

RESOLUTION NO. 99-26

A RESOLUTION ADOPTING AN ANNEXATION PLAN FOR THE CITY OF
KILGORE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the 76th Texas Legislature in 1999 adopted Senate Bill 89, extensively amending the Texas Annexation Act, Chapter 43 of the Texas Local Government Code; and

WHEREAS, Section 17(b) of Senate Bill 89 requires that each city adopt an Annexation Plan on or before December 31, 1999, that includes territory the city plans to annex three years from the date the territory is placed in the Plan in accordance with Section 43.052 of the Texas Local Government Code; and

WHEREAS, there are a number of exceptions that authorize annexation of territory without the territory having been placed in an Annexation Plan, and for the foreseeable future, annexations of territory contemplated by the city will fit into one of these exceptions:

- a. The area contains fewer than one hundred (100) separate tracts of land on which one or more residential dwellings are located on each tract;
- b. The area will be annexed by petition of more than fifty percent (50%) of the real property owners within the proposed area or by vote or petition of the voters or real property owners, as provided in Subchapter B of Chapter 43 of the Texas Local Government Code;
- c. The area is or was the subject of an industrial district contract (Texas Government Code 42.044) or a strategic partnership agreement (Texas Local Government Code 43.0751);
- d. The area is defined as a colonia (Texas Government Code 2306.581);
- e. The area is annexed under the Texas Local Government Code 43.026, 43.027, 43.029, or 43.031;
- f. The area is located inside a closed military installation; or
- g. The city determines that the annexation is required to protect the city or the area from imminent destruction of property or injury to persons or from a condition or use which constitutes a public or private nuisance;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KILGORE:

SECTION 1. For the purposes of Section 17(b) of Senate Bill 89, adopted by the 76th Texas Legislature in 1999, and Section 43.052 of the Texas Local Government Code, the City Commission adopts the following Annexation Plan:


CITY OF KILGORE
ANNEXATION PLAN

The City Commission has reviewed the future expansion needs of the city and the prospects of development within the city's extraterritorial jurisdiction. After studying the effects of amendments to the Texas Annexation Act enacted by Senate Bill 89 by the 76th Texas Legislature in 1999, the City Commission has determined that at this time the city does not intend to annex any territory which in order to be annexed is required to be in an Annexation Plan.

The City Commission reserves the right to amend this Annexation Plan in the future to add territory for annexation should circumstances change.

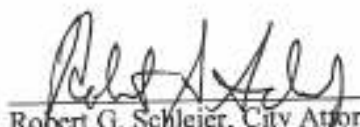
SECTION 2. This resolution shall take effect from and after its passage, and it is accordingly so resolved.

PASSED THIS THE 16 th DAY OF December, 1999.


JOE PARKER, MAYOR

ATTEST:


KAREN CUSTER, CITY CLERK


Robert G. Schleier, City Attorney
Approved as to Form