

BASICS OF ANNEXATION & DEVELOPMENT AGREEMENTS

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ANNEXATION

- This is where we are...
- Essentially no more unilateral annexation
- No more “Tiers”
- Forget everything you knew or thought you knew – all that’s left:
 1. “Consent-exempt” annexations
 2. “Consent” annexations
 3. “Grandfathered” annexations

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Consent-Exempt Annexations

1. Section 43.0115 (Enclave – Fort Worth ONLY);
2. Section 43.0116 (Industrial District);
3. Section 43.012 (Area Owned by Type-A Municipality);
4. Section 43.013 (Navigable Stream);
5. Section 43.0751(h) (Strategic Partnership);
6. Section 43.101 (Municipally Owned Reservoir);
7. Section 43.102 (Municipally Owned Airport); and
8. Section 43.1055 (Road and Right-of-Way).

Consent-Exempt Annexations

- Use Subchapter C-1 procedures
 - Public Hearing Requirements
 - Map of Area
 - 90 days to complete annexation
 - Provision of Services
- BUT see Section 43.0505, in Subchapter C, which provides that the provisions in Subchapter C apply only to an annexation under Subchapter C-1.

BUT FIRST

Subchapter C-2

- General Annexation Authority and Procedures Regarding Consent Annexations
 - Provision of Solid Waste
 - Bracketed Authority for Municipality with Population of 74k to 99.7k in Urban County to Annex Small, Surrounded General-Law Municipality

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Consent Annexations

- **Authority and procedures combined into one of Three schemes:**
 1. **Petition of individual landowner**
 2. **Area with less than 200 population petition process**
 3. **Area with 200 or more population election process**

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