

**RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS INITIATING
ANNEXATION PROCEDURES**

WHEREAS, the City Council finds it necessary to initiate annexation proceedings for the properties owned by Cactus Commercial South, LP more specifically described in Exhibit A (the "Property"), which is attached hereto and incorporated herein for all purposes; and

WHEREAS, a substantial portion of the Property was previously subject to a development agreement entered into under Texas Local Government Code § 212.172, but was released from the agreement with consent to annexation under a subsequent agreement between the City of Pflugerville and the landowner; and

WHEREAS, the remainder of the Property is classified for ad valorem purposes as land for agricultural use subject to the provisions of Texas Local Government Code § 43.035 requiring the municipality to offer a non-annexation development agreement in accordance with the same, which agreement was subsequently refused by the landowner of said portion of the Property, thereby satisfying the provisions for purposes of annexation; and

WHEREAS, the City Council finds now that the entire Property is eligible for annexation by the City of Pflugerville pursuant to the City's Charter and Chapter 43 of the Texas Local Government Code; and

WHEREAS, the City Council finds the Property is contiguous to the City Limits and does not require petition or a three-year annexation plan; and

WHEREAS, the City Council finds that proceeding with annexation of the Property would, for manifest reasons, promote the health, safety, and welfare of the citizens of the City of Pflugerville.

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

That City staff is hereby directed to publish notice of two public hearings, prepare an annexation ordinance and a service plan in accordance with Chapter 43 of the Texas Local Government Code for annexation of the Property indicated on the attached Exhibit A; and

That the proposed schedule of annexation, attached as Exhibit B, establishes the dates for said public hearings as February 14, 2017 and February 28, 2017.

APPROVED this 10th day of January 2017.

CITY OF PFLUGERVILLE, TEXAS

By: _____
VICTOR GONZALES, Mayor

ATTEST:

KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

GEORGE HYDE, City Attorney
DENTON NAVARRO ROCHA BERNAL HYDE & ZECH, PC