

THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.

ORDINANCE

AUTHORIZING THE RELEASE OF APPROXIMATELY 97.38 ACRES OF REAL PROPERTY, CONSISTING OF TWO PARCELS OF LAND (WILSON COUNTY APPRAISAL DISTRICT PROPERTY IDS 18212 AND 40844), GENERALLY LOCATED EAST AND WEST OF THE INTERSECTION OF US HIGHWAY 181 AND COUNTY ROAD 350 IN WILSON COUNTY, TEXAS FROM THE CITY OF SAN ANTONIO'S EXTRATERRITORIAL JURISDICTION, AS PETITIONED BY THE LANDOWNERS REESE L. HARRISON, JR. AND JANICE TIPTON (EST), PURSUANT TO THE PROVISIONS OF CHAPTER 42 OF THE TEXAS LOCAL GOVERNMENT CODE.

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WHEREAS, in the 88th Regular Texas legislative session, Senate Bill (SB) 2038 was passed and is effective on September 1, 2023; and

WHEREAS, this newly enacted section of the Local Government Code, Chapter 42, Subchapters D and E, codified and established a process for the release of property from a city's extraterritorial jurisdiction (ETJ); and

WHEREAS, this section of code does not apply to certain areas of an ETJ, including areas within five miles of an active military base, areas within 15 miles of an active military base in counties with over 2 million in population, areas that were voluntarily annexed into cities' ETJ in certain counties, certain areas legally designated as industrial districts, or areas subject to a strategic partnership agreement; and

WHEREAS, Reese L. Harrison, Jr. & Janice Tipton (Est) (Landowners), own approximately 97.38 acres within San Antonio's ETJ and petitioned the City of San Antonio (City) on August 30, 2024, to release certain property in the ETJ, legally described and depicted in the landowner's petition, attached as **EXHIBIT "A"**; and

WHEREAS, the City verified that the petition complies with the newly enacted Subchapters of Chapter 42 of the Texas Local Government Code; and

WHEREAS, consistent with the San Antonio City Charter the San Antonio Planning Commission held a public hearing on September 25, 2024, and has considered the effect of amending the San Antonio ETJ boundaries by releasing 97.38 acres, as petitioned by the landowners, and as depicted in the map attached as **EXHIBIT "B"**; **NOW THEREFORE**,

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The release of certain property from the City of San Antonio ETJ, which includes approximately 97.38 acres, consisting of two parcels of land (Wilson County Appraisal District Property IDs 18212 and 40844), generally located east and west of the intersection of US Highway 181 and County Road 350 in Wilson County, Texas, and which is legally described in the Landowners' petition in the attached **EXHIBIT "A"** and depicted in the map attached as **EXHIBIT "B"** is hereby approved.

SECTION 2. This ordinance shall be effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED on this 3rd day of October, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

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EXHIBIT "A"

Petition of Reese L. Harrison, Jr. & Janice Tipton (Est)

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EXHIBIT "B"

Map