

RESOLUTION NO. 99-020

WHEREAS, the Texas Legislature, during the 76th Legislative Session adopted Senate Bill 89, codified as Texas Local Government Code Chapter 43;

WHEREAS, Section 43.052(c) of the Code requires a municipality to adopt an annexation plan that specifically identifies annexations that may occur beginning on the third anniversary of the date the annexation plan is adopted;

WHEREAS, Section 43.052(h) of the Code states that:

(h) Section 43.0000 does not apply to an area proposed for annexation if:

- (1) the area contains fewer than 100 separate tracts of land on which one or more residential dwellings are located on each tract;
- (2) the area will be annexed by petition of more than 50 percent of the real property owners in the area proposed for annexation or by vote or petition of the qualified voters or real property owners as provided by Subchapter B;
- (3) the area is or was the subject of:
 - (A) an industrial district contract under Section 42.044; or
 - (B) a strategic partnership agreement under Section 43.0751;
- (4) the area is located in a colonia, as that term is defined by Section 2306.581, Government Code;
- (5) the area is annexed under Section 43.026, 43.027, 43.029, or 43.031;
- (6) the area is located completely within the boundaries of a closed military installation; or
- (7) the municipality determines that the annexation of the area is necessary to protect the area proposed for annexation or the municipality from:
 - (A) imminent destruction of property or injury to persons; or
 - (B) a condition or use that constitutes a public or private nuisance as defined by background principles of nuisance and property law of this state.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Granbury that the following statement regarding annexation is adopted as the City of Granbury Annexation Plan:

The City Council of the City of Granbury does not plan to annex any area not excepted from inclusion in an annexation plan by the provisions of Section 43.052(h) Local Government Code.

PASSED AND APPROVED, by the City Council of the City of Granbury, Texas, this 7th day of December, 1999.


DAVID L. SOUTHERN, MAYOR

ATTEST:


DEE ARCOS, CITY SECRETARY

APPROVED AS TO FORM:


MARGARET R. MESSINA, CITY ATTORNEY