

**RESOLUTION NO. 2019-910**

**A RESOLUTION OF THE CITY OF ARANSAS PASS, TEXAS TO DENY EACH PETITION RECEIVED BY THE CITY FOR INCLUSION INTO A MUNICIPAL ANNEXATION PLAN FROM PETITIONERS WHO RESIDE OR OWN LAND IN THE PROPOSED PHASE 2 ANNEXATION OF UP TO 1,400 ACRES OF LAND LOCATED NORTH OF ARANSAS PASS AND EXTENDING UP TO THE CITY OF ROCKPORT'S EXTRATERRITORIAL JURISDICTION AND ALONG HIGHWAY 35 BYPASS AND HIGHWAY 35 BUSINESS; AND TO DENY EACH REQUEST FOR ARBITRATION RECEIVED BY THE CITY FROM REQUESTORS WHO RESIDE OR OWN LAND IN THE SAME PROPOSED PHASE 2 ANNEXATION.**

WHEREAS, the City of Aransas Pass, Texas (City) is a Home-Rule municipality under the State of Texas laws and is classified as a Tier 1 Municipality under Chapter 43 of the Texas Local Government Code;

WHEREAS, the City has received petitions from person(s) who may reside or own land in a proposed annexed area(s) of the City, to include the Petitioner's referenced property into the City's three-year annexation plan ("Petitions").

WHEREAS, the City has also received requests for arbitration from person(s) who may reside or own land in a proposed annexation area(s) of the City ("Requests").

WHEREAS, said Petitions and Requests were filed by person(s) who may reside or own land in a proposed Phase 2 Annexation of up to 1,400 areas of land located North of Aransas Pass and extending up to the City of Rockport's extraterritorial jurisdiction and along Highway 35 Bypass and Highway 35 Business.

WHEREAS, pursuant to Section 43.052(i) of the Texas Local Government Code, a person who resides or owns land in the proposed annexed area may submit a Petition if no reason exist under generally accepted municipal planning principles and practices for separately annexing two or more areas described in Section 43.052(h)(1) of the Texas Local Government Code.

NOW, THEREFORE, BE IT RESOLVED the City Council of Aransas Pass, the governing body of the City, hereby incorporates all above provisions and denies all Petitions and Requests, because the City finds that:

- (1) The area contains fewer than 100 separate tracts of land on which one or more residential dwellings are located on each tract in compliance with Section 43.052(h)(1) of the Texas Local Government Code; and
- (2) Numerous reasons exist under generally accepted municipal planning principles and practices for annexing areas proposed by the City to be annexed under Section 43.052(h)(1) of the Texas Local Government Code. Said reasons include, but are not limited to, the City of Aransas Pass Comprehensive Plan 2018-2028.

FINALLY ENACTED THIS 14<sup>th</sup> day of August, 2019, at a special meeting of the Elective City Council of Aransas Pass, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, TITLE 5, SUBTITLE A, CHAPTER 551.


CITY OF ARANSAS PASS, TEXAS

BY:   
\_\_\_\_\_  
Ramiro Gomez, Mayor

ATTEST TO:

  
\_\_\_\_\_  
Mary Juarez, City Secretary

APPROVED AS TO FORM ONLY:

  
\_\_\_\_\_  
Roxann Pais Cotroneo, City Attorney

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