

RESOLUTION NO. 21-R-11

**A RESOLUTION OF THE CITY COUNCIL OF SCHERTZ, TEXAS
AUTHORIZING THE CITY MANAGER TO SIGN AND EXECUTE
DEVELOPMENT AGREEMENT EXTENSIONS IN RELATION TO
DEVELOPMENT AGREEMENTS ENTERED INTO NOVEMBER OF 2010,
APRIL OF 2011, AND AUGUST OF 2011**

WHEREAS, Texas Local Government Code Section 43.016 requires that before unilateral annexation of a property which is appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Tax Code, or as timber land under Subchapter E of that chapter that a municipality must offer a development agreement to said property owner pursuant to Texas Local Government Code Section 212.172 that guarantees the continuation of the extraterritorial status of the area for a certain time and authorizes the enforcement of all regulations and planning authority of the municipality that do not interfere with the use of the area for agriculture, wildlife management, or timber; and

WHEREAS, in 2010 and 2011 the City of Schertz offered Development Agreements to property owners for a period of 10 years at which time the agreement was set to expire with groups expiring in November 2020, April 2021 and August 2021; and

WHEREAS, due to the nationwide and statewide declaration of public health emergency related to COVID-19, which impacted the city's ability to reach out well in advance to discuss the expiration of the delayed annexation agreements and the resulting annexation of the properties under said agreements with the property owner; and

WHEREAS, City staff has recommend to the City Council that Development Agreement Extensions be offered to the property owners with existing Development Agreements in order to delay the annexation of their properties for a term not to exceed January 1, 2024 with the City concluding all annexation proceedings commenced under these Development Agreement Extensions before December 31, 2024; and

WHEREAS, City staff has communicated with and received or in the process of receiving signed Development Agreement Extensions from property owners within the November 2020, April 2021, and August 2021 Expiration groups; listed as Exhibit A and shown on Exhibit B and

WHEREAS, the City desires to allow the City Manager to sign and execute Development Agreement Extensions with all property owners desiring extensions with original Development Agreements expiring in November of 2020, April of 2021 and August 2021.

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

Section 1. The City Council hereby authorizes the City Manager to offer to qualifying landowners, and to execute and deliver, a Development Agreement Extension with such landowners identified in Exhibit A and Exhibit B in substantially the form set forth on Exhibit C, to be completed with the name of the property owner (s), the legal description of the property, the county in which the property is located, the property owner's notice address, and the date of the

Development Agreement Extension. Development Agreement which otherwise varies from the attached Form Development Agreement must be approved by the City Council.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 9th day of February, 2021.

CITY OF SCHERTZ, TEXAS



Ralph Gutierrez, Mayor

ATTEST:



City Secretary, Brenda Dennis



EXHIBIT A
(List of Property Owners within the November 2020 Expiration Group)

Ord. No.	Current Property Owners	Property Address	Acres	County	Parcel IDs	Effective Date	Termination Date
10-A-33	Brenda Gaye Webb	360 Big John Lane	12.43	Guadalupe	68374	11/9/2010	11/9/2020
10-A-33	Brian K. Wetz	5500 Eckhardt Rd. New Braunfels, TX 78132	69.82	Comal	78218	11/9/2010	11/9/2020
10-A-33	Daryl W. Hoffmann & Todd D. Hoffmann	No Address Assigned per CAD	25.179	Comal	78957	11/9/2010	11/9/2020
10-A-33	Daryl W. Hoffmann & Todd D. Hoffmann	No Address Assigned per CAD	2.059	Comal	78960	11/9/2010	11/9/2020
10-A-33	Donald Zipp	6080 FM 482 New Braunfels, TX 78132	11	Comal	78976	11/9/2010	11/9/2020
10-A-33	Lois N. Voigt	Engel Rd. TX	46.64	Guadalupe	61614	11/9/2010	11/9/2020
10-A-33	Lois N. Voigt	8929 Green Valley Rd. TX	1	Guadalupe	61615	11/9/2010	11/9/2020
10-A-33	Roland A. Ortiz	594 Froboese Ln. New Braunfels, TX 78130	0.5	Guadalupe	68378	11/9/2010	11/9/2020
10-A-33	Roland A. Ortiz	594 Froboese Ln. New Braunfels, TX 78130	9.5	Guadalupe	68377	11/9/2010	11/9/2020
10-A-33	Ronald Keith & Suzanne L. Schott	Engel Rd. TX	4	Guadalupe	68384	11/9/2010	11/9/2020
10-A-33	Ronald Keith & Suzanne L. Schott	1300 Engel Rd. Tx	1	Guadalupe	68385	11/9/2010	11/9/2020
10-A-33	Ronald Keith & Suzanne L. Schott	Engel Rd. TX	73.29	Guadalupe	68382	11/9/2010	11/9/2020
10-A-33	Ronald Keith & Suzanne L. Schott	860 Engel Rd. TX	1.07	Guadalupe	68383	11/9/2010	11/9/2020
10-A-33	Sandra Reeh	No Address Assigned per CAD	106.115	Comal	79001	11/9/2020	11/9/2020
10-A-33	Sandra Reeh	5887 FM 482 New Braunfels, TX 78132	1.393	Comal	78945	11/9/2010	11/9/2020
10-A-33	Sandra Reeh	0 FM 482 New Braunfels, TX 78132	2.699	Comal	78946	11/9/2010	11/9/2020
10-A-33	Sandra Reeh	0 FM 482 New Braunfels, TX 78132	7.96	Comal	75480	11/9/2010	11/9/2020
10-A-33	Sandra Reeh	0 FM 482 New Braunfels, TX 78132	4.43	Comal	78247	11/9/2010	11/9/2020

EXHIBIT A CONT.**(List of Property Owners within the November 2020 Cont. Expiration Group)**

Ord. No.	Current Property Owners	Property Address	Acres	County	Parcel IDs	Effective Date	Termination Date
10-A-33	Timothy A. & Sharlene E. Fey	6025 FM 482 New Braunfels, TX 78132-4544	28.273	Comal	79009	11/29/2010	11/29/2020
10-A-33	Timothy A. & Sharlene E. Fey	No Address Assigned per CAD	68.248	Comal	79006	11/9/2010	11/9/2020
10-A-33	Timothy A. & Sharlene E. Fey	6028 FM 482 New Braunfels, TX 78132-4542	4.014	Comal	79004	11/9/2010	11/9/2020
10-A-33	Weston Ranch Foundation	Green Valley Rd. TX	228.494	Guadalupe	61511	11/9/2010	11/9/2020
10-A-33	Weston Ranch Foundation	Green Valley Rd. TX	47.03	Guadalupe	61609	11/9/2010	11/9/2020
10-A-33	Wild West Farms LLC	570 Froboese Ln. New Braunfels, TX 78130	1	Guadalupe	68381	11/9/2010	11/9/2020
10-A-33	Wild West Farms LLC	570 Froboese Ln. New Braunfels, TX 78130	8	Guadalupe	68380	11/9/2010	11/9/2020

EXHIBIT A CONT.
(List of Property Owners within the April 2021 Expiration Group)

Ord. No.	Current Property Owners	Property Address	Acres	County	Parcel IDs	Effective Date	Termination Date
11-A-09	Milton & Billie Friesenhahn, Elizabeth Ann Basha, Jeanne Maire Zwicke, and Katherine Menk	Lower Seguin Rd. Schertz, TX 78154	11.651	Bexar	310012	4/19/2011	4/19/2021
11-A-09	Alton B. & Eileen Schneider	12205 Lower Seguin Rd. Schertz, TX 78154	11.5	Bexar	309842	4/19/2011	4/19/2021

EXHIBIT A CONT.
(List of Property Owners within the August 2021 Expiration Group)

Ord. No.	Current Property Owners	Property Address	Acres	County	Parcel IDs	Effective Date	Termination Date
11-A-22	Ernest E. & Regina E. Marshall	12198 Schaefer Rd. Schertz, TX 78108	14.932	Bexar	309837	8/9/2011	8/9/2021
11-A-22	Wesley H. Rumpf	12250 Schaefer Rd. Schertz, TX 78108	18.65	Bexar	309807	8/9/2011	8/9/2021
11-A-22	Wesley H. Rumpf	12250 Schaefer Rd. Schertz, TX 78108	9.606	Bexar	309814	8/9/2011	8/9/2021
11-A-22	Janis K. Ludwig	RAF Burnette, Schertz, TX 78108	37.921	Bexar	1274920	8/9/2011	8/9/2021
11-A-22	David N. Ludwig	12572 RAF Burnette, Schertz, TX 78108	36.921	Bexar	309419	8/9/2011	8/9/2021
11-A-22	Bruce J. Wales	RAF Burnette, Cibolo, TX 78108	14.3	Bexar	1141730	8/9/2011	8/9/2021
11-A-22	David A. & Lenore M. Young	RAF Burnette, Cibolo, TX 78108	10	Bexar	309418	8/9/2011	8/9/2021
11-A-22	David A. & Lenore M. Young	12826 RAF Burnette, Cibolo, TX 78108	64.422	Bexar	309421	8/9/2011	8/9/2021
11-A-22	Larry W. Baumann	13011 Lower Seguin Rd 2, Schertz, TX 78154	127.7	Bexar	309425	8/9/2011	8/9/2021
11-A-22	Larry W. & Yvonne Z. Baumann	Lower Seguin Rd. Schertz TX 78154	27.8	Bexar	309427	8/9/2011	8/9/2021
11-A-22	Rosendo Zambrano Fernandez	13191 Lower Seguin Rd. Schertz, TX 78154	38.611	Bexar	309429	8/9/2011	8/9/2021
11-A-22	Rosendo Zambrano	6160 Lower Seguin Rd. Schertz, TX 78108	3.49	Bexar	312008	8/9/2011	8/9/2021
11-A-22	Ronald Scott & Mia Suzanne Roemer	12180 Lower Seguin Rd. Schertz, TX 78154	12.754	Bexar	310007	8/9/2011	8/9/2021
11-A-22	Gary R. Fairley	12310 Lower Seguin Rd. Schertz, TX 78154	33.115	Bexar	310004	8/9/2011	8/9/2021
11-A-22	Mark M. Reyes	12330 Lower Seguin Rd. Schertz, TX 78154	20	Bexar	310002	11/15/2011	11/15/2021
11-A-22	Doris Asher L/E; Michael Asher & Linda S. Harman	12606 Lower Seguin Rd. Schertz, TX 78154	10.413	Bexar	310025	8/9/2011	8/9/2021
11-A-22	Sue N. Fluitt // Alfred Fluitt	12610 Lower Seguin Rd. Schertz, TX 78154	19.47	Bexar	310024	8/9/2011	8/9/2021
11-A-22	Alfred L. Fluitt	12740 Lower Seguin Rd. Schertz, TX 78154	16.16	Bexar	310031	8/9/2011	8/9/2021
11-A-22	Janice S. & Robert C JR Lindorfer	12818 Lower Seguin Rd. Schertz, TX 78154	11.9	Bexar	310030	8/9/2011	8/9/2021

EXHIBIT A CONT.**(List of Property Owners within the August 2021 Continued Expiration Group)**

Ord. No.	Current Property Owners	Property Address	Acres	County	Parcel IDs	Effective Date	Termination Date
11-A-22	Karen Marx Fischer	12840 Lower Seguin Rd. Schertz, TX 78154	5.73	Bexar	310019	8/9/2011	8/9/2021
11-A-22	Karen Marx Fischer	Lower Seguin Rd. Schertz TX 78154	1	Bexar	1139530	8/9/2011	8/9/2021
11-A-22	Milton & Billie Friesenhahn, Elizabeth Ann Basha, Jeanne Marie Zwicke, Katherine Menk	12840 Lower Seguin Rd. Schertz, TX 78154	76.365	Bexar	310022	8/9/2011	8/9/2021
11-A-22	Seanna Fraser Holtz	12820 Lower Seguin Rd. Schertz, TX 78108	189.75	Bexar	310032	8/9/2011	8/9/2021
11-A-22	Steven William Thurlow	FM 1518, Schertz, TX 78154	12.532	Bexar	1103092	8/9/2011	8/9/2021
11-A-22	Steven William Thurlow	FM 1518, Schertz, TX 78154	11.077	Bexar	1103091	8/9/2011	8/9/2021
11-A-22	Steven William Thurlow	FM 1518, Schertz, TX 78154	5.05	Bexar	1207560	8/9/2011	8/9/2021
11-A-22	Lloyd R. & Jennifer Fairley	12290 Lower Seguin Rd. Schertz, TX 78154	40.556	Bexar	310006	8/9/2011	8/9/2021
11-A-22	Gail Deeley	8702 E. FM 1518 N. Schertz, TX 78154	5.068	Bexar	310111	8/9/2011	8/9/2021
11-A-22	Steven D. Wriggle	8702 E. FM 1518 N. Schertz, TX 78154	5.058	Bexar	310039	8/9/2011	8/9/2021
11-A-22	Gail Deeley	FM 1518, Schertz, TX 78154	4.354	Bexar	1103093	8/9/2011	8/9/2021
11-A-22	Steven W. Thurlow Revocable Trust	8890 E. FM 1518 N. Schertz, TX 78154	1.8294	Bexar	310107	8/9/2011	8/9/2021
11-A-22	John E. & Alberta Lundquist	8630 E. FM 1518 N. Schertz, TX 78154	6.08	Bexar	310125	8/9/2011	8/9/2021
11-A-22	Philip E. JR & Susan R. Jacobson	8540 E. FM 1518 N. Schertz, TX 78154	9.3116	Bexar	310126	8/9/2011	8/9/2021
11-A-22	Steven W. Thurlow Revocable Trust	8710 E. FM 1518 N. Schertz, TX 78154	4.8382	Bexar	310090	8/9/2011	8/9/2021
11-A-22	Gail Deeley	FM 1518, Schertz, TX 78154	0.644	Bexar	1103220	8/9/2011	8/9/2021
11-A-22	Grace Strain	8890 E. FM 1518 N. Schertz, TX 78154	1	Bexar	1061511	8/9/2011	8/9/2021
11-A-22	Grace Strain	8890 E. FM 1518 N. Schertz, TX 78154	3.6332	Bexar	310108	8/9/2011	8/9/2021
11-A-22	Brandon McGarrell	FM 1518, Schertz, TX 78154	3.15	Bexar	1298380	8/9/2011	8/9/2021

EXHIBIT A CONT.
(List of Property Owners within the August 2021 Continued Expiration Group)

Ord. No.	Current Property Owners	Property Address	Acres	County	Parcel IDs	Effective Date	Termination Date
11-A-22	Daniel O. & Christin M. Corrigan	12839 Woman Hollering Rd. Schertz, TX 78154	25.211	Bexar	310175	8/9/2011	8/9/2021
11-A-22	Wiederstein Trust Fund % Ray Joy Wiederstein	9275 Weir Ave. Schertz, TX 78154	165.64	Bexar	310053	8/9/2011	8/9/2021
11-A-22	Melvin Alvin Krueger	9261 Weir Ave. Cibolo, TX 78108	42.116	Bexar	310048	8/9/2011	8/9/2021
11-A-22	Ruth E. Martin	Weir Ave. Schertz, TX 78154	42.116	Bexar	1190132	8/9/2011	8/9/2021
11-A-22	Paul D. & Mary Gayle Rundus	Weir Rd. Schertz, TX 78154	39	Bexar	1269117	8/9/2011	8/9/2021
11-A-22	Joseph & Jacqueline Iris Garcia	9114 Weir Ave. Cibolo, TX 78108	20.846	Bexar	312012	8/9/2011	8/9/2021
11-A-22	Royce E. II & Nancy J. Goddard	Weir Ave. Schertz, TX 78154	20.955	Bexar	1315951	8/9/2011	8/9/2021
11-A-22	Nell Rose Daum Weir	9044 Weir Ave., Schertz, TX 78154	26.467	Bexar	312015	8/9/2011	8/9/2021
11-A-22	Nell Rose Daum Weir	8680 Weir Ave., Schertz, TX 78154	40	Bexar	312017	8/9/2011	8/9/2021
11-A-22	Mark A. & Catherine K. Penshorn	8320 Trainer Hale Rd. Schertz, TX 78154-4538	33.5	Bexar	312018	8/9/2011	8/9/2021
11-A-22	Mark A. & Catherine K. Penshorn	8320 Trainer Hale Rd. Schertz, TX 78154-4538	15.604	Bexar	312024	8/9/2011	8/9/2021
11-A-22	Mark Ace Penshorn	8320 Weir Ave., Schertz, TX 78154	23.9	Bexar	312025	8/9/2011	8/9/2021
11-A-22	Mark Ace Penshorn	Trainer Hale Rd., Schertz, TX 78154	93.776	Bexar	1056966	8/9/2011	8/9/2021
11-A-22	Mark Ace Penshorn	8320 Trainer Hale Rd. Schertz, TX 78154-4538	23.9	Bexar	312023	8/9/2011	8/9/2021
11-A-22	Kay Penshorn Vincent	Trainer Hale Rd., Schertz, TX 78154	42.021	Bexar	1056967	8/9/2011	8/9/2021
11-A-22	Edward & Lisa R. Schmidt	8206 Trainer Hale Rd. Schertz, TX 78154	1.64	Bexar	339325	8/9/2011	8/9/2021
11-A-22	Betty Schmidt	8180 Trainer Hale Rd. Schertz TX 78154	76.525	Bexar	340059	8/9/2011	8/9/2021
11-A-22	Roger E. Scott Living Trust	14384 Schmidt Craft Ln. Schertz, TX 78154	12.244	Bexar	339334	8/9/2011	8/9/2021

EXHIBIT A CONT.
(List of Property Owners within the August 2021 Continued Expiration Group)

Ord. No.	Current Property Owners	Property Address	Acres	County	Parcel IDs	Effective Date	Termination Date
11-A-22	Roger E. Scott Living Trust	14384 Schmidt Craft Ln. Schertz, TX 78154	0.887	Bexar	339329	8/9/2011	8/9/2021
11-A-22	Brenda Craft Scott	14546 Schmidt-Craft Ln. Schertz, TX 78154	35.097	Bexar	1178479	8/9/2011	8/9/2021
11-A-22	James & Andrea Lanoue	14532 Schmidt, Schertz TX 78154	0.731	Bexar	339328	8/9/2011	8/9/2021
11-A-22	Donald R. & Lana J. Smidt	14678 Schmidt Craft Ln. Schertz, TX 78154	11.89	Bexar	339331	8/9/2011	8/9/2021
11-A-22	Lana Craft Smidt	Schmidt-Craft Ln. Schertz, TX 78154	16.081	Bexar	1178480	8/9/2011	8/9/2021
11-A-22	Reagan & Jeanne Rawe	7993 Trainer Hale Rd. Schertz, TX 78154	101.347	Bexar	339790	8/9/2011	8/9/2021
11-A-22	Ronald R. Jr & Deanna R. Hulett	Trainer Hale Rd., Schertz, TX 78154	11	Bexar	1140481	8/9/2011	8/9/2021
11-A-22	Allen & Kathy Wiederstein	8175 Trainer Hale Rd. Schertz, TX 78154	2	Bexar	339293	8/9/2011	8/9/2021
11-A-22	Allen Wiederstien	7993 Trainer Hale Rd. Schertz, TX 78154	78.939	Bexar	339295	8/9/2011	8/9/2021
11-A-22	Ralph Haecker	8205 Trainer Hale Rd. Schertz, TX 78154	61.97	Bexar	339290	8/9/2011	8/9/2021
11-A-22	Ralph Haecker	8205 Trainer Hale Rd. Schertz, TX 78154	1	Bexar	339288	8/9/2011	8/9/2021
11-A-22	Joylene S. Herrera	8215 Trainer Hale Rd. Schertz, TX 78154	88.9	Bexar	339286	8/9/2011	8/9/2021
11-A-22	Enomie M. Real	8321 Trainer Hale Rd. Schertz, TX 78154	67.035	Bexar	339284	8/9/2011	8/9/2021
11-A-22	Henry W. Family TR & Luensmann	8447 Trainer Hale Rd. Schertz, TX 78154	5.44	Bexar	339275	8/9/2011	8/9/2021
11-A-22	Charles O. Luensmann	8447 Trainer Hale Rd. Schertz, TX 78154	2.5	Bexar	339276	8/9/2011	8/9/2021
11-A-22	Henry W. Family TR & Luensmann	8745 Trainer Hale Rd. Schertz, TX 78154	86.5009	Bexar	339274	8/9/2011	8/9/2021
11-A-22	Charles O. Luensmann	8602 Trainer Hale Rd. Schertz, TX 78154	68.146	Bexar	310059	8/9/2011	8/9/2021
11-A-22	Valerie Hartmann & Brian Beutnagel	8676 Trainer Hale Rd. Schertz, TX 78154	78.146	Bexar	310060	8/9/2011	8/9/2021
11-A-22	James W. Jr & Sharon Barr	Trainer Hale Rd., Schertz, TX 78154	5.05	Bexar	1013798	8/9/2011	8/9/2021
11-A-22	James W. Jr & Sharon Barr	8758 Trainer Hale Rd. Schertz, TX 78154	5	Bexar	310222	8/9/2011	8/9/2021

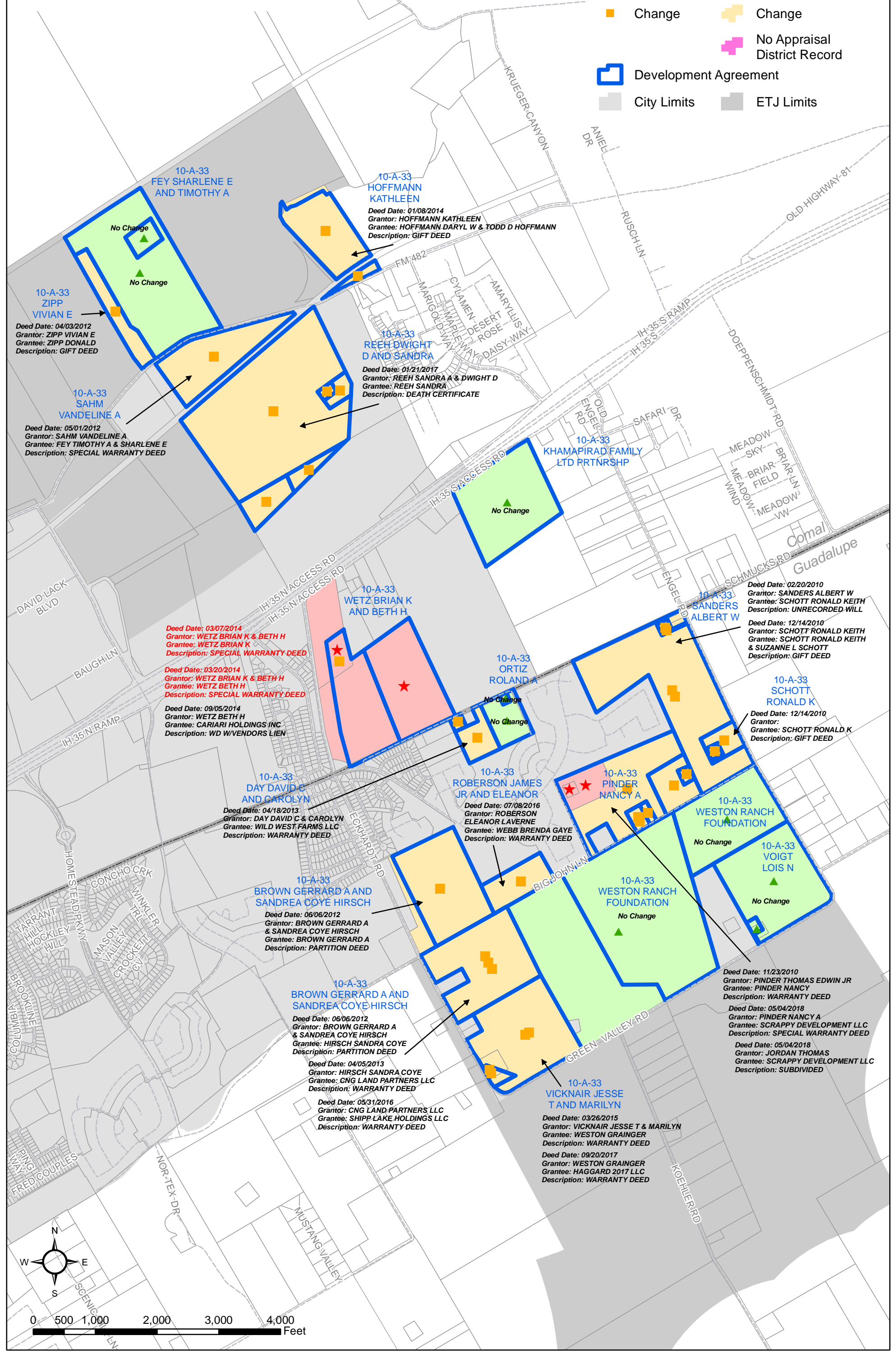
EXHIBIT A CONT.
(List of Property Owners within the August 2021 Continued Expiration Group)

Ord. No.	Current Property Owners	Property Address	Acres	County	Parcel IDs	Effective Date	Termination Date
11-A-22	Gerald Wayne & Diana Kelly Vrana	8770 Trainer Hale Rd. Schertz, TX 78154	9.956	Bexar	310225	8/9/2011	8/9/2021
11-A-22	Kneupper Bryson Properties LTD	8850 Trainer Hale Rd. Schertz, TX 78154	52.61	Bexar	310121	8/9/2011	8/9/2021
11-A-22	Gary Richard Obearle	7530 E. FM 1518 N. Schertz, TX 78154	8.165	Bexar	310070	8/9/2011	8/9/2021
11-A-22	Michael A. McCoy	7668 E. FM 1518 N. Schertz, TX 78154	9.8678	Bexar	310064	8/9/2011	8/9/2021
11-A-22	Jarrett Sean Dziuk	9260 Weir Ave. Schertz, TX 78154	22.283	Bexar	Portion of 312014	8/9/2011	8/9/2021
11-A-22	Keith Allan Henk & Melissa Karol Henk	9260 Weir Ave. Schertz, TX 78154	22.762	Bexar	Portion of 312014	8/9/2011	8/9/2021

Exhibit "B"











November 2020

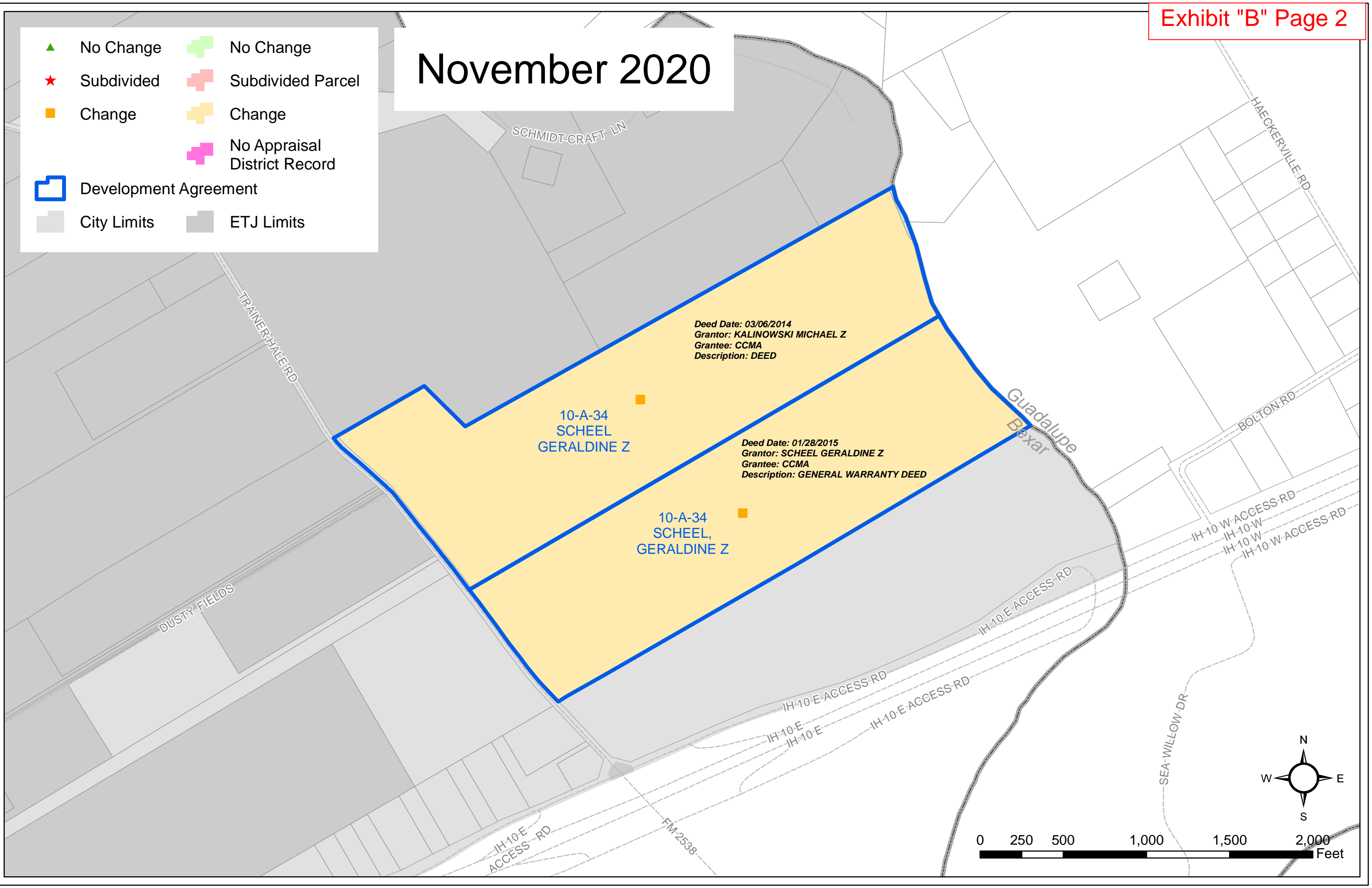
- ▲ No Change
- ★ Subdivided
- Change
- Development Agreement
- City Limits
- No Change
- Subdivided Parcel
- Change
- No Appraisal District Record
- ETJ Limits



0 500 1,000 2,000 3,000 4,000 Feet

November 2020

 No Change	 No Change
 Subdivided	 Subdivided Parcel
 Change	 Change
 Development Agreement	 No Appraisal District Record
 City Limits	 ETJ Limits



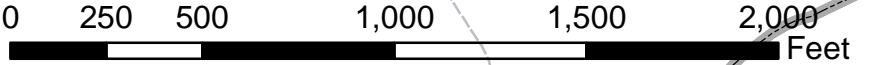
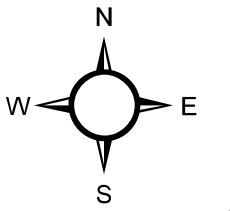
10-A-34
SCHEEL
GERALDINE Z

*Deed Date: 03/06/2014
Grantor: KALINOWSKI MICHAEL Z
Grantee: CCMA
Description: DEED*











10-A-34
SCHEEL,
GERALDINE Z

*Deed Date: 01/28/2015
Grantor: SCHEEL GERALDINE Z
Grantee: CCMA
Description: GENERAL WARRANTY DEED*

Guadalupe
Bexar



April 2021

	No Change		No Change
	Subdivided		Subdivided Parcel
	Change		Change
	No Appraisal District Record		
	Development Agreement		
	City Limits		ETJ Limits

Deed Date: 12/26/2012
 Grantor: FRIESENHAHN MILTON & BILLIE
 Grantee: FRIESENHAHN MILTON & BILLIE, BASHA ELIZABETH ANN, ZWIEKE JEANNE MARIE, & MENK KATHERINE
 Description: SPECIAL WARRANTY DEED

11-A-09
 FRIESENHAHN
 MILTON &

11-A-09
 SCHNEIDER ALTON
 B AND EILEEN

No Change

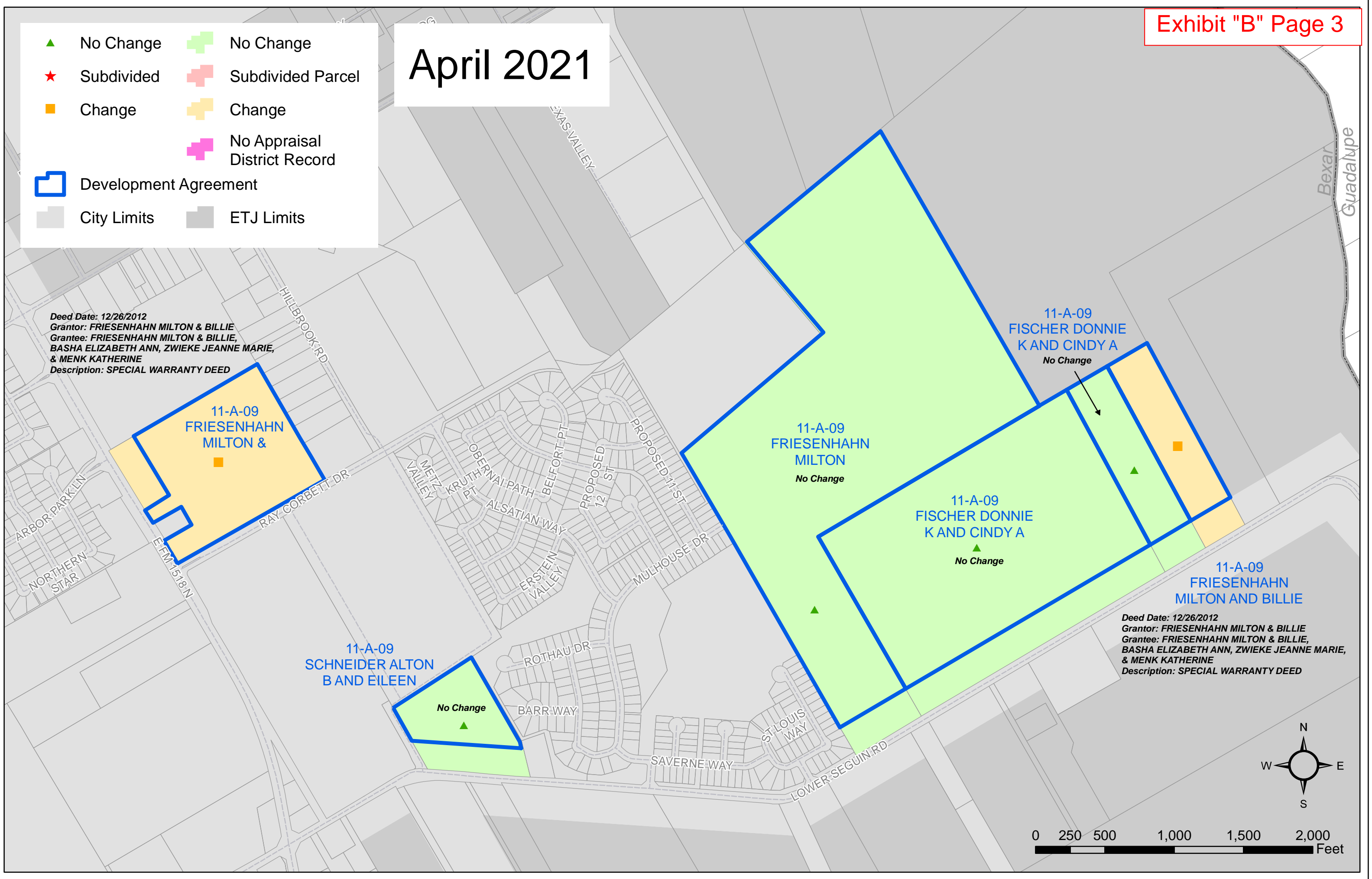
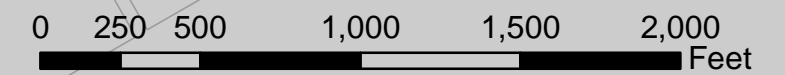
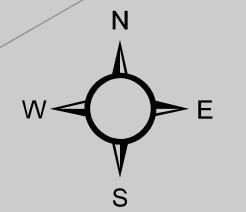
11-A-09
 FRIESENHAHN
 MILTON
 No Change

11-A-09
 FISCHER DONNIE
 K AND CINDY A
 No Change

11-A-09
 FISCHER DONNIE
 K AND CINDY A
 No Change

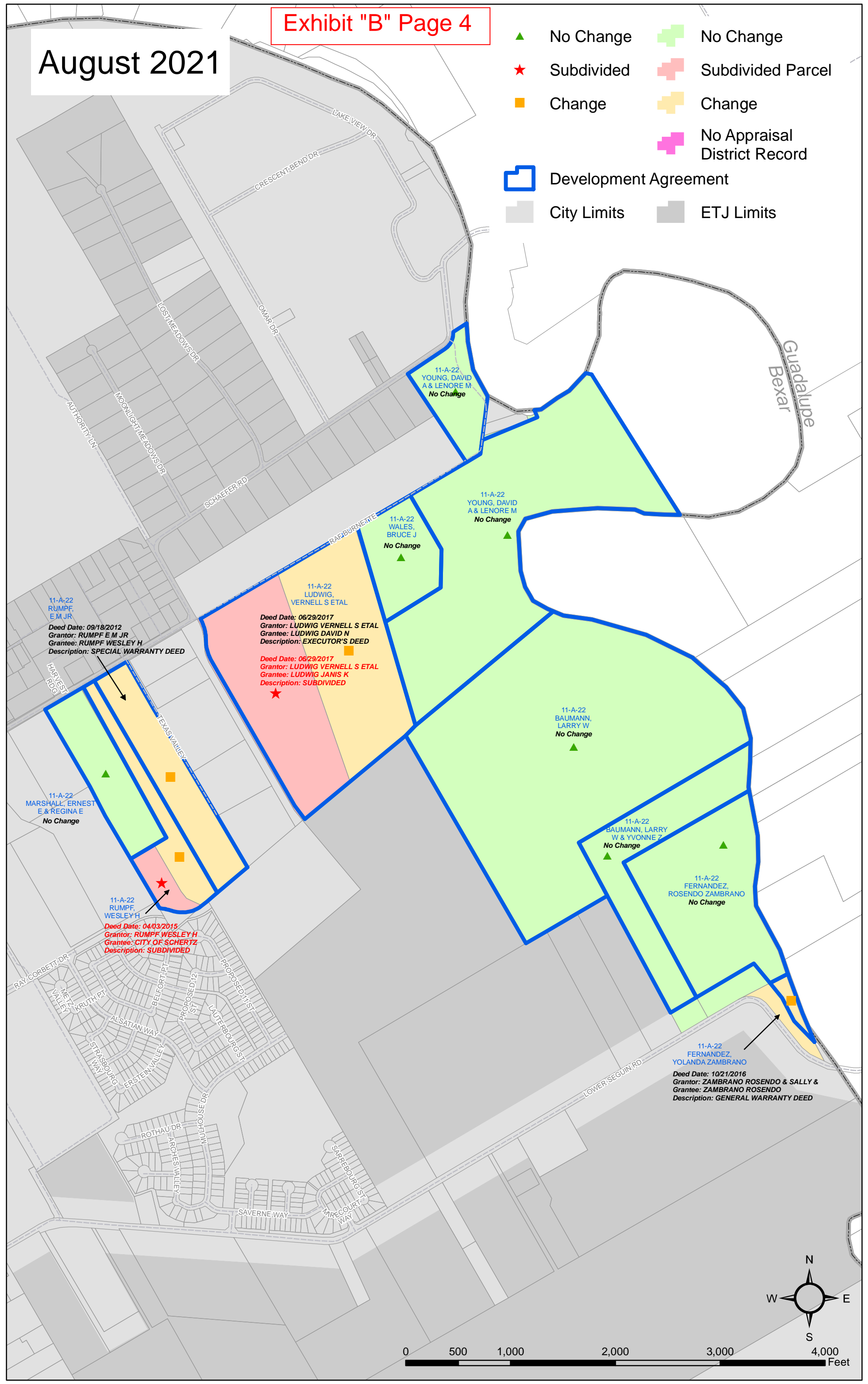
11-A-09
 FRIESENHAHN
 MILTON AND BILLIE

Deed Date: 12/26/2012
 Grantor: FRIESENHAHN MILTON & BILLIE
 Grantee: FRIESENHAHN MILTON & BILLIE, BASHA ELIZABETH ANN, ZWIEKE JEANNE MARIE, & MENK KATHERINE
 Description: SPECIAL WARRANTY DEED



August 2021

- ▲ No Change
- ★ Subdivided
- Change
- + No Change
- + Subdivided Parcel
- + Change
- + No Appraisal District Record
- Development Agreement
- City Limits
- ETJ Limits



11-A-22 RUMPF, E.M. JR.
 Deed Date: 09/18/2012
 Grantor: RUMPF E M JR
 Grantee: RUMPF WESLEY H
 Description: SPECIAL WARRANTY DEED

11-A-22 MARSHALL, ERNEST E & REGINA E
 No Change

11-A-22 RUMPF, WESLEY H
 Deed Date: 04/03/2015
 Grantor: RUMPF WESLEY H
 Grantee: CITY OF SCHERTZ
 Description: SUBDIVIDED

11-A-22 LUDWIG, VERNELL S ETAL
 Deed Date: 06/29/2017
 Grantor: LUDWIG VERNELL S ETAL
 Grantee: LUDWIG DAVID N
 Description: EXECUTOR'S DEED
 Deed Date: 06/29/2017
 Grantor: LUDWIG VERNELL S ETAL
 Grantee: LUDWIG JANIS K
 Description: SUBDIVIDED

11-A-22 WALES, BRUCE J
 No Change

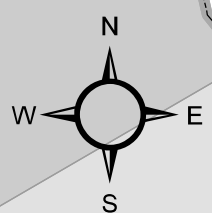
11-A-22 YOUNG, DAVID A & LENORE M
 No Change

11-A-22 BAUMANN, LARRY W
 No Change

11-A-22 BAUMANN, LARRY W & YVONNE Z
 No Change

11-A-22 FERNANDEZ, ROSENDO ZAMBRANO
 No Change

11-A-22 FERNANDEZ, YOLANDA ZAMBRANO
 Deed Date: 10/21/2016
 Grantor: ZAMBRANO ROSENDO & SALLY &
 Grantee: ZAMBRANO ROSENDO
 Description: GENERAL WARRANTY DEED



August 2021

- ▲ No Change
- ★ Subdivided
- Change
- Development Agreement
- City Limits
- No Change
- Subdivided Parcel
- Change
- No Appraisal District Record
- ETJ Limits

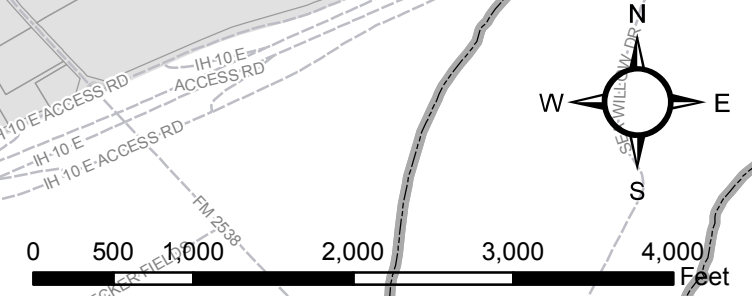
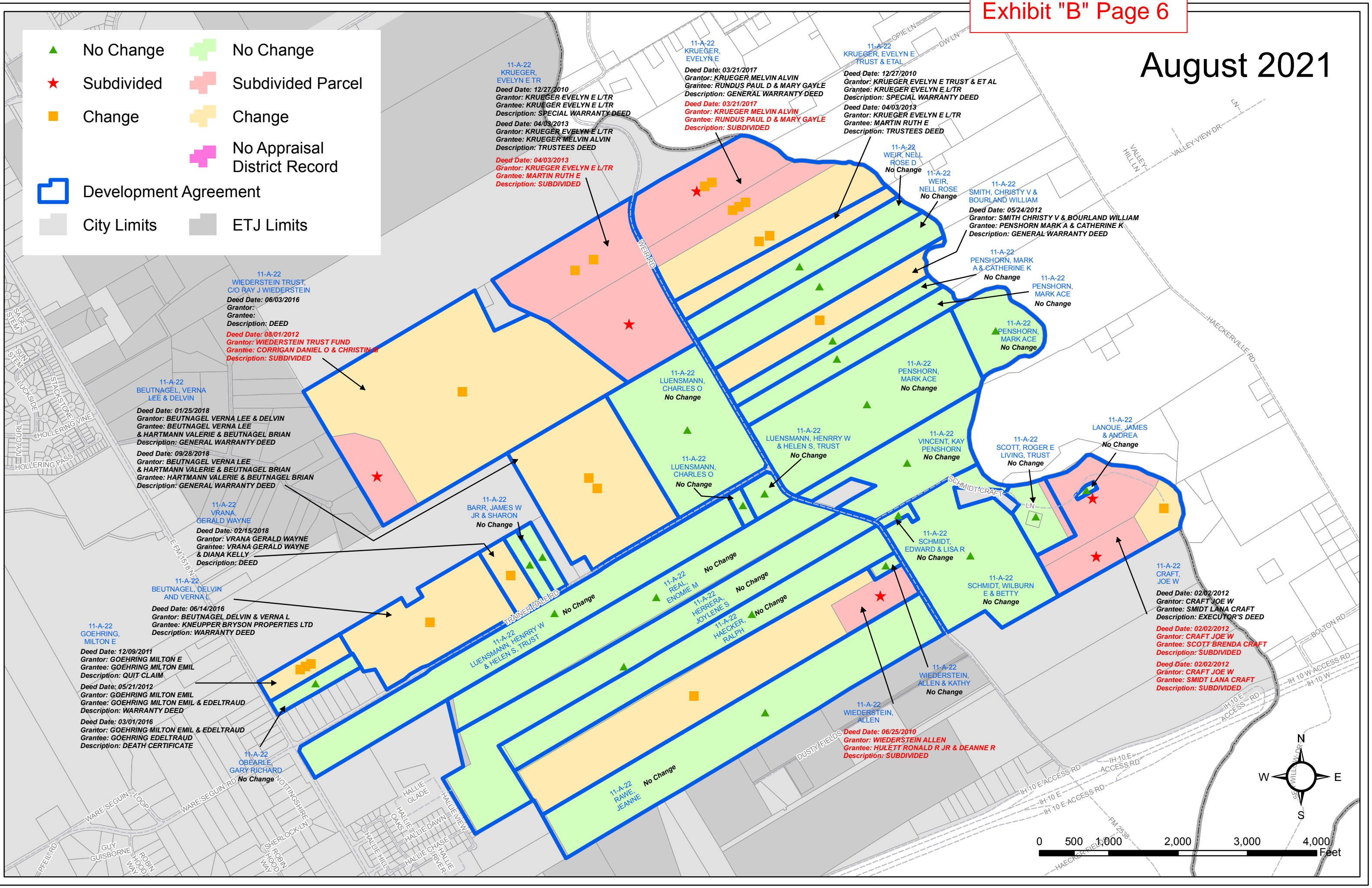


EXHIBIT C
(Development Agreement Extension Example)

DEVELOPMENT AGREEMENT EXTENSION

This DEVELOPMENT AGREEMENT EXTENSION (“Extension”), dated _____, 2021 (“Effective Date”), made by and between the CITY OF SCHERTZ, TEXAS, a home rule municipality located in Guadalupe County, Texas (“City”), and [Property Owners Name] (“Landowner”), collectively (“Parties”);

WHEREAS, Landowner owns certain real property located in [County in which the property is in] County, Texas that is appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Tax Code, or as timber land under Subchapter E of that chapter of the Tax Code and such real property being more particularly depicted in **Exhibit A** attached hereto and incorporated into this agreement (the “Property”);

WHEREAS, Texas Local Government Code Section 43.016 requires that before unilateral annexation of a property which is appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Tax Code, or as timber land under Subchapter E of that chapter that a municipality must offer a development agreement to said property owner pursuant to Texas Local Government Code Section 212.172 that guarantees the continuation of the extraterritorial status of the area for a certain time and authorizes the enforcement of all regulations and planning authority of the municipality that do not interfere with the use of the area for agriculture, wildlife management, or timber; and

WHEREAS, the Parties entered into a Development Agreement that both agree satisfies the requirements of Texas Local Government Code Sections 43.016 and 212.172 and as attached hereto as **Exhibit B**; and

WHEREAS, in recognition of the mutual benefits to be derived from the controlled development of the Property and its guaranteed continued extra territorial status for a certain time, the Parties desire to enter into this Extension, pursuant to Sections 212.172 and 43.016 of the Local Government Code of the State of Texas, to evidence their agreements with respect to guaranteeing the continuation of the extraterritorial status of the land and its immunity from annexation by the City for a period of years, extending the municipality’s regulatory authority over the land by providing for all regulations and planning authority of the City that do not interfere with the use of the area for its currently appraised purpose, authorizing enforcement by the City of certain regulations in the same manner the regulations are enforced within the City’s boundaries and authorizing enforcement by the City of certain agreed upon land use and development regulations; and

WHEREAS, the City of Schertz City Council authorized and approved this Extension at a regularly scheduled council meeting subject to the Open Meetings Act in compliance with the laws of the State of Texas and the ordinances and Charter of the City of Schertz on _____.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained or referred to herein, the receipt and sufficiency of which is hereby acknowledged by the City and the Landowner, the Parties hereto agree as follows:

PURPOSE

The Agreement entered between the Parties was for a period of ten (10) years, after which the City was to begin the process of annexation. In March of 2020, a nationwide and statewide declaration of public health emergency was declared by President Trump and Governor Abbott respectively. Such declarations significantly limited the ability of the City and Landowner to adequately discuss and/or negotiate the annexation of the Property in a manner satisfactory to the Parties. There exists a possibility that the City will begin a review and possible update of the Comprehensive Plan that could influence the future land use in the City. Because of the foregoing factors, the Parties agree that it is in the best interest of the Parties to continue the extraterritorial status of the area for a certain time and authorize the continued enforcement of all regulations and planning authority of the municipality that do not interfere with the use of the area for agriculture, wildlife management, or timber.

Therefore, the Parties hereby agree that the Original Development Agreement attached hereto as Exhibit B is hereby extended for a period of two (2) additional years from the effective date. Any terms and conditions of the Original Development Agreement not amended herein shall remain in effect for the duration of the Extension.

Section 1. City Covenants remains and is amended by adding the following: The Parties agree that with respect to municipal services, **Exhibit C** shall constitute a negotiated written agreement regarding services for purposes of voluntary annexation pursuant to the Agreement, and as required by Local Government Code Section 43.0672

Section 2. Landowner Covenants remains and is amended as follows: references to Local Government Code Section 43.035(b)(1)(B) shall be Local Government Code Section 43.016(b)(1)(B) as Redesignated by Acts 2017, 85th Leg., 1st C.S., ch.6 (S.B.6), Section 9, effective Dec.1, 2017.

Section 3. Remedies: No Vested Rights remains and is amended as follows: the reference to Local Government Code Section 43.035(b) shall be Local Government Code Section 43.016(b) as Redesignated by Acts 2017, 85th Leg., 1st C.S., ch.6 (S.B.6), Section 9, effective Dec.1, 2017.

Section 4. Eminent Domain remains unchanged

Section 5. Term: Annexation at End of Term remains and is amended as follows:

(a) The term of this Extension is the earliest to occur of (i) January 1, 2024, (ii) [unchanged] (iii) [unchanged] (iv) [unchanged]

(b) [unchanged]

(c) [add] The City shall conclude any Annexation proceedings commenced under the terms of this Agreement before December 31, 2024 unless an earlier conclusion is required by an applicable statutory timeline.

Section 6. Initial Zoning Upon Annexation is amended as follows: Upon annexation the property shall be zoned in accordance with the uses and procedures set forth in the City's Comprehensive Land Plan and Unified Development Code.

Section 7. Sale of Land; Change in Exemption Status remains unchanged

Section 8. Recordation remains unchanged

Section 9. Subsequent Change in Law remains unchanged

Section 10. Survival remains unchanged

Section 11. No Implied Waiver remains unchanged

Section 12. Successors and Assigns remains and is amended as follows: [add] The parties may not assign this Agreement to any other person or entity without the prior written consent of the other; provided, however, that no such assignment shall operate to release the assigning party from its obligations hereunder. This Agreement and all of its terms and provisions shall be binding upon and inure to the benefit of the City and the Landowner and their respective successors and assigns, including all future owners of the Property.

Section 13. Approvals or Consents remains unchanged

Section 14. Addresses and Notices is amended as follows:

If to the Landowner:

Property Owners Name

Property Owners Mailing Address

Section 15. Severability remains unchanged

Section 16. Merger remains unchanged

Section 17. Cooperation remains unchanged

Section 18. Governing Law remains unchanged

Section 19. Counterparts remains unchanged

[the remainder of this page intentionally left blank]

IN WITNESS WHEREOF, by the Parties hereto have executed this Extension by duly authorized representatives, all as of the Effective Date first above written.

City:

CITY OF SCHERTZ,
a Texas municipal corporation

By: _____

Name: Mark Browne City Manager

Date: _____

THE STATE OF TEXAS §
 §
COUNTY OF GUADALUPE §

This instrument was acknowledged before me on the ____ day of _____, 2021 by Mark Browne, City Manager of the City of Schertz, Texas, a Texas municipal corporation, on behalf of said City.

(SEAL)

Notary Public in and for
The State of Texas

My Commission Expires:_____

THE LANDOWNER:

By: _____

Name: _____

Date: _____

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 2021 by [Property Owners Name].

(SEAL)

Notary Public in and for
The State of Texas

My Commission Expires: _____