

Resolution No. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE NON-ANNEXATION DEVELOPMENT AGREEMENTS WITH ELIGIBLE OWNERS OF LAND APPRAISED FOR AD VALOREM TAX PURPOSES AS LAND FOR AGRICULTURAL USE UNDER CHAPTER 23, TAX CODE.

WHEREAS, certain parcels are eligible to be the subject of a development agreement under Subchapter G, Chapter 212; and

WHEREAS, certain parcels, as shown on **Exhibit “A”**, in the Pflugerville extraterritorial jurisdiction (ETJ) are appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Tax Code, or as timber land under Subchapter E of that chapter; and

WHEREAS, a municipality may not annex an area to which this section applies unless the municipality offers to make a development agreement with the landowner under Section 212.172 that would:

- (A) Guarantee the continuation of the extraterritorial status of the area; and
- (B) Authorize the enforcement of all regulations and planning authority of the municipality that do not interfere with the use of the area for agriculture, wildlife management, or timber; and, the landowner declines to make the agreement.

WHEREAS, the City Council hereby expresses the intent to annex such properties, shown on **Exhibit “A”**, upon denial of request for a non-annexation development agreement, subject to Section 43.035 of the Texas Local Government Code (TLGC).

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

1. The City Manager is authorized to execute non-annexation development agreements, in substantially similar form as **Exhibit “B”**, on behalf of the City, with eligible and consenting property owners whose property is appraised for ad valorem tax purposes as land for agricultural use, wildlife management, or timber, as shown in **Exhibit “A”**.
2. The City Council hereby expresses the intent to annex such properties, shown on **Exhibit “A”**, subject to Section 43.035 of the Texas Local Government Code (TLGC), where the property owners have not consented to the terms of the Non-annexation Development Agreement, in substantially similar form as **Exhibit “B”**.

APPROVED this 12th day of January 2016.

Jeff Coleman, Mayor

Approved as to form:

George Hyde, City Attorney

Attest:

Karen Thompson, City Secretary

EXHIBIT “A”

MAP OF ELIGIBLE PROPERTIES

EXHIBIT “B”
CITY OF PFLUGERVILLE NON-ANNEXATION DEVELOPMENT
AGREEMENT