

INTERLOCAL AGREEMENT

STATE OF TEXAS §

COUNTY OF ERATH §

This INTERLOCAL AGREEMENT (“Agreement”) is entered into in accordance with the provisions of the Interlocal Cooperation Act, Chapter 791, Texas Government Code, and Section 242.001, Texas Local Government Code, by and between the City of Stephenville, Texas (“Stephenville”), a political subdivision of the State of Texas and County of Erath, Texas (“Erath County”), also a political subdivision of the State of Texas.

WHEREAS, the Interlocal Cooperation Act allows local governments to contract with one another to perform governmental functions such as platting and approval of related permits; and

WHEREAS, Stephenville and Erath County mutually desire to be subject to the provisions of the Texas Government Code, Chapter 791, the Interlocal Cooperation Act, specifically 791.011 regarding contracts to perform governmental functions and services; and

WHEREAS, Section 242.001, Texas Local Government Code, requires Stephenville and Erath County to enter into a written agreement that identifies the governmental entity authorized to regulate subdivision plats and approve related permits in the extraterritorial jurisdictions (“ETJ”) of Stephenville; and

NOW, THEREFORE, Stephenville and Erath County for the mutual consideration stated herein agree and understand as follows:

Erath County Granted Exclusive Jurisdiction. Erath County shall be granted exclusive jurisdiction to regulate all subdivision plats and approve all related permits in Stephenville’s ETJ, and may regulate subdivisions under Subchapter A of Chapter 232 of the Texas Local Government Code and other statutes applicable to municipalities, and Stephenville shall no longer exercise any of these functions in Stephenville’s ETJ.

ETJ Expansion or Reduction. Should Stephenville expand or reduce its ETJ, Stephenville shall promptly notify Erath County of such expansion or reduction so that this Agreement may be amended to take into account the expansion or reduction in Stephenville’s ETJ. In the event that Stephenville’s ETJ should expand or reduce such that the expansion or reduction of the ETJ necessitates the amendment of this Agreement, both Stephenville and Erath County agree that Erath County shall continue to be granted exclusive jurisdiction to regulate subdivision plats and approve related permits in its ETJ (subject to the terms and conditions found above), and to regulate subdivisions under Subchapter A of Chapter 232 of the Texas Local Government Code and other statutes applicable to counties, until this Agreement is amended to take into account such ETJ expansion or reduction.

Miscellaneous Items:

- a. This Agreement expresses the entire agreement between the parties hereto regarding the subject matter contained herein and may not be modified or amended except by written agreement duly executed by both parties
- b. This Agreement has been duly and properly approved by each party's governing body and constitutes a binding obligation on each party.
- c. This Agreement shall be construed in accordance with the laws of the State of Texas, and venue for all purposes hereunder shall be in Erath County, Texas.
- d. If any provision hereof is determined by any court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be fully severable herefrom, and this Agreement shall be construed and enforced as if such invalid, illegal or unenforceable provision never comprised a part hereof; and the remaining provisions shall continue in full force and effect.
- e. The Agreement is not intended to extend the liability of the parties beyond that provided by law. Neither Stephenville nor Erath County waives any immunity or defense that would otherwise be available to it against claims by third parties.
- f. This Agreement may be jointly reviewed and updated at the written request of either Stephenville or Erath County to ensure an updated perpetual agreement.
- g. This Agreement supersedes all prior Agreements concerning the subject matter of this Interlocal Agreement.

This Agreement shall be effective on the ____ day of _____.

APPROVED BY THE CITY COUNCIL OF THE CITY OF STEPHENVILLE, TEXAS, in its meeting held on the ____ day of _____, and executed by its authorized representative.

CITY OF STEPHENVILLE, TEXAS

Doug Svien, Mayor

ATTEST:


Terri Johnson, Interim City Secretary

APPROVED BY THE COMMISSIONERS' COURT FOR ERATH COUNTY, TEXAS, in its meeting held on the 25th day of May, 2022, and executed by its authorized representative.

ERATH COUNTY

BY: 
Alfonso Campos, County Judge

ATTEST:


Gwinda Jones, Erath County Clerk