

## **Eanes ISD Lease with Western Hills Little League (WHLL)**

In April 2011, the Eanes ISD Board of Trustees approved entering into a 50-year lease with Western Hills Little League (WHLL). This existing lease is a legally-binding agreement between the parties.

The lease with WHLL is not the first lease of district property. The district also leases property to other entities such as the Westbank Library and the Westlake Fire Department, both of which have ongoing operations on district-owned land.

Last Fall, Eanes ISD began working on a second amendment to the lease with WHLL.

In an effort to provide additional information about the lease and the proposed lease amendment, the Administration has prepared the following FAQ:

### **Frequently Asked Questions**

**Q: Where is the project located?**

A: The project is located on a 51.8-acre parcel of land, which is part of a larger 86.7-acre parcel of land owned by Eanes ISD that is located on River Hills Road. The district has reserved the remaining 35 acres for the construction of an elementary school.

**Q: Who is the developer?**

A: WHLL has leased the land and is responsible for developing the site.

**Q: How did the project begin?**

A: Eanes ISD issued a Request for Proposals (RFP) to lease the land. WHLL was the only respondent to the RFP and was selected as the winning bidder.

**Q: What is the scope of the project?**

A: The project scope, as reflected in Exhibit B of the lease, includes 8 baseball fields, 4 football/soccer/lacrosse-sized fields, concessions and restroom facilities and potential indoor facilities to accommodate basketball, swimming and gymnastics.

**Q: Where can I see the lease with WHLL?**

A: The original lease is online: <http://www.eanesisd.net/faq/WHLL%20Lease.pdf>.

**Q: How much does the district lease properties with other organizations?**

A: Eanes ISD currently has 50-year lease agreements with the Westbank Library and Westlake Fire Department. The leases are for multiple years at \$1 a year.

**Q: What are the financial terms of the WHLL lease?**

A: Rent is \$10,000 per year for the first 4 years, and \$50,000, plus annual escalation, per year thereafter. There are also provisions covering revenue sharing for activities on the site.

**Q: What was the first amendment to the lease?**

A: The lease was first amended in October 2012 to clarify that the lease area, described in the original lease as approximately 50 acres, is exactly 51.8-acres, as surveyed, out of the entire 86.7-acre Eanes ISD tract.

**Q: What are the limits contained in the lease?**

A: The lease limits use to a multi-sports park and prohibits concerts and motorcycle rallies. A specific list of other agreements between Lessee and certain adjoining landowners and neighbors related to the use of the property and development of the site is set forth in Exhibit D of the original lease: <http://www.eanesisd.net/faq/WHLL%20Lease.pdf>.

**Q: Why is the district not considering the potential offer from another party to purchase the land?**

A: Legally, a school district is not allowed to accept an offer from a non-governmental entity to purchase real property, such as the River Hills tract, without initiating a procurement process. In the case of the River Hills property, the district would be in breach of the lease if it were to initiate a bidding process for the property prior to expiration or termination of the lease, unless the District needed to sell the property for reasons of financial exigency. The District may only terminate the lease for certain, specific reasons.