

ANNEXATION APPLICATION

Updated: September, 2020



CONTACT INFORMATION

Applicant's Name		Property Owner	
Company		Company	
Applicant's Mailing Address		Owner's Mailing Address	
Applicant's Phone #		Owner's Phone #	
Applicant's Email		Owner's Email	

PROPERTY INFORMATION

Is the property adjacent to city limits: YES NO

Is the property proposing to connect to City utilities: YES, WATER YES, WASTE WATER NO

Is the property subject to an approved development or other agreement : YES NO

Proposed Use: _____ Proposed Zoning: _____

Reason for Annexation / Other Considerations: _____

AUTHORIZATION

By submitting this digital application, I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee \$1,181 Technology Fee \$13 **TOTAL COST \$1,194**

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

PROPERTY OWNER AUTHORIZATION

I, _____ (owner name) on behalf of
_____ (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
_____ (address).

I hereby authorize _____ (agent name) on behalf of
_____ (agent company) to file this application for
_____ (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: _____ Date: _____

Printed Name, Title: _____

Signature of Agent: _____ Date: _____

Printed Name, Title: _____

Form Updated October, 2019

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

OWNER'S CONSENT TO ANNEXATION OF LAND

Date:

City: City of San Marcos, Texas, a home rule municipal corporation

Owner:

Property:

Owner petitioned the City to initiate proceedings to annex the Property. Owner acknowledges and agrees that, in connection with annexation of the Property:

1. Owner does not wish to enter into a development agreement with the City under Section 212.172 and has declined the offer by the City of such a development agreement.

2. Unless specifically authorized by a written agreement with Owner approved by the City Council under applicable ordinances, the City has no obligation to extend water, wastewater, or electric utility services, roads, or other infrastructure to the Property at the City's expense, and the City has made no offers, representations or promises that the City will, at the City's expense, extend water, wastewater, or electric utility services, roads, or other infrastructure to the Property. Such extensions to the Property shall be made available in the same manner and on the same basis as available to other areas of the City, whereby it shall be Owner's sole obligation, and at Owner's sole expense, to construct and install all infrastructure necessary to extend such services to the Property under applicable ordinances.

3. Owner waives any and all rights of Owner to assert any claim or demand, or to file suit against, and covenants not to sue, the City on the basis that the annexation of the Property by the City is invalid, void or voidable, in whole or in part.

4. This instrument is made, and shall be construed and interpreted under the laws of the State of Texas. Venue for any legal proceedings concerning this instrument shall lie in State courts having jurisdiction located in Hays County, Texas. Venue for any matters in federal court will be in the United States District Court for the Western District of Texas.

5. If any word, phrase, clause, sentence, or paragraph of this instrument is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this instrument will continue in force if they can be given effect without the invalid portion.

6. This instrument may be recorded in the Official Public Records of the County or Counties in which the Property is located and is binding on Owner's successors, heirs and assigns, and any future owners of the Property.

[SIGNATURE(S) ON NEXT PAGE]

OWNER:

ACKNOWLEDGMENT

STATE OF _____ §

§

COUNTY OF _____ §

This instrument was acknowledged before me on _____, 20__ by
_____.

Notary Public, State of _____

OWNER:

By: _____

Name: _____

Title: _____

ACKNOWLEDGMENT

STATE OF _____ §

COUNTY OF _____ §

This instrument was acknowledged before me on _____, 20__ by _____, _____ of _____ in such capacity on behalf of said entity.

Notary Public, State of _____

DECLINATION OF OFFER OF DEVELOPMENT AGREEMENT

The attached Development Agreement was offered by the City of San Marcos to the owner of the property subject to the following application/petition (check one):

____ Out of City Utility Connection of Extension Application

____ Petition for Annexation (without OCU Request)

By signing below, the owner of the subject property declines the offer to enter into such Development Agreement.

OWNER (individual):

Date: _____

[OR]

OWNER (Entity):

By: _____

Name: _____

Title: _____

Date: _____

Case No. _____ (to be inserted by City Staff)



CHECKLIST FOR ANNEXATION APPLICATION

The following items are requested for consideration of this application. These and additional items may be required, at the request of the Department, in order to determine the application complete and filed.		Comments
<input type="checkbox"/>	Pre-development meeting with staff is <u>required</u> unless waived by the Responsible Official <ul style="list-style-type: none"> • Please visit http://sanmarcostx.gov/1123/Pre-Development-Meetings to schedule, or email planninginfo@sanmarcostx.gov with any questions. 	
<input type="checkbox"/>	Completed Application for Annexation	
<input type="checkbox"/>	Metes & Bounds description of the area to be annexed, including adjacent right-of-way	
<input type="checkbox"/>	CAD file in grid for GIS integration. Projection: NAD 1983 StatePlane Texas South Central FIPS 4204 Feet	
<input type="checkbox"/>	Authorization to represent the property owner, if the applicant is not the owner	
<input type="checkbox"/>	Completed Owner's Consent to Annexation with: <ul style="list-style-type: none"> - Owner of record, even if under contract to applicant - Full legal description by official plat or metes and bounds - Appropriate owner's signature page to reflect individual or entity - Original Signature Pages MUST be provided to the case manager prior to recordation. 	
<input type="checkbox"/>	Declination of Offer of Development Agreement <ul style="list-style-type: none"> - Original Signature Pages MUST be provided to the case manager prior to recordation. 	
<input type="checkbox"/>	Application Filing Fee \$1,181 Technology Fee \$13	
**San Marcos Development Code Section 2.3.1.1(C): "Every application accepted by the responsible official for filing shall be subject to a determination of completeness...the responsible official is not required to review an application unless it is complete..."		