

**CITY OF SEGUIN**

**RESOLUTION NO. \_\_\_\_\_**

**STATE OF TEXAS**

**A RESOLUTION OF THE CITY COUNCIL OF SEGUIN, TEXAS AUTHORIZING THE CITY MANAGER TO SIGN AND EXECUTE EXTENSIONS, OR AUTHORIZING STAFF TO BEGIN THE PROCESS OF VOLUNTARY ANNEXATION WHEN EXTENSIONS ARE NOT PRACTICABLE, FOR DEVELOPMENT AGREEMENTS WHICH HAVE INITIAL TERMS ENDING IN CALENDAR YEAR 2024**

**WHEREAS**, the City of Seguin, pursuant to Section 43.016 (formerly 43.035) and Section 212.172 of the Texas Local Government Code, has entered into multiple development agreements with property owners of land that is subject to tax exemptions for agriculture, wildlife management, or timber per Chapter 23 of the Texas Tax Code; and

**WHEREAS**, the development agreements guarantee the continuation of the extraterritorial status and immunity from annexation for the term of the agreements as long as the properties remain undeveloped and used for agriculture, wildlife management, and/or timberland purposes; and

**WHEREAS**, the first group of these agreements, which were subject to an initial 15-year term, are now eligible for extensions; and

**WHEREAS**, Section 212.172 of the Texas Local Government Code provides that the total duration of the agreements and any successive extensions shall not exceed 45 years; and

**WHEREAS**, City staff recommends to the City Council that additional 10-year extensions be executed with the property owners of the development agreements that expire in calendar year 2024, as identified in Exhibit A, in order to delay the annexation process and continue the extraterritorial status of these properties.

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

**Section 1.** The City Council hereby authorizes the City Manager to execute development agreement extensions with the qualifying property owners identified in Exhibit A for an additional ten years, with the extensions expiring twenty-five years from their Effective Dates, instead of the original fifteen-year term.

**Section 2.** The development agreements shall run with the properties and shall be recorded in the Real Property Records of Guadalupe County, Texas.

**Section 3.** In the event an execution of an extension for any Chapter 43 Development Agreement is not practicable, Staff is authorized to exercise the City's rights under that Development Agreement prior to expiration by commencing the process of voluntary annexation of the Property that is the subject of that Development Agreement.

PASSED AND APPROVED AND ADOPTED on this the 16<sup>th</sup> day of January, 2024.

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Donna Dodgen, Mayor

ATTEST:

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Naomi Manski, City Secretary