

**SAMPLE CALENDAR**  
**Unilateral Annexation of Area Included in**  
**Annexation Plan<sup>1</sup>**

**Note:** Prior to any other action, the city must determine whether an area is subject to the requirements of Section 43.035 – required offer of development agreement (see detailed discussion above), and must comply with those requirements if so.

Day 1: Area placed in the annexation plan.

Day 90: Before this day city must give written notice to landowners, service providers, and railroads in area placed in the plan. §43.052(f).

The notice to service providers must request information for the inventory of services. §43.053(c).

Day 180: Last day for service providers to furnish information for inventory (unless city and service provider agree to an extension). §43.053(c).

Day 240: City must compile and make available inventory of services by this date. §43.053(g). And city should begin preparing service plan that will be available at the public hearings. §43.056(j).

Day 330: City must give notice of, and conduct, two public hearings by this day. §43.0561.

The schedule for the public hearings could be as follows<sup>2</sup>:

Day 1: Publish notice of first hearing. §43.0561. Obtain required affidavit of publication from newspaper.

Post notice of first public hearing on internet website, if city has an internet website. §43.0561(c).

Send written notice to each public school district in the area to be annexed. §43.905.

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<sup>1</sup> This calendar is intended for ILLUSTRATIVE PURPOSES ONLY. Many of the dates contained herein may be modified by a city and still be in compliance with Chapter 43. Any calendar that is prepared by a city should be reviewed by local counsel prior to implementation.

<sup>2</sup> Prior to beginning the process shown by this sub-calendar, a city must prepare an inventory pursuant to §43.053 that lists services currently provided in the area to be annexed and a service plan pursuant to §43.065 that details the specific services that will be provided to the area after it has been annexed. The service plan should be available for inspection at the public hearings. Also, the internal procedures of the city are not included here, such as giving notice of, and passing, the ordinance calling the public hearings and preparing a metes and bounds description of the area to be annexed.

Send written notice to public or private entities that provide services in the area to be annexed, and railroads with right-of-way in area to be annexed. §43.0561.

Day 9: Post notice of first public hearing under Open Meetings Act.

Day 12: Hold first public hearing. §43.0561.

Day 15: Publish notice of second hearing. §43.0561. Obtain required affidavit of publication from newspaper.

Post notice of second public hearing on internet website, if city has an internet website. §43.0561(c).

Day 23: Post notice of second public hearing under Open Meetings Act.

Day 26: Hold Second public hearing. §43.0561.

Day 360<sup>3</sup>: Hold negotiations with property owners and special districts in the area to be annexed for provision of services after, or in lieu of, annexation.<sup>4</sup> §43.0562.

Day 540: This is an *approximate* date - before the first day of the 10th month after the month in which the inventory is prepared, the final service plan should be prepared. §43.056(a).

Day 1095: This is the third anniversary of the date the area was placed in the plan. The area may not be annexed until after this date. §43.052(c).

Post notice of, and adopt, annexation ordinance.<sup>5</sup>

Day 1125: The annexation must be completed before the 31<sup>st</sup> day after the third anniversary of the date the area was included in the annexation plan. §43.052(g).<sup>6</sup>

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<sup>3</sup> These negotiations may occur sooner than this date, but must not take place until AFTER the two public hearings are held.

<sup>4</sup> At this point, the process may come to a halt because the city may enter into contract in lieu of annexation with landowners and/or special districts. If neither a contract nor annexation is agreed upon, an arbitrator will be appointed to resolve the dispute. *Id.* at §43.0564. If the annexation is agreed upon, the process continues normally.

<sup>5</sup> Following the adoption of the annexation ordinance, the city must send notice to appropriate federal, state, and local agencies and service providers. See "Other Matters Affecting All Annexations," *supra*.

<sup>6</sup> If the annexation is not completed by this date, the city may not annex the area for five years. §43.052(g).