

CITY OF TERRELL, TEXAS

SERVICE PLAN FOR ANNEXED AREA 2023-L

RESOLUTION NO. _____ (Brushy Creek Annexation)

ACREAGE PROPOSED TO BE ANNEXED: Approximately +/- 79.930 acres.

PROPERTY LEGAL DESCRIPTION:

Being approximately 79.930 acres of land in the J. H. Randle Survey, A-442, Kaufman County, Texas.

Properties along the southern dead end of CR 239.

Municipal Services to the acreage described above shall be furnished by or on behalf of the City of Terrell, Texas (the “City”) at the following levels and in accordance with the following schedule:

A. GENERAL DESCRIPTION OF ANNEXATION AREA.

The City Council of Terrell, Texas directed creation of a series of service plans through its Resolution #927, dated April 16, 2019, and more specifically through its subsequent Resolution #928, dated May 2, 2019, in which this Area 2023-L was included within Subarea 2019-11 (c).

The annexation area is currently developed with approximately one residential structure, with a portion of the land in agricultural uses. Roadways and streets are currently under State and/or County controlled rights-of-way. Water is currently supplied by the High Point Water Supply Corporation, though no jurisdiction has a Certificate of Convenience and Necessity (CCN).

Sanitary sewer services are provided solely by on-site septic systems.

B. POLICE PROTECTION.

1. The Kaufman County Sheriff's Department currently provides police protection within the annexation area. Police personnel and equipment from the Terrell Police Department shall be provided to the area annexed on the effective date of the annexation. Services will be provided from 1100 N. State Highway 34 at a level consistent with current methods and procedures presently provided to similar areas within the corporate limits

of the City. The level of police protection provided by the Terrell Police Department will not be less than the level of services provided within the area prior to annexation.

2. As development commences in these areas, sufficient police protection, including personnel and equipment, will be provided to furnish this area with the level of police protection provided to other areas within the corporate limits of the City with similar characteristics of topography, land use and population density.
3. Upon ultimate development, police protection will be provided at a level consistent with other similarly situated areas within the City limits.

C. FIRE PROTECTION/EMERGENCY MEDICAL SERVICES.

1. Fire Protection and Emergency Medical Services (EMS) currently are provided by EMS District #3 and by Mutual Aid Agreement with the Terrell Volunteer Fire Department. The City of Terrell Fire Department shall provide such services to the area annexed at a level consistent with current methods and procedures presently provided to areas with similar population density, land use and topography within the corporate limits of the City on the effective date of annexation. The level of fire protection and EMS provided by the Terrell Fire Department will not be less than the level of services provided within the area prior to annexation.
2. As development commences in these areas, sufficient fire protection and EMS, including personnel and equipment, will be provided to furnish this area with the level of fire protection and EMS provided to other areas within the corporate limits of the City with similar characteristics of topography, land use and population density. It is anticipated that fire stations planned, and in conjunction with and in accordance with joint provisions of mutual aid agreements to serve areas currently within the City, will be sufficient to serve areas now being considered for annexation.
3. Upon ultimate development, fire protection and EMS will be provided at a level consistent with other similarly situated areas within the City limits.

D. FIRE PREVENTION.

The services of the City of Terrell Fire Marshal shall be provided to the area on the effective date of annexation.

E. SOLID WASTE COLLECTION.

1. During the first two years after annexation, the City of Terrell shall not prohibit the collection of solid waste in the area by a privately owned solid waste management service provider; or impose a fee for solid waste management services on a person who continues to use the services of a solid waste management service provider, provided the property owner has a valid contract with the private waste management company.
2. Solid waste collection shall be provided to the area annexed on the effective date of this ordinance. The collection of refuse from individual properties shall be made in accordance with the usual City of Terrell solid waste contract.
3. As development commences in these areas, sufficient solid waste collection will be provided to furnish the level of services to other areas within the City limits with similar characteristics of topography, land use and population density.
4. Upon ultimate development, solid waste collection will be provided at a level consistent with other similarly situated areas within the City limits.

F. WATER SERVICE.

1. There is no existing water service provided to the area; no jurisdiction has a Certificate of Convenience and Necessity (CCN). Any existing water connections shall remain in effect until such time the City takes action to provide these services in accordance with City policies and ordinances, any Memoranda of Agreement in effect, and State Law. Upon connection to existing City mains, treated water will be provided at uniform rates established by City Ordinance.
2. The City does not provide extension of water mains at its own expense to areas within the City. As development commences within the annexed area, water mains will be extended in accordance with the provisions of the Subdivision Ordinance and/or other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City Ordinances and Regulations. Capacity shall be provided to furnish the level of services to other areas within the City limits with similar characteristics of topography, land use and population density.
3. Because of the current level of development within the annexed area and anticipated future land uses, it is estimated that such water facilities shall not be needed within the annexed area until sufficient development occurs to warrant the demand for additional capacity.
4. There are currently no City water mains in the annexed area to be maintained.

5. Operation and maintenance of water facilities in the annexed area that are currently within the service area of another water utility will be the responsibility of that utility unless an agreement exists between the City and the other water utility.

G. SANITARY SEWER SERVICE.

1. Currently, wastewater service in the annexed area is provided through private on-site sewage facilities (septic systems). Comparable wastewater services are provided within the City limits to other properties with similar population density, land use and topography. Upon connection to existing mains, sanitary sewer collection will be provided at uniform rates established by City Ordinances.
2. The City does not provide extension of wastewater mains at its own expense to areas within the City. As development commences in these areas, wastewater mains will be extended in accordance with the provisions of the Subdivision Ordinance and/or other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City Ordinances and Regulations. Capacity shall be provided to furnish the level of services to other areas within the City limits with similar characteristics of topography, land use and population density.
3. Because of the current level of development within the annexed area and anticipated future land uses, it is estimated that such wastewater facilities shall not be needed within the annexed area until sufficient development occurs to warrant the demand for additional capacity.
4. There are currently no City wastewater mains in the annexed area to be maintained.
5. Operation and maintenance of private on-site sewage facilities (septic systems) in the annexed area will be the responsibility of the owner.

H. STREETS.

1. Private drives shall remain private and shall not be designated as a public street unless the City adopts the street by ordinance. No portion of any County Road right-of-way in this area is to be annexed.
2. Routine operation and maintenance of existing public roads and streets, including road and street lighting, within the annexed area will be provided on the effective date of annexation, according to schedule, as part of the City's annual street maintenance

program in accordance with the then current policies and procedures defined by ordinance for other areas of the City with similar population density, land use, and topography.

3. The City does not provide construction of roads serving new development at its own expense. It is not expected that new arterials are needed within the area until sufficient development occurs to warrant the demand for additional capacity. As development commences in these areas, the City shall require that all publicly dedicated streets and access ways be constructed to current City of Terrell standards. The City Subdivision Regulations and ordinances defining City participation, maintenance and acceptance upon completion shall apply.

I. PARKS AND RECREATION.

1. Residents within the areas annexed may utilize all existing park and recreation facilities on the effective date of annexation. Fees for such usage shall be in accordance with the current fees for other City residents as established by ordinance.
2. As development commences in these areas, additional park and recreation facilities shall be constructed based on available funds and the adopted Park development policies defined in the Parks and Recreation Master Plan. The general planned locations and classifications of parks will ultimately serve residents from the current City limits and residents from the annexed area.

J. ENVIRONMENTAL HEALTH AND CODE ENFORCEMENT SERVICES.

1. Enforcement of current environmental health ordinances and regulations, including but not limited to, weed and brush ordinances, junked and abandoned vehicles ordinances and animal control ordinances, shall begin within this area within sixty (60) days of the effective date of the annexation.
2. Inspection services, including but not limited to, the review of building plans, the issuance of permits and the inspection of all buildings, plumbing, mechanical, and electrical work to ensure compliance with City Codes and Ordinances will be provided within sixty (60) days of the effective date of annexation.
3. As development commences in this area, the City shall provide the level of Environmental Health and Code Enforcement Services as are furnished in other similarly situated areas throughout the City.

K. ZONING AND FUTURE LAND USES.

1. Permanent zoning classifications and land uses within the annexed area shall be in accordance with the Terrell Comprehensive Plan, Future Land Use Map, and Zoning Ordinance as adopted or amended, and State Law.

L. MISCELLANEOUS.

1. There are no publicly owned facilities, buildings or services located within the annexed area. The City shall maintain future City-owned facilities in accordance with standard policies and practices.
2. The provisions of this service plan will commence upon the effective date of an approved and adopted ordinance annexing this territory into the corporate limits of the City of Terrell.

