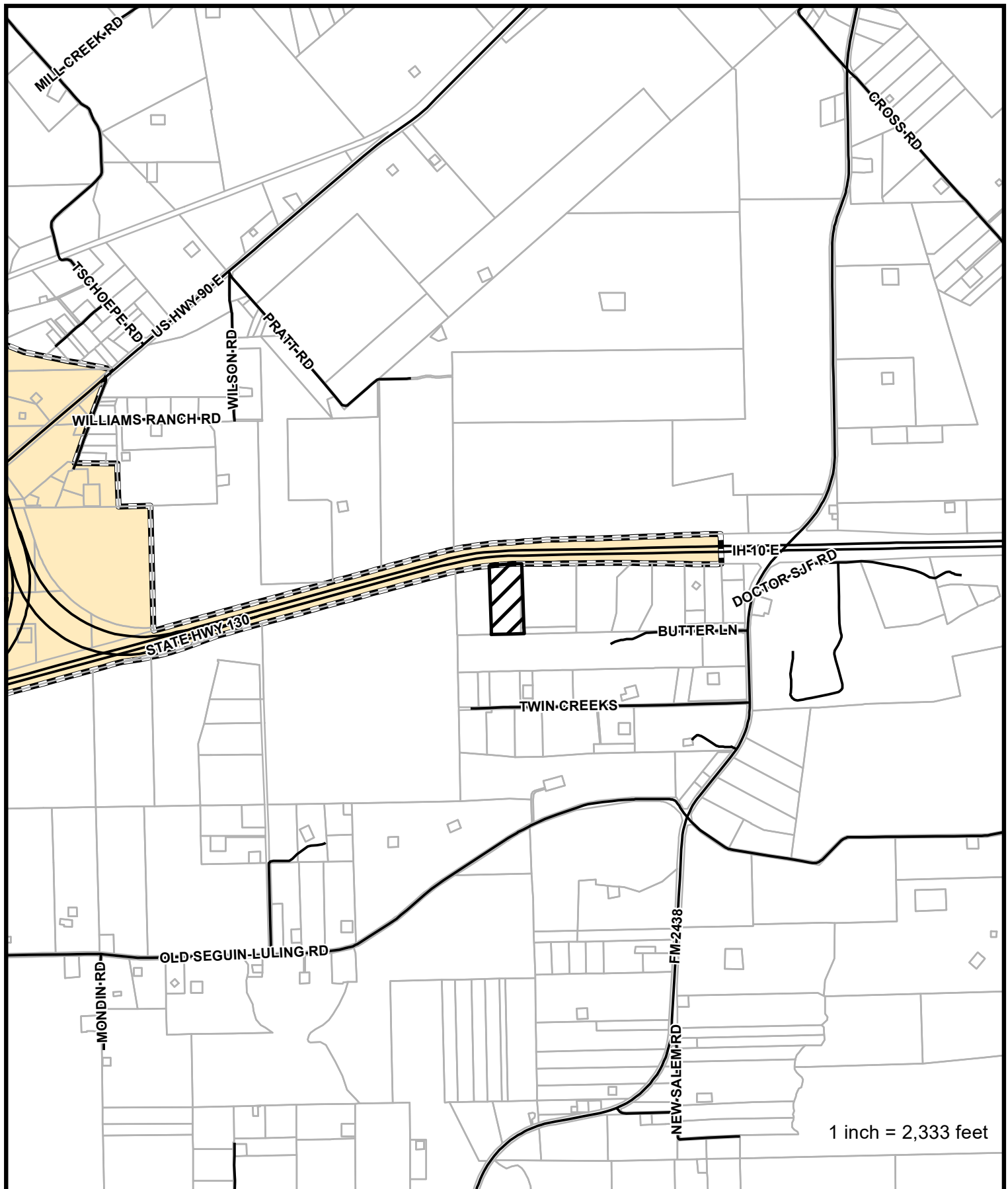
The City of Seguin was notified in June 2020 of the subdividing and selling of a 106.773 acre tract with an active development agreement. Per TLGC Sec 212.172, a development agreement was offered to and accepted by the former property owners in 2012. The development agreement was recorded in the Real Property Records of Guadalupe County on February 25, 2013. The owners subdivided the tract into six lots in 2019 and sold them off individually. City Staff contacted the six new property owners to offer development agreements under their names. All but one accepted and signed new agreements.

This annexation request is for the property in which the new owner didn't sign a new agreement. In addition to being subdivided, the property has also been developed and is being used for non-residential purposes. Section 3 of the original 2013 development agreement states the following – *"The Owner acknowledges that if any plat or related development document is filed in violation of this Agreement, or if the Owner commences development of the Property in violation of this Agreement, then in addition to the City's other remedies, such act will constitute a petition for voluntary annexation by the Owner, and the Property will be subject to annexation at the discretion of the City Council."* The development agreement runs with the Property and a notice of ownership change to the City was required prior to sale.

In June 2020, staff sent letters to the new property owners. The property owner of 7817 IH 10 East called staff to ask questions about the development agreement and requested more time to review the agreement. Staff sent notices to the property owner two more times with no response before starting the annexation process.

Staff recommends approval of the request for annexation into the city limits of Seguin. Attached please find a copy of the Ordinance with exhibits identifying the area to be annexed as well as a copy of the original development agreement.

VOLUNTARY ANNEXATION OVERVIEW MAP - AREA 3



This map is for information purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The City of Seguin assumes no liability for errors on this map or use of this information.



Site Location

Seguin_City_Limits_Jan2020



Ownership

Printed: 5/24/2021