

**RESOLUTION NO. 24-R-131**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS ACCEPTING A PETITION FOR VOLUNTARY ANNEXATION WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SCHERTZ**

**WHEREAS**, a petition for annexation of approximately 3.014-acres, known as a portion of Comal County Property Identification Numbers 79004 and more specifically described in the Exhibit A attached herein (herein, the “Property”) has been filed with the City in accordance with ; and

**WHEREAS**, in 2010 and 2011 the City of Schertz offered Development Agreements to property owners for a period of 10 years at which time the agreement was set to expire with groups expiring in July 2020, November 2020, April 2021 and August 2021; and

**WHEREAS**, in 2020 and 2021 the City of Schertz offered Development Agreement Extensions to the property owners with existing Development Agreements in order to delay the annexation of their properties for a term not to exceed January 1, 2024 with the City concluding all annexation proceedings commenced under these Development Agreement Extensions before December 31, 2024; and

**WHEREAS**, The City of Schertz City Council approved Resolution 24-R-81 on July 16, 2024 authorizing a Development Agreement with the Property Owner of Comal County Property Identification Number 79004 agreeing to the annexation or agricultural land; and

**WHEREAS**, per the Development Agreement and Development Agreement Extensions the City of Schertz is proceeding forward with Annexation per the terms of the agreements; and

**WHEREAS**, Texas Local Government Code Section 43.0671 authorizes the City of Schertz to extend its City Limit boundaries through the voluntary annexation of area adjacent to those boundaries upon petition of a landowner; and

**WHEREAS**, the City Staff has recommended that the petition for annexation be accepted; and

**WHEREAS**, upon accepting the petition for voluntary annexation of the subject properties, the City may annex the properties by adoption of an ordinance.

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

Section 1. The City Council hereby accepts the Petition for Voluntary Annexation.

Section 2. The City Council shall act upon the Petition for Voluntary Annexation and annex the subject properties by ordinance at a future meeting of the City Council at such time the City Council deems to be in the best interest of the City.

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 4. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 8. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this \_\_\_\_ day of \_\_\_\_\_, 2024.

CITY OF SCHERTZ, TEXAS

\_\_\_\_\_  
Ralph Gutierrez, Mayor

ATTEST:

\_\_\_\_\_  
Sheila Edmondson, City Secretary

Exhibit "A"  
The Property

# Exhibit "A" The Property

