



ORDINANCE NO. A 18-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NOLANVILLE, TEXAS, ADOPTING A THREE-YEAR ANNEXATION PLAN IN COMPLIANCE WITH SECTION 43.052 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR SEVERABILITY; FINDING PROPER NOTICE AND MEETING, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 43.052 of the Texas Local Government Code requires that each city adopt an annexation plan that specifically identifies annexations that may occur beginning on the third anniversary of the date the annexation plan is adopted; and

WHEREAS, annexation planning for the City of Nolanville must be in conformance with the provisions of Chapter 43, Subchapter C of the Texas Local Government Code, pursuant to which the City Council may from time to time by ordinance or resolution designate certain areas to be annexed to the City, and such ordinances or resolutions, together with any subsequent amendments thereto, shall constitute the annexation plan for the City of Nolanville.

WHEREAS, Section 43.052(h) of the Texas Local Government Code provides several exceptions that authorize cities to annex territory without placing the territory in an annexation plan; and,

WHEREAS, pursuant to Section 43.052(c) the City of Nolanville may from time to time, after adopting an annexation plan, amend it to specifically identify other areas for annexation that may occur beginning on the third anniversary of the date its annexation plan is amended and, further, it may amend its annexation plan at any time to remove an area proposed for annexation, pursuant to Section 43.052(e); and

WHEREAS, the Planning and Zoning Commission conducted a public hearing and discussed said Three-Year Annexation Plan at its meeting on November 8, 2018, and

recommended to the City Council that the Three-Year Annexation Plan, attached as Exhibit “A” of this ordinance, be adopted; and

WHEREAS, the City Council considered the Planning and Zoning Commission’s recommendation, and conducted a public hearing on November 8, 2018 to hear citizen comments regarding the recommended City of Nolanville Three-Year Annexation Plan; and

WHEREAS, the City Council finds that the recommended Annexation Plan is proper and complies with the requirements of law,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NOLANVILLE, TEXAS:

PART 1: The attached Three-Year Annexation Plan attached as Exhibit “A” is made a part of this Ordinance for all purposes, and the same is adopted for the specific purposes of complying with Texas Local Government Code Section 43.052. The Three-Year Annexation Plan of the City of Nolanville shall not be deemed to limit the right of the City of Nolanville to undertake any annexation that is exempt from the requirements of Section 43.052.

PART 2: Any area included within the Three-Year Annexation Plan may not be annexed prior to the third anniversary of the effective date of the ordinance or resolution designating the area to be annexed, unless such property either meets an exemption listed in Section 43.052 of the Texas Local Government Code, or its annexation is or may otherwise be exempted by law from an annexation plan.

PART 3: The City may annex any territory not in the Annexation Plan hereby being approved, as the same may be amended, that is not required to be included in an annexation plan pursuant to Section 43.052(h) of the Texas Local Government Code, and may annex any other territory that is or may be excluded from an annexation plan pursuant to any other statutory exception or legal authority.

PART 4: The City Manager shall:

(a) as required by Section 43.052(f) of the Texas Local Government Code, before the 90th day after the approval of this Ordinance, give written notice of the Annexation Plan hereby approved to each property owner in the affected area, as well as to each public entity and each

railroad company described in the statute; and

(b) as required by Section 43.052(j), promptly after approval hereof, post on the City's Internet website, and maintain posted thereon, the Annexation Plan, as the same may be amended.

PART 5: If any section, subsection, paragraph, clause, phrase, or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or provision thereof, other than the part as so decided to be invalid or unconstitutional.

PART 6: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PART 7: This Ordinance shall be effective upon its passage.

PASSED AND APPROVED this the ____ day of _____ 2018, by a vote of ____ (ayes) to ____ (nays) to ____ (abstentions) of the City Council of the City of Nolanville, Texas.

APPROVED

Andy Williams, Mayor

ATTEST:

Crystal Briggs, City Secretary



EXHIBIT A

City of Nolanville
Three-Year Annexation Plan December 6, 2018
Prepared Pursuant to
Chapter 43 of the Texas Local Government Code

PURPOSE

The purpose of the Three-Year Annexation Plan is to clearly articulate to elected and appointed city officials, city staff, and the general public the current intent of the City of Nolanville with respect to future unilateral annexations.

This Three-Year Annexation Plan may be used as a guide for the City of Nolanville with respect to the following:

- Comprehensive Plan Strategies Growth
- Management Boundary Changes
- Safety Services (Police Fire, and Ambulance)
- City Street Services
- General Services

The Three-Year Annexation Plan is intended to be a dynamic document that is flexible enough to allow the City to maintain a comprehensive approach to development and growth. The current incorporated area of the City of Nolanville is approximately **2,855 Square Acres** in Bell County. Specifically included as subject to annexation under this Plan is an area defined as all of the Tumbleweed Estates, a subdivision of record in the Bell County Central Appraisal District. A map depicting that area is attached hereto.

SERVICE PLANS

A Final Service Plan for each annexation area will be prepared in accordance with Section 43.052 of the Texas Local Government Code prior to annexation.

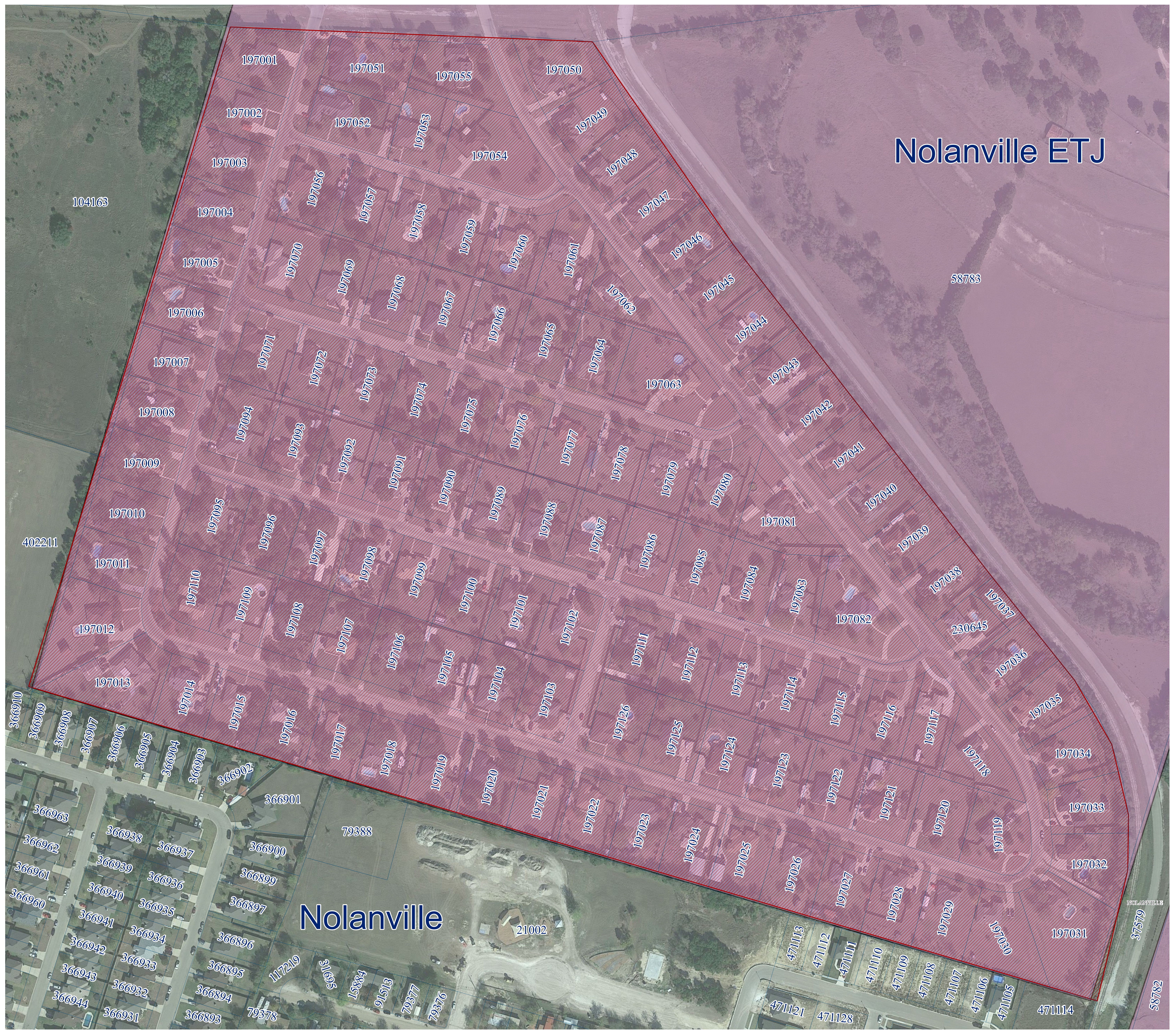
ANNEXATION PLAN AMENDMENTS

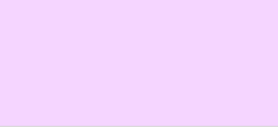
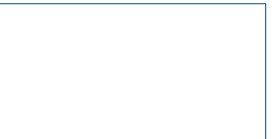
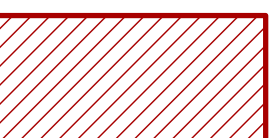
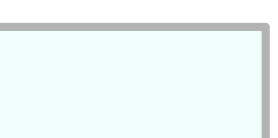
This Annexation Plan may be amended at any time per Section 43.052 of the Texas Local Government Code, which provides in part the following:

1. Areas added to the Plan may not be annexed until the third anniversary of their inclusion in the Plan.
2. If an area is removed from the Plan before the end of the 18th month after the month the area was included in the Plan, the City may not again include the area in the Annexation Plan for

- 1 year.
3. If an area is removed from the Plan after the end of the 18th month after the month the area was included in the Plan, the City may not again include the area in the Annexation Plan for 2 years.
 4. If an area is not removed from the Plan, but is also not annexed before the 31st day after the third anniversary of the date the area was included in the Plan, the City may not annex the area for 5 years.

Nolanville ETJ



-  Nolanville ETJ
-  Parcels
-  Annexation
-  City of Nolanville

Nolanville Annexation Plan

