

_____, 20__

Dear Property Owner:

The City of _____ has identified your property as subject to annexation in the near future.

Section 43.035 of the Texas Local Government Code requires the city to offer you another option. That section provides that, before the city annexes property that is subject to an agricultural, wildlife management, or timber ad valorem tax exemption, the city shall offer to make a “development agreement” with the property owner in lieu of annexation.

The development agreement must provide that the property will retain its extraterritorial status for up to 15 years or until any type of subdivision plat or related development document is filed with the city for the property, whichever occurs first. The agreement must provide that the city may enforce all regulations and planning authority that do not interfere with the use of the land for agriculture, wildlife management, or timber.

During the time the property remains outside the city limits, it is not subject to City property taxes, but also may not receive tax-supported services from the city such as police, fire, and others. The development agreement must provide terms for future annexation of the property, including specifying the uses and development of the land before and after annexation. If an owner of property eligible for a development agreement declines such an agreement, then the property may be annexed as originally proposed.

We have enclosed the development agreement that we are offering for your consideration. You have three options regarding the Development Agreement: (1) all owners may accept it as printed, and sign it with the notary acknowledgments provided; (b) you may negotiate new language by indicating the words that you wish to change, add, or delete in the agreement; or (c) any owner may decline the offer of a development agreement.

[include provisions relating to logistics of acceptance or denial here]

The Development Agreement must be returned, indicating your choice of one of the three options, on or before _____. If you have questions or are unable to return the agreement by that date, please contact _____. Please consult with your legal counsel as well.

If we do not receive a response of any kind by _____, we will assume that you do not wish to enter into a development agreement and your property will be included in the proposed annexation.

Sincerely