

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUDA, TEXAS SETTING DATES, TIMES, AND PLACE FOR PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF APPROXIMATELY 700 ACRES OF LAND; AUTHORIZING AND DIRECTING THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARINGS; AND DIRECTING THE CITY MANAGER OR HIS/HER DESIGNEE TO PREPARE A SERVICE PLAN FOR AN AREA THE CITY INTENDS TO ANNEX INTO THE CITY LIMITS.

WHEREAS, the City of Buda, Texas intends to commence annexation proceedings related to the above referenced areas of land located east of Texas Lehigh Cement Company (but inclusive of the South FM 967/South Loop 4/South Main Street right-of-way), north of the City of Kyle City Limits by 50 feet, west of Dacy Lane (excluding Hillside Terrace Subdivision) and Park 35 South Sections 1-3, and south of the Double R Subdivision (Windmill Way) and south of the north property line of Lot 1 of Park 35 South Section 1 (including the Interstate Highway 35 right-of-way, to be more particularly described by metes and bounds as the property is annexed, and illustrated by the map attached as Exhibit 'A'; and

WHEREAS, the City finds that the areas to be considered for annexation are exempt from the requirements of a municipal annexation plan; and

WHEREAS, it is necessary that the City's Planning Department prepare a service plan that provides for the extension of full services to the areas proposed for annexation in accordance with Tex. Loc. Gov't. Code §43.065; and

WHEREAS, the City finds that this Resolution was adopted at a meeting of the Buda City Council that was held in strict compliance with the Texas Open Meetings Act at which a quorum of the City Council Members were present and voting;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Buda, Texas that:

Section 1. On Tuesday, April 2, 2013 and on **<TBD between 4/3/13 and 4/9/13>**, at 7:00 o'clock p.m., in City Hall of the City of Buda the City Council of the City of Buda will hold Public Hearings giving all interested persons the right to appear and be heard on the proposed annexations by the City of Buda of the properties described in Exhibit A.

Section 2. The City Secretary of the City of Buda is hereby authorized and directed to cause notice of such Public Hearings to be published once in a newspaper having general circulation in the City of Buda not more than twenty (20) days, nor less than ten (10) days, prior to the date of such Public Hearings, in accordance with Texas Local Government Code 43.063(c), as amended.

Section 3. The City Manager or his/her designee shall prepare a service plan providing for the extension of full municipal services to the areas described herein and illustrated on Exhibit "A" attached hereto. The service plan shall be prepared in compliance with Tex. Loc. Gov't. Code §43.065.

Section 4. The City Manager or his/her designee shall prepare and offer a development agreement to properties within the proposed annexation area illustrated on Exhibit "A" attached hereto appraised for ad valorem tax purposes as land for agricultural or wildlife management use, guaranteeing the continuation of the extraterritorial status of the property in compliance with Tex. Loc. Gov't. Code §43.035.

Section 5. The City Manager or his/her designee shall cause to be prepared any necessary survey instruments to describe the proposed annexation area illustrated on Exhibit "A" attached hereto.

Section 6. Should any portion or part of this Resolution be held for any reason invalid or unenforceable by a court of competent jurisdiction, the same shall not be construed to affect any other valid portion hereof, but all valid portions hereof shall remain in full force and effect.

DULY PASSED and APPROVED, on the 19th day of February, 2013.

CITY OF BUDA, TEXAS

Todd Ruge, Mayor

ATTEST:

Danny Batts II, City Secretary

EXHIBIT "A"