

RESOLUTION 2014-24

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LA FERIA DIRECTING THE CITY'S PLANNING DEPARTMENT TO PREPARE SERVICE PLANS FOR ONE AREA BEING CONSIDERED AND EVALUATED FOR POSSIBLE ANNEXATION TO THE CITY OF LA FERIA, AUTHORIZING THE CITY MANAGER TO OFFER DEVELOPMENT AGREEMENTS TO OWNERS OF LAND APPRAISED FOR AD VALOREM TAX PURPOSES AS AGRICULTURAL AND TO EXECUTE ON BEHALF OF THE CITY SAID DEVELOPMENT AGREEMENTS AND AUTHORIZING THE CITY MANAGER TO SCHEDULE ALL PUBLIC HEARINGS AND COMPLETE ALL PUBLIC NOTICES RELATED TO RECOMMENDED ANNEXATIONS.

WHEREAS, the City of La Feria is a Home Rule Municipality established under the laws of the State of Texas; and,

WHEREAS, pursuant to Texas Local Government Code, §42.021(a), the City of La Feria is authorized to annex areas within its one-mile extraterritorial jurisdiction into the City limits; and,

WHEREAS, annexation is the process by which the City extends municipal services, regulations, voting rights, and taxing authority to new territory in its extraterritorial jurisdiction and is governed by Texas Local Government Code, Chapter 43; and,

WHEREAS, upon annexation, the City is required to immediately provide certain municipal services including police, fire and emergency medical services; and,

WHEREAS, the City is required to propose a plan by which it will extend full municipal services, including solid waste collection, water treatment and distribution, wastewater collection and treatment, operation and maintenance of roads and streets, street lighting, maintenance and operation of parks and playgrounds, to the areas to be annexed; and,

WHEREAS, in order to provide for the orderly growth and development of land now within the City's extraterritorial jurisdiction and to provide for the future public welfare and prosperity of the City of La Feria and its citizens, the City desires to annex additional land into its city limits; and,

WHEREAS, before annexing any land appraised for ad valorem tax purposes as agricultural, the City must first offer to the owner of such agricultural land the opportunity to enter into a Development Agreement, whereby the land remains outside of the city limits and untaxed by the City of La Feria but the owner agrees to be governed by the City's regulations and planning authority that do not interfere with the use of the area for agricultural; and

WHEREAS, on January 1, 2014, the incorporated area of the City of La Feria has three thousand three hundred twenty-four (3,324) acres; and

WHEREAS, the City of La Feria is eligible to annex ten percent (10%) of its total land area, three hundred thirty-two (332) acres plus the total carry-over acreage of three hundred ninety-eight (398) that was not annexed through the 2013 annexation; and

WHEREAS, the City of La Feria may annex up to seven hundred thirty (730) acres in 2014,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LA FERIA AS FOLLOWS:

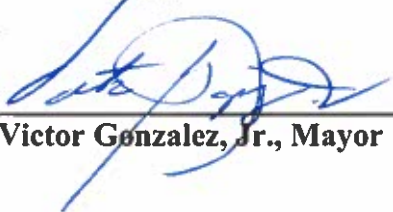
1. The recitals set forth above are found to be true and correct and they are hereby adopted by the City Commission and made a part of this Resolution.
2. The Planning Department of the City of La Feria is hereby directed to prepare Service Plans for the extension of full municipal services to areas proposed for annexation, as said areas are identified on the map which is attached to this Resolution as Exhibit A.
3. The City Manager is authorized to offer Development Agreements to owners of agricultural lands located within the City's extra-territorial jurisdiction (ETJ), which Development Agreements guarantee the continuation of extraterritorial status of the land while also authorizing the enforcement of municipal regulations and planning authority that do not interfere with the agricultural use of the land.
4. The City Manager is authorized to exercise his discretion and judgment as to the best interests of the City of La Feria in selecting those land areas for which the City will seek Development Agreements.
5. The City Manager is authorized to execute on behalf of the City, those Development Agreements which he believes, in his judgment, are in the best interest of the City of La Feria.
6. The City Manager is authorized to schedule the two required public hearings on the following dates and notify the property owners, in compliance with Texas Local Government Code, Chapter 43, related to the proposed annexation shown on Exhibit A:

October 27, 2014 – Special City Commission Meeting; and
October 28, 2014 – Regular City Commission Meeting

7. A Special City Commission Meeting is approved to be held on October 27, 2014 at 6:30 P.M.

PASSED AND APPROVED THIS THE 23rd DAY OF SEPTEMBER 2014.

APPROVED:



Victor Gonzalez, Jr., Mayor

ATTEST:



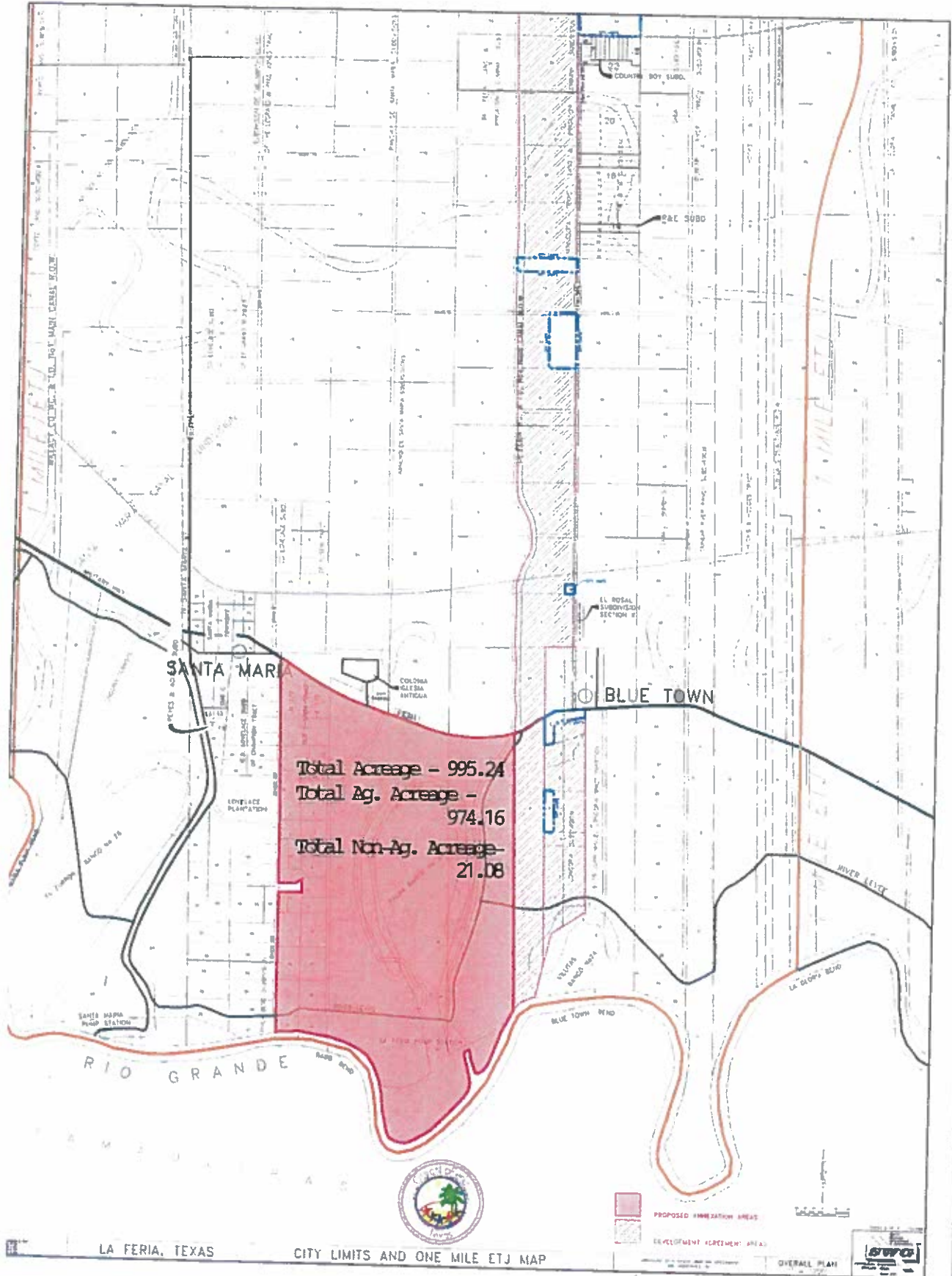
Olga Oberwetter, City Secretary

APPROVED AS TO FORM:



Richard S. Talbert, City Attorney

Exhibit A



2014 Annexation Properties

<u>Property ID</u>	<u>Owner</u>	<u>Acreage</u>	<u>Ag/Non-Ag</u>
116161	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	211.53 Ac.	Ag.
182538	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	337.13 Ac.	Ag.
182539	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	3.39 Ac. (House)	Non-Ag
182540	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	9.5475 Ac.	Ag.
182714	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	10.00 Ac.	Ag.
182715	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	10.00 Ac.	Ag.
182716	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	7.73 Ac.	Ag.
182717	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	5.00 Ac.	Ag.

182718	Stephen F. & Mary Ann Phillipp 32631 FM 506 La Feria, TX 78559	31.18 Ac.	Ag.
182719	(Merged into 182718 – April, 2007)		
182720	(Merged into 182718 – April, 2007)		
182721	Merged into 182718 – April, 2007)		
182722	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	6.35 Ac.	Ag.
182723	(Merged into 182718 – April, 2007)		
182724	(Merged into 182718 – April, 2007)		
182725	(Merged into 182718 – April, 2007)		
182726	(Merged into 182718 – April, 2007)		
182727	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	6.56 Ac.	Ag.
182728	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	5.00 Ac.	Ag.
182729	Stephen F. Phillipp 32631 FM 506 La Feria, TX 78559	27.084 Ac.	Ag.
182731	(Merged into 182729 – April, 2007)		

182733	Merged into 182729 – April, 2007)		
182734	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	10.00 Ac.	Ag.
182735	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	10.00 Ac.	Ag.
182736	(Merged into 182729 – April, 2007)		
182737	County F/W (Floodway) (Address Unknown) (EXEMPT)	9.17 Ac.	Non-Ag.
182738	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	8.527 Ac.	Ag.
182739	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	6.600 Ac.	Ag.
182740	Texas Parks & Wildlife 4200 Smith Select Road Austin, TX 78549 (EXEMPT)	4.10Ac.	Non-Ag.
182762	Jose I & Maria V. Torres P.O. Box 499 Santa Maria, TX 78592	3.020 Ac.	Ag.

183232	Edward & Mary Ann Bauer 32138 FM 506 La Feria, TX 78559-6122 (Portion of Property ID on North Side of Hwy 281 – 9 Acres)	48.00 Ac.	Ag.
183235	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	10.00 Ac.	Ag.
184103	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	61.210 Ac.	Ag.
184105	Ricardo & Norma L. De La Cruz 34879 Pelican Pointe Dr. Rio Hondo, TX 78583-3345	100.9074 Ac.	Ag.
184106	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	16.77 Ac.	Ag.
184107	Shimotsu Real Estate Partnership, Ltd. P.O. Box 455 La Feria, TX 78559-0455	32.013 Ac.	Ag.
365751	United States of America Southern District of Texas 600 E. Harrison, Suite 201 Brownsville, TX 78520 (EXEMPT)	1.4725 Ac.	Non-Ag.
365753	United States of America Southern District of Texas 600 E. Harrison, Suite 201 Brownsville, TX 78520 (EXEMPT)	1.4725 Ac.	Non-Ag.

365754

United States of America
Southern District of Texas
600 E. Harrison, Suite 201
Brownsville, TX 78520
(EXEMPT)

1.4725 Ac.
Non-Ag.

TOTAL ACREAGE - 995.24
TOTAL AG. ACREAGE - 974.16
TOTAL NON-AG. ACREAGE - 21.08
EXEMPT ACREAGE - 17.69 **(Exempt Acreage also included in Total Non-Ag. Acreage)**