

# ANNEXATION APPLICATION

**Complete the AMUD Annexation Application and return with the following items no later than the 1<sup>ST</sup> of the month for consideration at the next AMUD Board Meeting.**

## Annexation Process, adopted 2001/04/23

1. Applicant shall prepare and submit Annexation Application Package (defined below)
2. District Engineer shall prepare Impact Report (defined below)
3. District shall prepare annexation resolution for Board of Directors review
4. Completed annexation package goes before Board of Directors for first reading and preliminary consideration, modification and/or approval at a Regular Meeting.
5. At next Regular Meeting, PETITION FOR ANNEXATION is eligible for formal action by Board of Directors *and Applicant shall receive a copy of any formal Board action taken.*
6. Upon approval of the PETITION FOR ANNEXATION, the Applicant shall record the plat and cause a certified copy to be delivered to the District.
7. Applicant shall submit plans and specifications for District approval in compliance with the AMUD General Development Policy.
8. The District shall authorize commencement of construction
9. Upon completion of construction, the Applicant shall supply to the District as-built drawings of the constructed street and utility improvements and convey to the District proper title to all property, right-of-way, easements, equipment, and materials installed as part of the utility project.
10. Connection to the system shall not be made until all requirements set forth above have been met to the satisfaction of the District.
11. *If Applicant does not own 100% of the property proposed for annexation, applicable procedures, as set forth by Texas Water Code, shall apply. Please see AMUD General Manager for additional instructions.*

## Annexation Application Package

General statement describing the proposed development along with Annexation Application. The statement should identify any factors that could influence water and sewer uses, including, but not limited to the following:

- number of proposed lots, phases and/or units
- size and type of structures to be built (residential, commercial or mixed)
- any special land uses, i.e.: parks, common areas, etc.

Preliminary plot showing the following information:

- a boundary survey by a Texas registered Land Surveyor.
- the course, distance, and description of all streets, easements, lots, lines, and utilities, both proposed and existing, as may be required by the District to be dedicated for proper operation of the District.
- all watercourses, watersheds, and storm drainage paths affecting the development.
- date, scale, north arrow, and names of all developers, engineers, and surveyors.

Schedule for development of the project.

All necessary easements

Executed PETITION FOR ANNEXATION.

Executed RESTRICTIVE COVENANT AGREEMENT.

Annexation Fee of \$100.00.

## District Engineer's Impact Report

District Engineers report will be completed in the AMUD offices based on information provided from developer on the AMUD Annexation Application. This report is to address the following issues:

Sewer- estimated flows, location of existing treatment plant and/or additional facilities needed, effect on existing collection system and impact on the treatment plant.

Water- estimated flow, adequacy of existing lines to supply current and future needs.

Anticipated revenues-tap fees, impact fees, etc.

Cost to AMUD, if any, to provide service.

Maps showing nearest AMUD lines (water or sewer).

*Evaluation and recommendation of additional land and/or facilities needed for Wastewater Treatment Plant, Well, Storage or any other purpose.*

## Other Considerations

1. AMUD reserves the right to de-annex at AMUD's option, in the event development is not completed in a timely manner or if Applicant fails to strictly adhere to the Annexation Policy, General Development Policy and / or Construction Standards
2. *AMUD reserves the right to waive and / or modify any part of this policy to meet the needs of and to serve the best interest of the District.*
3. If within the City of Granbury's ETJ or the City of Decordova's ETJ: A Letter addressed to the City of Granbury or the City of Decordova requesting AMUD to provide water and/or wastewater service to your development or lot.
4. Limited Title Search showing 'Owners' and 'Lien holders' if applicable.

**Make sure application is filled out completely to ensure no delay in processing your application request. Please note that the annexation process takes a minimum of 2 months to complete.**

If you have any questions or concerns, please call:

Main Office Number: **817-326-4720**

Office Fax Number: **817-326-5031**

The following people are here to help you through the annexation process:

**Richard English**, General Manager

**TJ Riggio**, District Superintendent

**Wayne Matzen**, Office Manager

## Development:

				<i>Office Use Only</i>	
<b>Development Name</b>			<b>Acres</b>		/ /
<b>Development Address</b>					<b>Received</b>
					<b>Status</b>
<b>City</b>	<b>State</b>	<b>Zip</b>			
			<b>\$ 100.00</b>		
			<b>Filing Fee</b>		
					<b>ID #</b>
<b>Comments</b>			<b>Received</b>		

## Service:

	# of Units	Size of Units:	Comments
<b>Requesting Water:</b>			
<b>Requesting Sewer:</b>			

## Properties:

	# of Units	Size of Units:	Comments
<b>Residential</b>			
<b>Commercial</b>			
<b>Multi-Unit</b>			
<b>Industrial</b>			

Any Special Land uses, common lots, parks, etc... \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Schedule for development:

Start Date	End Date	Comments

## Developer(s): *use additional sheets if more than two developers.*

<b>Name</b>			( ) -	
			<b>Phone #</b>	
<b>Address</b>			( ) -	
			<b>Alternate Phone #</b>	
			( ) -	
<b>City</b>	<b>State</b>	<b>Zip</b>	<b>Fax #</b>	
<b>email</b>				

<b>Name</b>			( ) -	
			<b>Phone #</b>	
<b>Address</b>			( ) -	
			<b>Alternate Phone #</b>	
			( ) -	
<b>City</b>	<b>State</b>	<b>Zip</b>	<b>Fax #</b>	
<b>email</b>				

Owner(s): use additional sheets if more than two owners.

			( ) -
Name			Phone #
			( ) -
Address			Alternate Phone #
			( ) -
City	State	Zip	Fax #
email			

			( ) -
Name			Phone #
			( ) -
Address			Alternate Phone #
			( ) -
City	State	Zip	Fax #
email			

Lien holder(s): use additional sheets if more than two lien holders.

			( ) -
Name			Phone #
			( ) -
Address			Alternate Phone #
			( ) -
City	State	Zip	Fax #
email			

			( ) -
Name			Phone #
			( ) -
Address			Alternate Phone #
			( ) -
City	State	Zip	Fax #
email			

Documents Required along with Application:

- Limited Title Search
- Authorized Signatory Letter (Corporations)
- Legal Description / Plat
- Development Dedications/Restrictions

Comments... \_\_\_\_\_

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**Petition for Annexation and the Restrictive Covenant will be provided by AMUD from information on the application and/or title search.**

**PETITION FOR ANNEXATION (SAMPLE)**

TO THE BOARD OF DIRECTORS OF ACTON MUNICIPAL UTILITY DISTRICT: \_\_\_\_\_ is the owner and First National Bank, Lien Holder, of the following described land in Hood County, Texas to-wit:

[LEGAL DESCRIPTION]

Petitioner hereby petitions for said land to be added to and become a part of the District for all purposes and to bear its pro rata share of all indebtedness or taxes which may be owed, contracted or authorized by the District. In the event of annexation, Petitioner hereby agrees to assume its share of the voted but unissued bonds of the District payable in whole or in part from taxes, and the District is hereby authorized to levy a tax for such amount(s) on such property in each year while any indebtedness of the District payable in whole or in part from taxation is outstanding.

Petitioner hereby certifies that said land is not located within the territorial boundaries of any incorporated city, town, or municipal utility district, and is not within the extraterritorial jurisdiction of any city, except as is set forth herein below:

[ETJ of City of Granbury, City of Granbury, None, ETL of City of Decordova, City of Decordova]

In the event that said land is within any such boundary or extraterritorial jurisdiction, Petitioner hereby agrees to obtain the written consent of such city, town, or district in form and content as is acceptable to the District, in its sole discretion.

Petition hereby certifies that no person or entity owns or holds a lien or encumbrance upon the said land, or, in the event there is a lien or encumbrance upon said land that this petition is joined in and executed by any such lienholder to evidence his, her, or consent to the annexation requested herein.

Petitioner hereby agrees to provide to the District, at Petitioner's sole expense, an abstract of title, title search, or title commitment from a title insurance company acceptable to the District which demonstrates that Petitioner owns the land requested to be annexed by this petition, as well as any liens or encumbrances thereon.

Petitioner agrees to execute all easements, deeds, bill of sale, restrictive covenants, turnover agreements, and other documents as may be required by the District in the event this petition is granted, and that said obligation as well as those undertaken herein, shall run with the land and shall be binding upon Petitioner, his, her or its successors and assigns forever.

Petitioner further hereby acknowledges receipt of the AMUD Annexation Policy, the District General Development Policy and Construction Standards, and hereby agrees to strictly adhere to all provisions thereof.

IN WITNESS WHEREOF, said Petitioner, and lienholder, if any, have duly executed this Petition on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

*Must be signed and notarized by all owners, and lienholders.*

**Restrictive Covenant (Sample)**

THIS AGREEMENT, by and between ACTON MUNICIPAL UTILITY DISTRICT (herein AMUD) and \_\_\_\_\_, (Herein OWNER);

WHEREAS, AMUD proposes to extend service to certain real property owned by OWNER and OWNER desires to receive service from AMUD to said real property, which is more fully described as follows:

[LEGAL DESCRIPTION]

WHEREAS, it is the desire and intention of the parties hereto to restrict said land so that no water wells shall be drilled upon the land and that no other water distribution, irrigation or sewerage collection system shall be utilized on said land so long as such service is furnished to the land by AMUD or its successor.

NOW, THEREFORE, for and in consideration of the mutual promises, covenants and agreement of the parties hereto, AMUD and OWNER agree that no water well shall be drilled upon the hereinabove described real property by OWNER, owner's heirs, successors, and assigns and that no other water, irrigation or sewerage system shall be utilized by OWNER, owner's heirs, successors, and assigns so long as such service shall be provided to said land by AMUD or its successor. Any Residences or commercial buildings constructed within the District must be connected to and supplied by the District water system and no other water or irrigation distribution system or supply will be used or allowed. The only exception that properties located adjacent to a lake or river may irrigate that property, subject to an appropriate permit issued by a governmental authority. This restriction shall run with the land and shall be binding upon OWNER and owner's heirs, administrators, executors, successors and assigns.

IN WITNESS WHEREOF, this Agreement has been duly executed on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

*Must be signed and notarized by all owners, and lienholders.*