

# BASICS OF ANNEXATION & DEVELOPMENT AGREEMENTS

**Charles E. Zech**

*Shareholder*

*Denton, Navarro, Rocha, Bernal & Zech P.C.*

*cezech@rampagelaw.com*

1

## 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

2

## 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

5

## 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**

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

## Title search: Basics of Annexation & Development Agreements

First appeared as part of the conference materials for the  
2021 Land Use Fundamentals session

"Basics of Annexation & Development Agreements"