

# Mayor and Council Communication

**DATE:** 01/14/20

**M&C FILE NUMBER:** M&C 20-0003

**LOG NAME:** 06DEVELOPMENT AGREEMENT WITH ALL STORAGE AVONDALE, LLC

**SUBJECT**

Authorize Execution of Pre-Annexation Development Agreement with All Storage Avondale, LLC for Property Located in Fort Worth's Extraterritorial Jurisdiction (ETJ, COUNCIL DISTRICT 7)

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**RECOMMENDATION:**

It is recommended that the City Council authorize the City Manager to execute a pre-annexation development agreement between the City and All Storage Avondale, LLC in unincorporated Tarrant County.

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**DISCUSSION:**

All Storage Avondale, LLC ("Owner") owns a parcel of real property, a total of approximately 5.0 acres of land, as described in map Exhibit A, hereinafter called "the Property", located within Tarrant County. The Property is located in the extraterritorial jurisdiction "ETJ" of the City. The Owner of the property has requested, and the City has agreed, subject to the terms, conditions and limitations set forth in the Pre-annexation Development Agreement ("Agreement"), that the City shall provide water service to the property. In consideration of the City providing water service to the Property, the Owner will petition the City to annex the Property pursuant to Subchapter C-3, Chapter 43 of the Texas Local Government Code after January 1, 2022.

The parties have agreed that the Pre-annexation Development Agreement constitutes a petition for the voluntary annexation under the provisions of Subchapter C-3, Chapter 43 of the Texas Local Government Code, and upon the request of the City the Owner shall execute all applications and documentation required by Texas law to petition for annexation required by Texas law.

The Agreement is entered into pursuant to Chapter 43, Subchapter C-3 and 212.172 of the Texas Local Government Code, in order to address the needs of the Owner and the procedures of the City. The Agreement runs with the land and is binding upon the City and the Owner and owner's respective successors and assigns. The Agreement will be recorded in Tarrant County.

The property is located in the extraterritorial jurisdiction adjacent to COUNCIL DISTRICT 7.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that this action will have no material effect on the City Funds.

**Submitted for City Manager's Office by:** Dana Burghdoff 8018

**Originating Business Unit Head:** Randle Harwood 6101

**Additional Information Contact:** Leo Valencia 2497