

## **RESOLUTION NO. 2066**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS, RELEASING CERTAIN LAND AREAS GRANTED HB 347 GRANDFATHERED STATUS FOR ANNEXATION UNDER RESOLUTION NOS. 927 AND 928 AND FURTHER DIRECTING THE CITY MANAGER TO PREPARE AND PUBLISH MAPS OF AREAS REMAINING ELIGIBLE FOR ANNEXATION UNDER RESOLUTION NOS. 927 AND 928; AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, the City of Terrell, in accordance with the goals of the Long Range Transportation Plan of the Comprehensive Plan adopted on January 2, 2018, adopted Resolution Nos. 927 and 928 in 2019 directing the City Manager to initiate work tasks for certain areas related to annexation; and

**WHEREAS**, the City Council continues in its goal to utilize annexation as a tool to manage growth and improve crime prevention given Terrell's prominent position in one of the fastest growing counties in the United States; and

**WHEREAS**, such efforts included Public Hearings and City Council meetings related to annexations in 2019 and 2023 which resulted in a series of annexations being approved by City Council on April 18, 2023; and

**WHEREAS**, the City Council now wishes to identify areas for which the City Manager shall be directed to cease any work related to future annexations of property authorized under Resolutions Nos. 927 and 928 and further wishes to irrevocably release any "Grandfathering" status of such property; and

**WHEREAS**, the City Council intends that the descriptions below identify the road names, access points, geographic references, governmental entity boundaries and parcels as they exist on the date of the passage of this Resolution; and

**WHEREAS**, the result of such action shall be that areas listed in this Resolution shall be subject to Annexation State Law as may be in place on the date any City Council institutes annexation proceedings in the future; and

**WHEREAS**, nothing in this Resolution shall be interpreted as a restriction on any future voluntary annexation or on the institution of annexation proceedings under State Law regarding annexation as it may exist in the future; and

**WHEREAS**, nothing in this Resolution shall be interpreted as the City's consent to allow the formation of a Municipal Service District, to allow the incorporation of a separate city, or to allow the creation of any special district or political subdivision in the land area identified herein; and

**WHEREAS**, the City Council wishes to clearly direct the City Manager that any areas not identified herein, but which are included in Resolution Nos. 927 and 928, shall be areas for which the City Manager shall continue work as described in Resolution Nos. 927 and 928; and that proceedings pertaining to each of the remaining areas, or any portion thereof, shall be considered separate proceedings, the inaction on which, or a finding of inconsistency with State Law by a court of competent jurisdiction, shall not invalidate the other provisions of this Resolution or proceedings.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS:**

**Section 1: 2023 Annexation-Related:** That the City Council irrevocably releases any land area granted HB 347 Grandfathered status and directs the City Manager to end any annexation work under Resolution Nos. 927 and 928 for the following land areas which were considered for annexation at the March 20, 2023, Public Hearings:

- 1a) All of Area 2023-F as presented on March 20, 2023, as well as any other parcel with frontage on CR 308, including areas north of CR 308 that are east of Area 2023-F and south of US 80;
- 1b) Any parcel in Area 2023-G as presented on March 20, 2023, with frontage on CR 136-A and which was not subject to Ordinance No. 2969 on April 18, 2023, as well as any additional parcels on CR 316-A; and
- 1c) Any parcel in Area 2023-N, as presented on March 20, 2023, which was not subject to Ordinance No. 2975 approved on April 18, 2023.

**Section 2: Eastern Sector:** That the City Council irrevocably releases any land area granted HB 347 Grandfathered status and directs the City Manager to end any annexation work under Resolution Nos. 927 and 928 for the following land areas:

- 2a) Any parcel with roadway frontage on CR 356 or CR 355;
- 2b) Any parcel with roadway frontage exclusively on CR 353 which is greater than 550 feet from FM 429;
- 2c) Any parcel accessed exclusively off CR 354 that is greater than 1.8 miles in a straight line from the UPRR bridge over US 80;
- 2d) All parcels north of US 80, east of the easternmost edge of New City of Terrell Lake land and flood easements, which are not owned by the City of Terrell and which are located in the Wills Point Independent School District; and
- 2e) All parcels south of US 80 which are in the Wills Point Independent School District.

**Section 3: Northern Sector:** That the City Council irrevocably releases any land area granted HB 347 Grandfathered status and directs the City Manager to end any annexation work under Resolution Nos. 927 and 928 for the following land areas:

- 3a) Any land area located within the corporate limits or the ETJ of the Town of Poetry, including areas that are between the Town of Poetry ETJ and the eastern boundary of Rockwall County;
- 3b) Any parcel with roadway frontage exclusively on Long Spur Lane, Goss Lane, Saddle Ridge Circle, Weatherby Road, Cutter Road, Nike Drive, Armstrong Road, High Point Road, Quail Court, 1392 Easement Cul De Sac, CR 237B, CR 239A, Elm Drive, Maple Street, or Chestnut Circle;
- 3c) Any parcel with roadway frontage exclusively on the southeast side of Quail Lane greater than 550 feet west of the right of way line of FM 598 and greater than 550 feet east of the right of way line of FM 1392;
- 3d) Any parcel with roadway frontage exclusively on CR 236 greater than 550 feet west of the west right of way line of FM 598 and greater than 550 feet east of the right of way line of FM 1392;
- 3e) Any parcel with roadway frontage exclusively on CR 234 west of SH 205 and greater than 550 feet from the right-of-way line of FM 598; and
- 3f) Any parcel accessed exclusively off CR 237 greater than 2,000 feet north of CR 237A and greater than 550 feet south of FM1392.

**Section 4: Southern Sector:** That the City Council irrevocably releases any land area granted HB347 Grandfathering status and directs the City Manager to end any annexation work under Resolution Nos. 927 and 928 for the following land areas:

- 4a) Any land area located within the Kaufman Independent School District, including any land within 1.3 miles of the intersection of FM 987 and FM 148 which has an existing platted subdivision with County Roads accessing multiple existing residences;
- 4b) Any land area that is both farther than 1.5 miles from the Interstate Highway 20 right-of-way and to the southeast of FM 2578; and
- 4c) Any parcel with roadway frontage exclusively on Country Meadows Drive, CR 136B, CR 164, Anglin Way, Bradeen Drive, Wright Street or Crow Lane.

**Section 5:** That the City Council directs the City Manager to continue both the creation of service plans and annexation procedures for other subsections of Resolution Nos. 927 and 928, beginning with the publication of maps, no later than September 30, 2023, identifying such remaining areas subject to annexation under HB347 Grandfathering status.

**Section 6.** That this Resolution shall go into effect immediately upon its approval.

**PASSED AND APPROVED** by the City Council of the City of Terrell, Texas on this the 25th day of April, 2023.



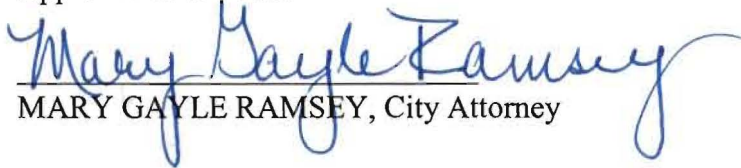
E. RICK CARMONA, Mayor

Attest:



DAWN STEIL, City Secretary

Approved as to Form:



MARY GAYLE RAMSEY, City Attorney

