

1-27-05
#6

RESOLUTION NO.

WHEREAS, the Village of San Leanna, Texas has requested the City of Austin to release from its extraterritorial jurisdiction ("ETJ") the territory identified on the map attached as Exhibit "B" to this resolution, and the property owner has requested inclusion in the Village of San Leanna's ETJ; and

WHEREAS, the City of Austin has no objection to the release of this ETJ area to the Village of San Leanna's ETJ; and

WHEREAS, principles of sound planning and regional cooperation incline the Austin City Council to give due respect and consideration to the development concerns of Austin's neighbor cities; and

WHEREAS, Section 42.023 of the Texas Local Government Code authorizes the City Council to release territory from the City of Austin's extraterritorial jurisdiction by resolution; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The territory identified on the map attached as Exhibit "B" to this resolution, a total of approximately 25 acres of land, is hereby released from the City of Austin's extraterritorial jurisdiction under authority of Section 42.023 of the Texas Local Government Code; provided however, that the area is released only upon the condition that it shall become a part of the Village of San Leanna's extraterritorial jurisdiction, and shall be subject to the terms of a

Declaration of Restrictive Covenants executed by the owners of the property and attached as Exhibit "A" to this resolution.

BE IT FURTHER RESOLVED:

The City Manager or her designee is authorized and directed to revise the City of Austin's map of its extraterritorial jurisdiction to reflect the release of the territory identified on the map attached as Exhibit "B" to this resolution.

BE IT FURTHER RESOLVED:

The City Manager or her designee is authorized and directed to apply to the Texas Commission on Environmental Quality to remove the 25 acre area from Austin's water and wastewater Certificates of Convenience and Necessity service area.

ADOPTED: _____

ATTEST: _____
Shirley A. Brown
City Clerk