

RESOLUTION NO. 71-1999

A RESOLUTION OF THE CITY COUNCIL OF BIG SPRING, TEXAS, ADOPTING AN ANNEXATION PLAN AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS DISCUSSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW AND DECLARING AN EMERGENCY

WHEREAS, the power to annex is vital to a municipality's ability to regulate growth and ensure the health, safety, and welfare of its citizens; and

WHEREAS, Senate Bill 89, adopted by the 76<sup>th</sup> Texas Legislature, requires that all municipalities adopt an annexation plan by December 31, 1999 that contains any area that the municipality plans to annex within the next three years; and

WHEREAS, areas meeting certain requirements are exempt from inclusion in the annexation plan including:

- (a) an area that contains less than 100 tracts of land on which one or more residential dwellings are located on each tract,
- (b) an area in which 50% or more of the landowners vote to be annexed,
- (c) an area in which the municipality has received a petition from the voters or landowners for annexation
- (d) an area that is or was the subject of an industrial district contract or a strategic partnership agreement,
- (e) an area that is located in a colonia,
- (f) an area that is annexed under §43.026, §43.027, § 43.029, or §43.031,
- (g) an area that is located inside a closed military installation,
- (h) an area that the municipality determines is necessary to annex in order to protect the area or the municipality from the imminent destruction of property or injury to persons; or a condition that constitutes a public or private nuisance as defined by background principles of nuisance and property laws of this state; and

WHEREAS, the City of Big Spring does not intend to annex any area required to be included in an annexation plan;

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

1. That the following is adopted as the annexation plan for the City of Big Spring:

The City of Big Spring does not intend to annex any area required to be included in an annexation plan meaning that any areas annexed will qualify under the exemptions granted by the State law and, therefore, the City is not required to include any inventory of services or other information in this plan.

2. That a copy of this plan will be posted on the City's Internet website as required by the State law.
3. That the meeting at which this Resolution was discussed was open to the public as required by law.
4. That it further be stated that the passage of this Resolution constitutes an emergency and an imperative necessity that the Charter Rule requiring that City Resolutions be read at two (2) separate meetings of the City Council be suspended, and said rule is hereby suspended, and this Resolution shall take effect immediately upon its passage.

Passed and approved PASSED AND APPROVED by a unanimous vote of all members of the City Council present his 14<sup>th</sup> day of December, 1999.

ATTEST:

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Tim Blackshear, Mayor  
City of Big Spring

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Tom Ferguson, City Secretary  
City of Big Spring