

RESOLUTION NO. R-2024-75

DIRECTING THE PREPARATION OF MUNICIPAL SERVICE PLANS RELATED TO AREAS PROPOSED FOR ANNEXATION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, DIRECTING STAFF TO PREPARE SERVICE PLANS FOR PROVIDING EXTENSION OF FULL MUNICIPAL SERVICES TO CERTAIN PROPERTY AND RIGHT-OF-WAY, AS ATTACHED IN EXHIBIT A, WHICH ARE AREAS PROPOSED FOR CONSIDERATION FOR ANNEXATION AT A FUTURE DATE; PROVIDING FOR SEVERABILITY AND A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City of Bastrop (“City”) has general authority to adopt an ordinance, resolution, or police regulation that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City has authority to annex certain property, including right-of-way, under the circumstances and following the procedures set forth in Texas Local Government Code Chapter 43, including the preparation by City staff of proposed service plans that provide for the extension of full municipal services to the areas proposed for consideration to be annexed at a future date; and

WHEREAS, the City is considering proposing the annexation of the following property and right-of-way areas, as more specifically described in Exhibit A, attached hereto and incorporated herein:

- The property identified as Bastrop County Appraisal District Parcel R30094 being 10.559 acres of land out of the Nancy Blakey Survey Abstract No.A98, located north of SH 71 W and west of FM 969, for which the City has received a voluntary request from the owner for annexation;
- Approximately 1,893 feet of FM 969 right-of-way located north of SH 71 W and south of Capps Lane;
- Approximately 10,145 feet of SH 304 right-of-way located south of SH 71 W and north of Lower Red Rock Road/Trigg Road;

- Approximately 1,942 feet of FM 20 right-of-way located south of SH 71 W and north of Shiloh Road; and

WHEREAS, the City Council finds that the preparation of the service plans for the property and right-of-way areas proposed for annexation is in the City's interest in order that the City may consider the proposed annexations at a future date.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, THAT:

Section 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Bastrop, Texas, and are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Section 2. The City Council directs the City Manager and appropriate City staff to prepare service plans consistent with Chapter 43, Texas Local Government Code, that provide for the extension of full municipal services to the areas proposed to be annexed, being the property and right-of-way areas as more particularly described in Exhibit A, attached here to and incorporated herein by reference.

Section 3. Repealer: To the extent reasonably possible, resolutions are to be read together in harmony. However, all resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters regulated.

Section 4. Severability: Should any of the clauses, sentences, paragraphs, sections, or parts of this Resolution be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Resolution.

Section 5. Effective Date: This Resolution shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, its Code of Ordinances, and the laws of the State of Texas.

Section 6. Proper Notice & Meeting: It is hereby officially found and determined that the meeting at which this Resolution 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.

DULY RESOLVED & ADOPTED by the City Council of the City of Bastrop, Texas, on this, the 25th day of June, 2024.

APPROVED:

Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney