

# City of Mesquite, Texas

## Legislation Text

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**File #:** 19-4025, **Version:** 1

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An amended and restated resolution authorizing and creating the Polo Ridge Public Improvement District No. 2 consisting of approximately 805.79 acres of land generally located south of FM 740, west of FM 2757 and north of Kelly Road in Kaufman County, Texas, and being located within the extraterritorial jurisdiction of the City of Mesquite, Texas, in accordance with Chapter 372 of the Texas Local Government Code.

At the April 16, 2018, City Council meeting, the City Council held a public hearing and passed Resolution No. 24-2018, creating the Polo Ridge Public Improvement District No. 2 (PID) to provide a funding mechanism for authorized infrastructure improvements related to the development of 822.1 acres in the City's extraterritorial jurisdiction.

At that time the priority of the developer and City staff was to complete the PID bond sale of the Heartland Town Center development, and upon completion of that PID bond sale in September, full attention was given to the Polo Ridge development. In early October, City staff identified a potential conflict between what the developer's engineer showed as the location of the extraterritorial jurisdiction boundary between Mesquite and Seagoville, roughly 50 feet outside the PID property line, and that which both Mesquite and Seagoville illustrated as the ETJ boundary line, about 200 feet inside the PID property.

The developer's engineer could not produce any documentation to confirm the location of the ETJ boundary to staff's satisfaction, so in December staff engaged Halff Associates to conduct a survey to locate the portion of the ETJ boundary line in question. In Texas, land surveys are not typically conducted each time annexation occurs, but State law is very explicit in that a city may not annex any property that lies within another jurisdiction's ETJ and any such annexation would be considered null and void. Because the PID property line was in such close proximity to an undetermined ETJ boundary, staff believed it prudent to conduct the survey. The cost of the survey was \$29,550.00 and will be reimbursed from PID bond proceeds at time of the bond sale.

The survey was completed on January 30, 2019, and showed approximately 16.28 total acres within the Seagoville ETJ. The developer's engineer has since redrawn the PID boundary so that the entire PID property lies within Mesquite's ETJ. The PID now comprises 805.79 acres located wholly within Mesquite ETJ.

This resolution corrects the error in the original PID boundary and this corrective action has been vetted through the Attorney General's Office, and no public hearing or notice to property owners is required.

### **Recommended/Desired Action**

Staff recommends approval of the resolution.

### **Attachment(s)**

PID boundary line and ETJ overlap

Revised PID boundary line

Resolution

**Drafter**

Ted Chinn

**Head of Department**

Ted Chinn