

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ADOPTING A THREE-YEAR ANNEXATION PLAN IN COMPLIANCE WITH SECTION 43.052 OF THE TEXAS LOCAL GOVERNMENT CODE; REPLACING THE ANNEXATION PLAN ADOPTED DECEMBER 16, 1999; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, subject to those exceptions provided Texas Local Government Code Section 43.052 (h) the City of Abilene must prepare 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, the Planning and Zoning Commission conducted a public hearing and discussed said Three-Year Annexation Plan at its meeting on November 6, 2006, and recommended that the Three-Year Annexation Plan, attached as Exhibit "A" of this ordinance, be adopted; and

WHEREAS, the City Council conducted public hearing on December 7, 2006 to hear citizen comments regarding the City of Abilene Three-Year Annexation Plan.

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

PART 1: Annexation planning for the City of Abilene shall be in conformance with the provisions of the Texas Local Government Code Section 43.052. Pursuant to such statute the City Council may from time to time by ordinance or resolution designate certain areas to be annexed to the City. Such designating ordinances or resolutions, together with this ordinance and subsequent amendments thereto shall constitute the annexation plan for the City of Abilene.

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 meets an exemption listed in Section 43.052 of the

Texas Local Government Code. Annexation of the designated area must be completed prior to the 31<sup>st</sup> day following such anniversary.

PART 3: This Three-Year Annexation Plan is adopted for the specific purposes of complying with Texas Local Government Code Section 43.052 and shall not be deemed to limit the right of the City of Abilene to undertake any annexation that is exempt from the requirements of Section 43.052.

PART 4: The City's Three-Year Annexation Plan, attached as Exhibit "A", is made a part of this ordinance for all purposes and replaces the City's Annexation Plan adopted December 16, 1999. The territory set out in Exhibit "A" is hereby included in the Three Year Annexation Plan of the City of Abilene.

PASSED ON FIRST READING, this the 16<sup>th</sup> day of November, 2006.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 18<sup>th</sup> day of October, 2006, the same being for public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 7<sup>th</sup> day of December, 2006, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance to become effective upon passage.

PASSED ON SECOND AND FINAL READING, this the 7<sup>th</sup> day of December, 2006.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY

## **EXHIBIT A**

### **City of Abilene Three-Year Annexation Plan December 7, 2006**

#### **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 Abilene with respect to future unilateral annexations.

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

- Comprehensive Plan Strategies
- Growth Management
- Boundary Changes
- City Water and Sewer Services
- 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 Abilene is approximately 110.8 square miles in northeastern Taylor County and southeastern Jones County. The Extra-territorial Jurisdiction (ETJ) of the City of Abilene extends five miles from the corporate limits and includes portions of Callahan, Jones, Shackelford, and Taylor Counties. Exceptions to this ETJ exist on the west and south sides of the City of Abilene where the Cities of Tye and Buffalo Gap and their respective ETJs are located within five miles of the City of Abilene.

#### 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.

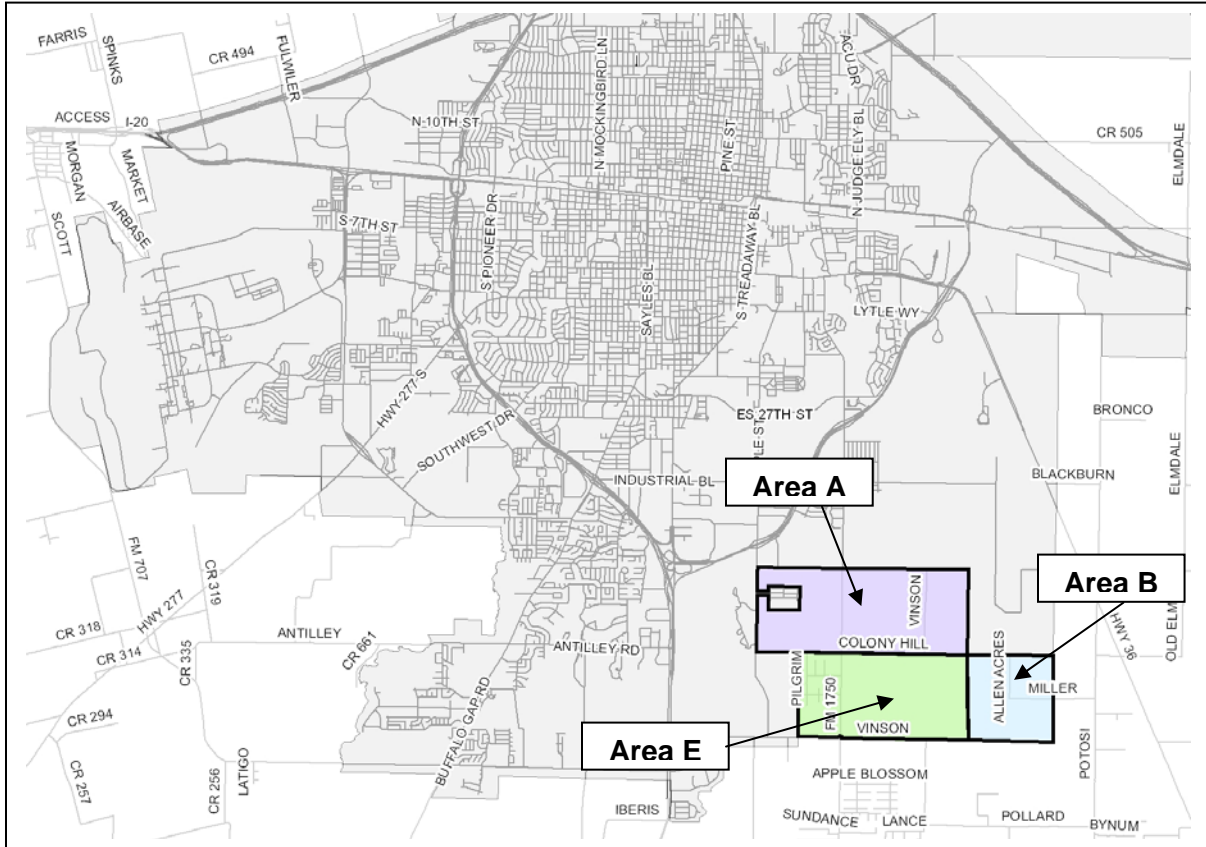
#### ANNEXATION PLAN AMENDMENTS

This Annexation Plan may be amended at any time per Section 43.052 of the Texas Local Government Code, which provides for 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 18<sup>th</sup> 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 18<sup>th</sup> 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 31<sup>st</sup> 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.

**FUTURE POSSIBLE ANNEXATIONS**

At this time, the City of Abilene proposes to include the following territory in the City’s Three-Year Annexation Plan. The City of Abilene may annex certain properties where an exemption exists.



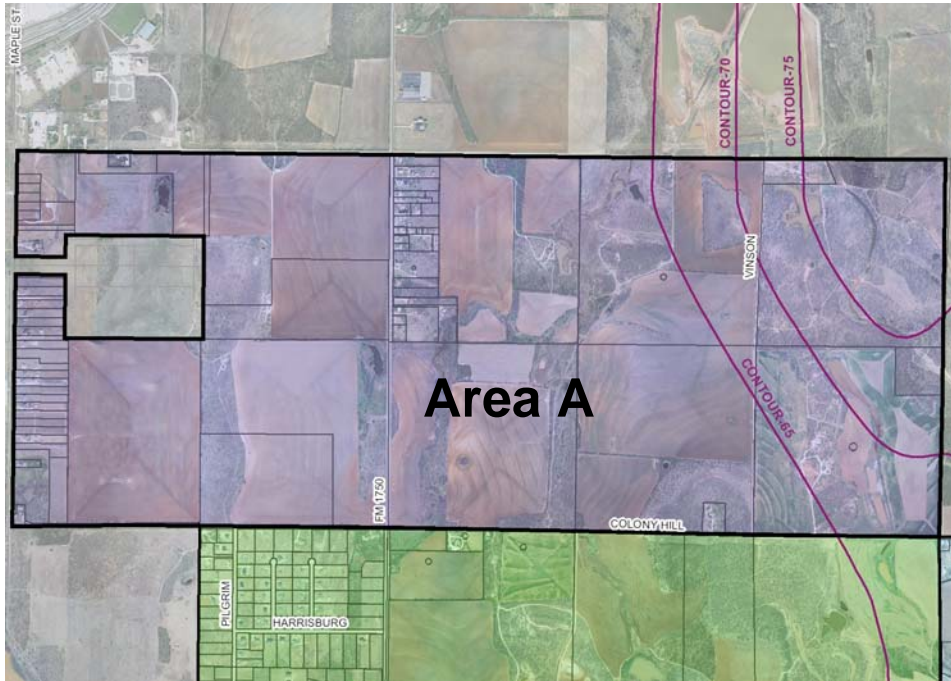
**SUMMARY OF ANNEXATION AREAS**

Area	Approximate Acreage	Date Added to Plan	Earliest Date to Annex	Deadline to Annex
Area A	1,514	Dec. 7, 2006	Dec. 7, 2009	Jan. 6, 2010
Area B	649	Dec. 7, 2006	Dec. 7, 2009	Jan. 6, 2010
Area E	1,273	Dec. 7, 2006	Dec. 7, 2009	Jan. 6, 2010

ANNEXATION AREA DETAILS

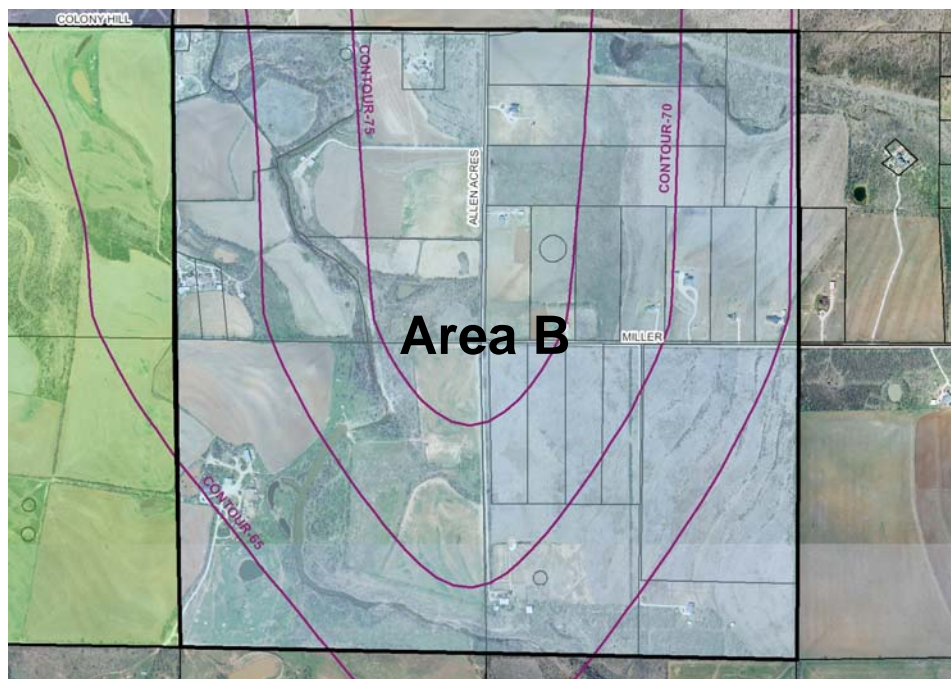
**Area A** Area: approximately 1,514 acres.

The southern boundary of this area follows Colony Hill Road where it connects with the current corporate limits of the City of Abilene, which make up the eastern, northern, western, and a portion of the southern boundaries.



**Area B** Area: approximately 649 acres.

This area encompasses the Eastern ½ of Survey No. 16 and the Western ½ of Survey No. 17, Lunatic Asylum Lands, Taylor County Texas.



**Area E** Area: approximately 1273 acres.

The area adjoins the current corporate limits of the City of Abilene on its western boundary and Colony Hill Road along its northern boundary. The eastern portion of FM 707 and the western portion of Vinson Lane comprise the southern boundary of the proposed area. The easternmost boundary adjoins Area B along the right-of-way of Vinson Road South.

