

RESOLUTION NO. 56-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ADOPTING AN ANNEXATION PLAN PURSUANT TO V.T.C.A., LOCAL GOVERNMENT CODE, §43.052 AND PROVIDING AN EFFECTIVE DATE THEREOF.

WHEREAS, by Acts 1999, 76th Legislature, effective September 1, 1999, amendments were made to Chapter 43, V.T.C.A., Local Government Code, requiring that Municipalities adopt an Annexation Plan; and

WHEREAS, the City has evaluated its Extraterritorial Jurisdiction (ETJ) to determine its intent with regard to annexation of specific areas within its ETJ; and

WHEREAS, Chapter 43 exempts certain annexations from inclusion in the annexation plan.

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

SECTION 1. That, pursuant to Chapter 43, V.T.C.A., Local Government Code, § 43.052, the Annexation Plan attached hereto as Exhibit "A" and made a part of this resolution for all purposes is hereby adopted and approved as the Annexation Plan for the City of Mesquite, Texas.

SECTION 2. That this resolution shall become effective immediately from and after its passage.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 20th day of December 1999.



Mike Anderson
Mayor

ATTEST:



Ellen Williams
City Secretary

APPROVED:



B.J. Smith
City Attorney

ANNEXATION PLAN OF THE CITY OF MESQUITE, TEXAS

(Note: All references are to the *Texas Local Government Code*, unless otherwise noted.)

Proposed Annexation

The City of Mesquite does not plan to annex any tract(s) of land which are subject to the provisions requiring inclusion in an Annexation Plan under the *Local Government Code, Section 43.052*. In accordance with the *Local Government Code, Section 43.053(h)*, the City may annex areas as described below, which do not require inclusion in an Annexation Plan:

- 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:
 - 1) An industrial district contract under *Section 42.044*; or
 - 2) A strategic partnership agreement under *Section 43.0751*.
- 4) The area is located in a colonia, as the term is defined by *Section 2306.581, Texas 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.
- 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.

Posting

The City of Mesquite shall post and maintain the posting of this Annexation Plan on its Internet website, including any amendments to add or remove any area from the Annexation Plan, in accordance with the requirements of the *Local Government Code, Section 43.052(j)*.