

ANNEXATION PLAN

Adopted December 10, 2012

Subchapter C of Chapter 43 Local Government Code requires that cities prepare an annexation plan. Property can be annexed on the third anniversary of inclusion in the plan. The plan serves to provide a three-year notice to property owners of a city's intent to annex.

The statute provides several exceptions to the requirement for inclusion in an annexation plan. One exception exempts annexations that include fewer than 100 separate tracts of land on which one or more residential dwellings are located. Another exception exempts properties that petition for annexation.

The City's statutorily mandated Annexation Plan currently provides that the City has no plans for annexation of any property, except those areas that are exempt from the annexation plan requirements of the Local Government Code. This plan is reviewed and updated from time to time.

Pursuant to Section 43.052 of the Local Government Code, The City of Abernathy will only annex areas that are identified in this municipal annexation plan or are exempt from the provisions of Section 43.052.

Areas specifically identified herein may be annexed on the third anniversary of the adoption date of this plan or on the third anniversary an amendment to include such area in this plan. Specific areas planned for adoption, if any are:

- ***No areas are identified for annexation***

Other areas that may be considered for annexation by the City of Abernathy include only areas which are exempt from Section 43.052 including:

- Areas which contain fewer than 100 separate tracts of land on which one or more residential dwellings are located on each tract.
- Areas annexed by petition of more than 50 percent of the real property owners in the area proposed for annexation or by vote or petition of the qualified voters or real property owners.
- An area which is or was the subject of an industrial district contract under Section 42.044 of the Local Government Code
- An area which is or was the subject of a strategic partnership agreement under Section 43.0751.
- An area annexed under Section 43.026, 43.029 or 43.031 of the Local Government Code.
- An area annexed because the City Council of the City of Abernathy determines that annexation is necessary to protect the proposed area from:

- Imminent destruction of property or injury to persons.
- A condition or use that constitutes a public or private nuisance as defined by background principles of nuisance and property law of the State of Texas.

Following adoption of this municipal annexation plan by the Abernathy City Council, and so long as the City of Abernathy maintains an Internet website, the City of Abernathy will post and maintain on its Internet website:

- This municipal annexation plan.
- Any amendments to include an area in this municipal annexation plan until the date the area is annexed.
- Any amendments to remove an area from this municipal annexation plan until the date the area is again eligible for inclusion in the plan