

RESOLUTION NO. 2023-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, REQUESTING THE RELEASE OF A PORTION OF THE EXTRATERITORIAL JURISDICTION OF THE CITY OF AUSTIN, TEXAS TO THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF MANOR, TEXAS; AND AUTHORIZING THE RELEASE OF A PORTION OF THE EXTRATERITORIAL JURISDICTION OF THE CITY OF MANOR, TEXAS TO THE EXTRATERITORIAL JURISDICTION OF THE CITY OF AUSTIN, TEXAS.

WHEREAS, the Cities of Austin, Texas and Manor, Texas are located within Travis County Texas and are adjacent or otherwise share certain common boundaries of extraterritorial jurisdiction and corporate limits; and

WHEREAS, a tract of land consisting of approximately 147.935 acres is located within the extraterritorial jurisdictions of both the City of Austin, Texas and the City of Manor, Texas as more particularly depicted and described on Exhibit “A” attached hereto (the “**Property**”); and

WHEREAS, the owner of the Property desires to have the portion of the Property consisting of approximately 83.801 acres more particularly described on Exhibit “A” attached hereto (the “**Austin ETJ Tract**”) be released from the City of Austin, Texas’ extraterritorial jurisdiction and become a part of the extraterritorial jurisdiction of the City of Manor, Texas (the “**City**”) in order to develop the Property as a whole under the rules and regulations of the City; and

WHEREAS, the owner of the Property desires to have the portion of the Property consisting of approximately 64.134 acres more particularly described on Exhibit “A” attached hereto (the “**Manor ETJ Tract**”) be released from the City of Austin, Texas’ extraterritorial jurisdiction and become a part of the extraterritorial jurisdiction of the City of Austin, Texas (the “**COA**”) in order to develop the Property as a whole under the rules and regulations of the COA; and

WHEREAS, a release of Austin ETJ Tract from the COA and a release of the Manor ETJ Tract from the City are necessary in order to develop the Property; and

WHEREAS, the City Council of the City of Manor, Texas (the “**City Council**”) has determined that it is in the best interest of the City to have an orderly development of the Property by requesting the release of the Austin ETJ Tract from the COA; authorizing the release of the Manor ETJ tract; adjust the extraterritorial jurisdiction of the City so that the Austin ETJ Tract becomes a part of the extraterritorial jurisdiction of the City; and adjust the extraterritorial jurisdiction of the City so that the Manor ETJ Tract becomes a part of the extraterritorial jurisdiction of the COA.

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

SECTION 1. The City Council hereby approves the recitals contained in the preamble of this Resolution and finds that all the recitals are true and correct and incorporate the same in the body of this Resolution as findings of fact.

SECTION 2. The City Council hereby directs the City Manager of the City to request the release of the Austin ETJ Tract from the City of Austin, Texas and adjust the extraterritorial jurisdiction of the City so that the Austin ETJ Tract becomes a part of the extraterritorial jurisdiction and corporate limits of the City of Manor, Texas.

SECTION 3. The City Council hereby further directs the City Manager of the City to release the Manor ETJ Tract from the City of Manor, Texas and adjust the extraterritorial jurisdiction of the City so that the Manor ETJ Tract becomes a part of the extraterritorial jurisdiction and corporate limits of the City of Austin, Texas.

SECTION 4. If any section, article, paragraph, sentence, clause, phrase or word in this resolution or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this resolution; and the City Council hereby declares it would have passed such remaining portions of the resolution despite such invalidity, which remaining portions shall remain in full force and effect.

PASSED AND ADOPTED by the City Council of Manor, Texas, at a regular meeting on the 20th day of December 2023, at which a quorum was present, and for which due notice was given pursuant to Government Code, Chapter 551.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey, Mayor

ATTEST:

Lluvia T. Almaraz, City Secretary
City of Manor, Texas

Exhibit "A"

[see attached]