

ORDINANCE 2013-12

AN ORDINANCE OF THE CITY OF LA FERIA, TEXAS ANNEXING CERTAIN AREAS ADJACENT TO THE CITY OF LA FERIA, TEXAS (KNOWN AS FM 506); EXTENDING THE BOUNDARIES AND EXTRATERRITORIAL JURISDICTION OF THE CITY OF LA FERIA, TEXAS, SO AS TO INCLUDE SAID ANNEXED AREA WITHIN THE CORPORATE LIMITS OF THE CITY OF LA FERIA, TEXAS; GRANTING TO SAID ANNEXED AREA AND ALL OWNERS AND INHABITANTS THEREOF ALL THE RIGHTS AND PRIVILEGES ACCORDED TO OTHER CITIZENS OF THE CITY OF LA FERIA, TEXAS BY VIRTUE OF SUCH ANNEXATION; BINDING SAID AREAS AND ALL OWNERS AND INHABITANTS THEREOF TO ALL THE ACTS, ORDINANCES, AND OTHER RULES OF THE CITY OF LA FERIA, TEXAS, BY VIRTUE OF SUCH ANNEXATION, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of La FERIA, Texas is a Home Rule Municipal Corporation formed pursuant to TEX. LOC. GOV'T. CODE § 9.001, et seq; and

WHEREAS, the City of La FERIA is authorized by TEX. LOC. GOV'T. CODE § 43.021 and by its charter to annex area and take other action regarding its corporate boundaries; and

WHEREAS, the City of La FERIA has not annexed property since 2009 and is therefore eligible to annex up to thirty percent (30%) of the total land area within the current city limits as authorized by TEX.LOC.GOV'T CODE §43.054; and

WHEREAS, the properties as described in Exhibit A are proposed to be annexed by the City of La FERIA, Texas.

(Exhibit A Attached)

WHEREAS, the property owner of the properties listed in Exhibit B requested voluntary annexation by the City of La FERIA and inclusion into the corporate limits of the City, resulting in exemption from the thirty percent (30%) maximum amount of annexation limitation prescribed in TEX. LOC. GOV'T CODE §43.054.

(Exhibit B Attached)

WHEREAS, in accordance with TEX. LOC. GOV'T. CODE § 43.035, owners of properties within the annexation area that are appraised for ad valorem tax purposes as land for agricultural or wildlife management use, or as timberland by the Cameron County Appraisal District, were offered in writing by certified mail return receipt requested the option of entering into a Development Agreement with the City of La FERIA in lieu of annexation in accordance with TEX. LOC. GOV'T. CODE § 43.035, and certified mail receipts indicate that all such owners received the written offers of a development agreement; and

WHEREAS, five Development Agreements have been signed and returned to the City of La Feria and therefore, the properties as described in Exhibit C are classified as being within the City of La Feria's extraterritorial jurisdiction, as defined by TEX. LOC. GOV'T. CODE §§ 42.01 and 42.022:

(Exhibit C Attached)

WHEREAS, properties with executed development agreements and located within the City of La Feria's proposed annexed area are exempt from the thirty percent (30%) maximum amount of annexation limitation prescribed in TEX. LOC. GOV'T. CODE § 43.054; and

WHEREAS, the area proposed to be annexed is contiguous and adjacent to the corporate limits of the City of La Feria, Texas and is within the extraterritorial jurisdiction of the City of La Feria, Texas; and

WHEREAS, the area proposed to be annexed complies with the width requirements set forth in TEX. LOC. GOV'T. CODE § 43.054, and does not exceed the maximum allowable amount of annexation for 2013, as established by TEX. LOC. GOV'T. CODE § 43.055; and

WHEREAS, the City of La Feria has complied with all annexation hearing requirements set forth in TEX. LOC. GOV'T. CODE § 43.063 et seq.; and

WHEREAS, before publication of the notice of the first hearing required under TEX. LOC. GOV'T. CODE § 43.052, the City Commission of the City of La Feria directed its Planning Department to prepare a service plan that provides for the extension of full municipal services to the area proposed to be annexed; and

WHEREAS, the Planning Department of the City of La Feria, Texas has prepared such a service plan, a true and authentic copy of which, labeled Exhibit E, is attached hereto and made part of hereof for all purposes the same as if incorporated herein verbatim;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LA FERIA, TEXAS, THAT:

SECTION 1. The City of La Feria hereby annexes the properties described in Exhibit D, and hereby extends its boundaries and extraterritorial jurisdiction so as to include said annexed area within its corporate limits:

(Exhibit D Attached)

SECTION 2. A Development Agreement was executed by and between the City of La Feria and the property owners of the following properties as described in Exhibit C; thereby placing these properties within the extraterritorial jurisdiction of the City of La Feria as defined by TEX. LOC. GOV'T. CODE §§ 42.021 and 42.022.

SECTION 3. The City of La Feria, Texas hereby grants to said annexed area and all owners and inhabitants thereof all the rights and privileges accorded to other citizens of the City of La Feria, Texas by virtue of said area having been annexed, and binds said area and all owners and inhabitants thereof

to all the acts, ordinances and other rules of the City of La Feria, Texas applicable to them by virtue of said area having been annexed.

SECTION 4. The City of La Feria's extraterritorial jurisdiction is being extended one (1) mile beyond the farthest properties listed in Exhibits B, C, and D.

SECTION 5. The properties with executed development agreements and located within the City of La Feria's proposed annexation are exempt from the thirty percent (30%) maximum amount of annexation limitation prescribed in TEX. LOC. GOV'T. CODE § 43.062(a).

SECTION 6. The service plan, a true and authentic copy of which, labeled Exhibit E, is attached hereto and made a part hereof for all purposes the same as if incorporated verbatim, is hereby approved.

SECTION 7. The recitals set forth in the preamble to this Ordinance are hereby adopted as findings by the City Commission.

SECTION 8. This Ordinance shall not repeal, impair, modify, or in anywise affect any other ordinance annexing territory to the City of La Feria, whether finally passed or otherwise. The procedure initiated hereby and the annexation proceedings instituted hereunder shall be independent of any other proposed and pending annexation of such territory, and such other proceedings shall not be affected hereby.

SECTION 9. Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application thereof ineffective or inapplicable as to any territory, such unconstitutionality, illegality, invalidity, or ineffectiveness of said section or part shall not affect, impair, or invalidate the remaining portion or portions thereof, but as to the remaining portion or portions, the same shall be and remain in full force and effect; and should this Ordinance for any reason be ineffective as to any part of the area hereby annexed to the City of La Feria, such ineffectiveness or this Ordinance as to any part or parts of the area shall not affect the effectiveness of this Ordinance as to all of the remainder of such area, and the City Commission hereby declares it to be its purpose to annex to the City of La Feria every part of the area described in Sections I and II of this Ordinance, regardless of whether any other part of such described area is hereby effectively annexed to the City. Provided, further, that if there is included within the general description of territory set out in Sections I and II of this Ordinance to be hereby annexed to the City of La Feria any lands or area which are presently part and included within the limits of the City of La Feria, or which are not within the City of La Feria's jurisdiction to annex, the same is hereby excluded and excepted from the territory to be annexed as fully as if such excluded and excepted area were expressly described herein.

SECTION 10. The City Manager of the City of La Feria, Texas or his/her designated representative is hereby directed to file a certified copy of this Ordinance with all appropriate agencies, as required by state or federal law.

SECTION 11. All ordinances or parts of ordinances inconsistent with the terms of this Ordinance are hereby repealed; provided however that such repeal shall be only to the extent of such inconsistency and in all other respects the Ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this Ordinance.

SECTION 12. If any Section, subsection, sentence, clause or phrase of this ordinance, or the application of same to a particular set of persons or circumstances, should be for any reason be held to be invalid, such invalidity shall not affect the remaining portions of this Ordinance are declared to the severable.

SECTION 13. This Ordinance shall become effective and be in full force immediately upon and from the dates of its passage and the effective date of the annexation shall be as of December 1, 2013.


PASSED AND APPROVED BY THE LA FERIA CITY COMMISSION ON THIS THE 17th DAY OF SEPTEMBER, 2013.

APPROVED:



Lori Weaver, Mayor Pro Tempore

ATTEST:



Olga Oberwetter, City Secretary

APPROVED AS TO FORM:



Richard S. Talbert, City Attorney

**CITY OF LA FERIA
ORDINANCE NO. 2013 – 12**

EXHIBIT A

DESCRIPTION OF PROPERTIES PROPOSED FOR ANNEXATION

PROPERTY ID	CCAD GEO. ID	LEGAL DESCRIPTION
180376	85-5380-0250-0100-10	Minnesota-Texas Irrigation Land Co Blk. 25 N (13.61 Acres)
180377	85-5380-0250-0200-00	Minnesota-Texas Irrigation Land Co 0.500 Acres out of Blk. 25
180378	85-5380-0250-0200-10	Minnesota-Texas Irrigation Land Co. 19.5 Acres of the South 20.00 Acres of Blk. 25.
180384	85-5380-0270-0100-00	0.210 acre out of Blk 27 Minnesota-Texas Irrigation Land Co.
180385	85-5380-0270-0301-00	Blk 27 Minnesota – Texas Irrigation Land Co (34.58 Acres)
180401	85-5380-0290-0110-00	Minnesota-Texas Irrigation Land Co. 2.32 Acres out of the North Part of Blk 29
180402	85-5380-0290-0200-00	Minnesota-Texas Irrigation Land Co. Blk 29 South (19.8800 Acres)
180406	85-5380-0310-9000-00	Minnesota-Texas Irrigation Land Co. Blks 31 & 33 (70.74 Acres)
180418	85-5380-0350-0010-00	Minnesota-Texas Irrigation Land Co. 0.55 Acres out of 39.0350 Acres.
180419	85-5380-0350-9000-00	Minnesota-Texas Irrigation Land Co. 38.485 Acres out of Block 35
180428	85-5380-0370-0100-00	Minnesota-Texas Irrigation Land Co. Blk 37 East 1.0000 Acres
180429	85-5380-0370-0100-10	Minnesota-Texas Irrigation Land Co. 5.60 Acres out of Blk 37
180431	85-5380-0370-0101-00	Minnesota-Texas Irrigation Co. 1.161 Acres out of Blk 37.
180432	85-5380-0370-0102-00	Minnesota-Texas Irrigation Land Co. Part of Blk 37 (5.049 Acres)
180444	85-5380-0390-0000-00	Minnesota-Texas Irrigation Land Co. Blk 39 (1.0000 Acre)
180445	85-5380-0390-0000-10	Minnesota-Texas Irrigation Land Co. Blk 39, 34.2900 Acres
181039	85-5393-0010-0010-00	Lot 1, Blk 1 Rosie Robles Subdivision
181040	85-5393-0010-0020-00	Lot 2, Blk 1 Rosie Robles Subdivision

181041	85-5393-0010-0030-00	Lot 3, Blk 1 Rosie Robles Subdivision
181042	85-5393-0010-0040-00	Lot 4, Blk 1 Rosie Robles Subdivision
181043	85-5393-0010-0050-00	Lot 5, Blk 1 Rosie Robles Subdivision
366379	85-5380-0270-0301-10	Minnesota.-Texas Irrigation. Land Co. 5.00 Acres out of 39.58 Acres
366380	85-5380-0250-0100-20	Minnesota-Texas Irrigation Land Co. Blk 25, N. 3.71 Acres out of 5.39 Acres of 19.00 Acres
371495	85-5380-0250-0100-30	Minnesota-Texas Irrigation Land Co. Blk 25, N. 1.68 Acres out of 5.39 Acres.

**CITY OF LA FERIA
ORDINANCE NO. 2013-12**

EXHIBIT B

**DESCRIPTION OF PROPERTIES THAT REQUESTED
VOLUNTARY ANNEXATION**

PROPERTY ID	CCAD GEO. ID	LEGAL DESCRIPTION
180428	85-5380-0370-0100-00	Minnesota-Texas Irrigation Land Co. Blk 37 East 1.0000 Acres
180429	85-5380-0370-0100-10	Minnesota-Texas Irrigation Land Co. 5.60 Acres out of Blk 37
180432	85-5380-0370-0102-00	Minnesota-Texas Irrigation Land Co. Part of Blk 37 (5.049 Acres)

**CITY OF LA FERIA
ORDINANCE NO. 2013 – 12**

EXHIBIT C

**DESCRIPTION OF PROPERTIES WITH EXECUTED
DEVELOPMENT AGREEMENTS**

PROPERTY ID	CCAD GEO. ID	LEGAL DESCRIPTION
180376	85-5380-0250-0100-10	Minnesota-Texas Irrigation Land Co. Blk 25 N (13.61 acres)
180378	85-5380-0250-0200-10	Minnesota-Texas Irrigation Land Co. 19.5 Acres of the South 20.00 Acres of Blk 25.
180385	85-5380-0270-0301-00	Blk 27 Minnesota-Texas Irrigation Land Company (34.58 Acres)
180402	85-5380-0290-0200-00	Minnesota-Texas Irrigation Land Co. Blk 29 South (19.88 Acres)
180444	85-5380-0390-0000-00	Minnesota-Texas Irrigation Land Co. Blk 39 (1.0000 Acre)
180445	85-5380-000390-0000-10	Minnesota-Texas Irrigation Land Co. Blk 39 (34.29 Acres)
366379	85-5380-0270-0301-10	Minnesota-Texas Irrigation Land Co. 5.00 Acres out of 39.58 Acres
366380	85-5380-0250-0100-20	Minnesota-Texas Irrigation Land Co. Blk 25. N. 3.71 Acres out of 5.39 Acres.

**CITY OF LA FERIA
ORDINANCE NO. 2013 – 12**

EXHIBIT D

DESCRIPTION OF PROPERTIES ANNEXED

PROPERTY ID	CCAD GEO. ID	LEGAL DESCRIPTION
180377	85-5380-0250-0200-00	Minnesota-Texas Irrigation Land Co 0.500 Acres out of Blk. 25
180384	85-5380-0270-0100-00	0.210 acre out of Blk 27 Minnesota-Texas Irrigation Land Co.
180401	85-5380-0290-0110-00	Minnesota-Texas Irrigation Land Co. 2.32 Acres out of the North Part of Blk 29
180406	85-5380-0310-9000-00	Minnesota-Texas Irrigation Land Co. Blks 31 & 33 (70.74 Acres)
180418	85-5380-0350-0010-00	Minnesota-Texas Irrigation Land Co. 0.55 Acs. Out of 39.0350 Acres
180419	85-5380-0350-9000-00	Minnesota-Texas Irrigation Land Co. 38.485 Acres out of Blk 35.
180428	85-5380-0370-0100-00	Minnesota-Texas Irrigation Land C. Blk 37 East 1.0000 Acres
180429	85-5380-0370-0100-10	Minnesota-Texas Irrigation Land Co. 5.60 Acres out of Blk 37
180431	85-5380-0370-0101-00	Minnesota-Texas Irrigation Co. 1.161 Acres out of Blk 37.
180432	85-5380-0370-0102-00	Minnesota-Texas Irrigation Land Co. Part of Blk 37, (5.049 Acres)
181039	85-5393-0010-0010-00	Lot 1, Blk 1 Rosie Robles Subdivision
181040	85-5393-0010-0020-00	Lot 2, Blk 1 Rosie Robles Subdivision
181041	85-5393-0010-0030-00	Lot 3, Blk 1 Rosie Robles Subdivision
181042	85-5393-0010-0040-00	Lot 4, Blk 1 Rosie Robles Subdivision
181043	85-5393-0010-0050-00	Lot 5, Blk 1 Rosie Robles Subdivision
371495	85-5380-0250-0100-30	Minnesota-Texas Irrigation Land Co. Blk 25, N 1.68 Acres out of 5.39 Acres.

EXHIBIT E – ORDINANCE NO. 2013-12

Service Plan for the City of La Feria “FM 506 Annexation Area”

UPDATED AS OF SEPTEMBER 17, 2013

I. Area Annexed:

The FM 506 Annexation Area is approximately 1300 feet wide and 1.8 miles long, encompassing approximately 291 acres. The northern boundary is the south boundary of Citrus Village Subdivision; the eastern boundary is the east FM 506 right-of-way (current city limits); the west boundary is the west boundary of the Minneosta-Texas Land and Irrigation Company Subdivision tracts fronting on FM 506; and the south boundary is the dividing line between Block 23 and Block 25 of the Minnesota Texas Land and Irrigation Co. Subdivision.

II. Overview:

Section 43.056 of the Texas Local Government Code requires the City to prepare a service plan that provides for the same type, kind and quality of services to be provided to the newly annexed area as presently enjoyed by the citizens of the City who reside in areas of similar topography, land use and population.

La Feria may provide these services by any of the means by which it extends the services to any other area of the City. The services and facilities that will be provided to the annexed area by the City of La Feria, and the timeframe for providing them, are described below.

Police Protection: The services and jurisdiction of the La Feria Police Department will be offered and exerted over the annexed area immediately upon annexation. The La Feria Police Department has nine patrol officers, two detectives, a warrant officer and a chief. The additional territory and households and businesses in the annexation area can be provided police services with the department's existing vehicles, equipment and personnel with no significant diminishment of services to households and businesses within existing city limits.

Fire Protection: The annexation area is currently served by the City of La Feria Volunteer Fire Department through a contract between the City and Cameron County Emergency Services District No. 1. The La Feria Fire Volunteer Department responds to structural, grass and brush, and vehicle fires. The Fire Department is also available to provide rescue services related to drownings, vehicle accidents, structural collapses, and bee attacks. Those services will continue uninterrupted upon annexation. Currently the La Feria Fire Marshall reviews the sufficiency of proposed fire hydrant plans for

subdivision plats, in the City's ETJ, including the annexation area. That service will continue uninterrupted.

Emergency Medical Services: The City of La Feria has a contract with South Texas Emergency Care Foundation, Inc. (STECF) for the provision of emergency medical services (EMS) in La Feria. STECF responds to all calls to the La Feria Police or Fire Departments for EMS. Pursuant to that contract STECF, maintains and operates an emergency medical services vehicle and staff that is based at the La Feria Fire Station. Persons who receive EMS from STECF are billed by that company for services rendered. These emergency medical services will be provided to the annexed area immediately upon annexation.

Solid Waste Collection and Disposal: Residents who currently receive solid waste collection services from a private provider may continue to do so for a period of up to two years from the date of annexation. After the two-year period has expired, the City of La Feria will provide solid waste collection services in the annexed area in the same manner as provided elsewhere in the City.

The current city-wide charge for residential solid waste collection services, established by Ord. 2011-12, is \$20.50 per month, which includes weekly pick-up of household garbage and brush. An extra container costs \$5.00/month. Bulky trash, such as furniture, carpeting, construction debris, is collected by the City only upon special arrangement and payment of the extra costs incurred. The account initiation fee is \$20.00 and the required deposit for residential households is \$75.00.

The City's existing equipment and staff are sufficient to provide solid waste collection and disposal services to this annexation area with no significant diminishment of services to existing customers within existing city limits.

Operation and Maintenance of Water and Wastewater Facilities: Part of the FM 506 annexation area--north of the Arroyo Colorado levee--is within La Feria's Certificate of Convenience and Necessity (Service Area) for public water treatment and distribution and wastewater collection and treatment. The other part--south of the Arroyo Colorado levee--is located in Military Highway Water Supply Corporation's Service Area. The operation and maintenance of existing City water and wastewater lines currently located in the annexation area will continue after annexation. Annexation will have no effect on the operation and maintenance of utility infrastructure by MHWSC.

Maintenance of Roads, Streets and Drainage: Approximately 1.8 miles of FM 506 (also known as Main Street) right-of-way is included in the annexation area. FM 506 is a state highway operated and maintained by the Texas Department of Transportation. There are no local public roads in the annexation area. There are no street lights to be maintained. The Texas Department of Transportation will remain responsible for maintenance of the pavement and drainage of U.S. Business Highway 83. The City of La Feria supplements maintenance provided by TxDOT on state roads. The City runs its street sweeper and mows the right-of-way on state highways in the city's jurisdiction.

This maintenance will be provided to the newly annexed area to the same extent provided elsewhere in the City.

Maintenance of City Park and Recreation Facilities: There are no existing City park and recreation facilities within the annexation area. If in the future a public park is located in the annexation area, it will be maintained on the same basis and at the same level as provided throughout the City. City parks located elsewhere in the City are available for use by the residents of the annexation area on the same basis and at the same level as such use is available to current residents in the city.

Other Services including planning, zoning, code enforcement, animal control, library, youth recreation, court and general administration: Being located within the City's ETJ, proposed subdivision plats are now reviewed by the City Planning Department and the County Planning Department. After annexation, the City will continue to review plats and County review will cease. The other city services will be provided immediately upon annexation. Youth from this annexation area are now permitted to participate in youth recreational activities, such as football, baseball, softball, basketball, and summer recreation. That participation will continue. Full use of the library is permitted to residents of the annexation area and that will continue

III. Capital Improvements:

A. Water and Wastewater –

The City's water and wastewater treatment plants have ample capacity to serve the annexation area.

The City has a 10" water line running from the water treatment plant along Dodd Lane and then south approximately 1800', where it becomes an 8" line that runs to Strader Lane (the north levee). With funds from the Texas Water Development Board, a new eight-inch line will be installed to connect the eight-inch line that ends at the Sanchez Elementary School and the 6" line that ends at Cooper Lane. This new water line is expected to be available in 2015.

The City has limited current capacity to provide wastewater collection services to the annexation area, but with funding from the Texas Water Development Board, final engineering is being completed for a wastewater collection line that will run along FM 506, from the Arroyo Alto Lift Station to the Akin Subdivision. Installation of that line is expected to be completed in 2015.

With the installation of the water and wastewater infrastructure described above, the City will have fulfilled its obligation to provide water and wastewater infrastructure to the area. Annexation will not cause or require any additional water or wastewater infrastructure. Any additional water or wastewater facilities needed in this area are expected to be constructed and installed by the developer that proposes the use that requires the additional facilities. The City of La Feria, the City of La Feria Industrial Development Corporation, or the La Feria Economic Development Corporation may

choose to participate in the installation and construction of additional water or wastewater facilities, on a case-by-case basis, when in their determination such investment is warranted to facilitate economic development.

The City Code of Ordinances, Section 13.03.071, authorizes the City to require property within the City's sanitary sewer service area to connect to the public sanitary sewer line whenever the property is located within 100' of the public line and is used as a residence. Notwithstanding this legal authority, the City's policy has been to mandate connection to the public sanitary sewer system only in cases where a risk to public health is present. One indication of a risk to public health is a lot that does not comply with the minimum lot size required by TCEQ for an on-site sewage facility (OSSF), which is currently one-half acre for a single-family residence. This service plan incorporates that city policy.

Similarly, connection to the City's water system will not be mandated for existing residences, in the absence of a risk to public health. Risk to public health is evidenced by a lot that does not meet TCEQ's minimum lot size for a domestic supply water well or minimum distance from an OSSF. These TCEQ standards now mandate a one acre minimum lot size for a residence serviced by a well and OSSF and a minimum distance between a domestic supply well and an OSSF of 150'. These standards may change in the future and the City will enforce any stricter standards adopted by the TCEQ.

Military Highway Water Supply Corporation has a six-inch water to FM 3067, followed by a 3" line, then a 2.5" line extending approximately 3000 further.

B. Drainage:

North of the Arroyo Colorado levee, drainage is currently provided via roadside inlets and a 36" drain pipe, from current city limits to approximately the north side of the reservoir, where that 36" pipe becomes a 42" pipe which empties into the Arroyo Colorado. South of the Arroyo, drainage infrastructure is comprised of roadside ditches.

C. Streets and Roads

FM 506 is the only public road in the annexation area. The City's Thoroughfare Plan, a part of the La Feria Comprehensive Plan for 2008-2025, classifies FM 506 as a major street. The Thoroughfare Plan also identifies the future improvement of Dodd Lane into a major street that will connect FM 506 with Orange Grove Road. The Thoroughfare Plan also identifies the improvement of Beddoes Road into a major street connecting Business Highway 83 and FM 506. These two future improvements will provide a southern loop or bypass around the center of the City.

Developers who propose intensification of land use in the annexation area, either residential or commercial, that require additional streets will be responsible for the construction of such streets, consistent with City standards. The City of La Feria, the City of La Feria Industrial Development Corporation, or the La Feria Economic Development Corporation may choose to participate in the installation and construction

of additional streets, on a case-by-case basis, when in their determination such participation is justified to facilitate or support economic development.

Similarly, street lights will be installed by developers proposing to intensify land use, or by the City, to the same extent as street lights are installed in other areas of the city with similar land use and population. Consistent with its practice in other parts of the City, La Feria will pay the cost of electricity to operate the street lights when and if they are installed.

D. Sidewalks – Sidewalks will be installed in the annexation area to the same extent they are provided in other parts of the City with similar land use and population.

E. Parks – Parks will be created in this annexation area to the same extent they are provided in other parts of the City with similar land use and population. Residents of the annexation area will have access to all city parks and recreation facilities, both existing and future, to the same extent as residents in other rural parts of the city.

IV. SPECIFIC FINDINGS:

The City Commission of the City of La Feria finds and determines that this proposed Service Plan will not provide fewer services nor a lower level of service in the annexation area than were in existence immediately preceding annexation, nor will the annexation cause a significant diminishment of services to areas already within City limits.

Furthermore, the City Commission of the City of La Feria finds and determines the quasi-rural nature of the annexation area is characteristically different from more intensely developed areas within the City's corporate limits. Consequently, due to the differing topography, land utilization and population density, the service levels ultimately provided in the annexed area may differ from service levels provided to other areas of the City. The City of La Feria will undertake to provide to this annexed area the same type, kind and quality of service presently enjoyed by the citizens of the City who reside in areas of similar topography, land utilization and population.