

**RESOLUTION NO. R-2025-38**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER,  
TEXAS CONSENTING TO THE ADDITION OF TERRITORY TO THE  
BOUNDARIES OF THE EAST TEXAS MUNICIPAL UTILITY DISTRICT  
OF SMITH COUNTY**

**WHEREAS**, between September, 2014, and February, 2019, the East Texas Municipal Utility District of Smith County (“District”) purported to annex seven tracts of land located in the City’s extraterritorial jurisdiction (“ETJ”) to the District’s boundaries pursuant to petitions of landowners (the “Petitioners”), which petitions are attached hereto as Exhibit “A”; and,

**WHEREAS**, the seven tracts of land (the “Properties”) are located within the extraterritorial jurisdiction of the City of Tyler, Texas (the “City”); and

**WHEREAS**, Section 42.0425, Texas Local Government Code, as amended, requires that a political subdivision such as the District may not add land that is located in the extraterritorial jurisdiction of a municipality unless the governing body of the municipality gives its written consent by ordinance or resolution, subject to certain allowable conditions; and

**WHEREAS**, the City Council finds and determines that it is in the public interest to grant consent to the addition of the Properties to the District, taking into consideration the public health, safety, and general welfare; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE  
CITY OF TYLER, TEXAS:**

**Part 1.** That the findings and recitals contained in the preamble of this Resolution are determined to be true and correct and are hereby adopted as part of this Resolution.

**Part 2.** The City Council officially finds, determines, recites and declares that a sufficient notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended, and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been

discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

**Part 3.** The City Council of the City hereby specifically gives its written consent, as provided by Section 42.0425, Texas Local Government Code, as amended, to the District's annexation of the Properties.

**Part 4.** The consent of the City is subject to the following conditions as authorized by Section 42.0425(a), Texas Local Government Code and Sections 54.016(e) and 54.0165(a), Texas Water Code:

After the date of this resolution,

(1) the District will not add additional territory to its boundaries except with the prior written consent of the City;

(2) the District shall construct all new facilities to serve the Properties in accordance with plans and specifications that have been approved by the City;

(3) the City shall have the right to inspect all facilities being constructed by the District to serve the Properties;

(4) the City shall have the right to review and approve the District's bonds and notes relating to the provision of service to the Properties prior to issuance, including refunding bonds, which shall, unless otherwise agreed to by the City, comply with the following requirements, provided such requirements do not generally render the bonds unmarketable:

a. maximum maturity of 25 years for any one series of bonds;

b. interest rate that does not exceed 2% above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one month period next preceding the date notice of the sale of such bonds is given; and

c. expressly provide that the District shall reserve the right to redeem bonds at any time subsequent to the tenth (10th) anniversary of the date of issuance, without premium.

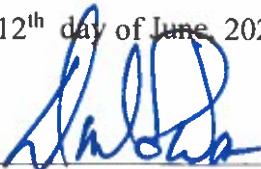
**Part 5.** The consent of the City to the addition of the Properties to the District does not in any way release the Properties from the extraterritorial jurisdiction of the City nor alter or affect the terms and conditions of the Interlocal Agreement Regarding Utility Services effective February 26, 2025.

**Part 6.** The terms and provisions of this Resolution shall be deemed to be severable and if the validity of any section, subsection, sentence, clause, or phrase of this Resolution should

be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this Resolution

**Part 7.** That this ordinance shall take effect immediately upon its passage and approval by the Mayor and Council.

**PASSED, APPROVED, AND ADOPTED** on this 12<sup>th</sup> day of June, 2025.



DONALD P. WARREN, MAYOR OF  
THE CITY OF TYLER

ATTEST:



CASSANDRA BRAGER, CITY CLERK



APPROVED:



DEBORAH G. PULLUM, CITY  
ATTORNEY

## **Exhibit A**

#40400000

20160100046405

## PETITION FOR ANNEXATION

STATE OF TEXAS  
COUNTY OF SMITH

TO: Board of Directors,  
Smith County Municipal  
Utility District #1  
Smith County, Texas

FROM: William Allen  
12189 CR 336  
Tyler Tx 75708

Pursuant to Section 51.714 of the Texas Water Code, petition is hereby made by the undersigned landowner for annexation into Smith County Municipal Utility District #1 for all purposes, the real property described by metes and bounds in Attachment "A" of this petition, also specifically incorporated herein for all purposes.

Petitioner would also request that after notice is given, pursuant to Section 51.714 of the Texas Water Code, the Board grant a hearing on this petition. After reviewing all the supporting evidence, Petitioner hereby considered to be of benefit to the District and that the water supply and other improvements are sufficient to supply the added territory without injuring the land already in the District, that the Board approve the annexation of territory without conditions and be incorporated into Smith County Municipal Utility District #1 herein for all purposes.

Petitioner would also request that the annexed area shall bear its pro rata share of all bonds, notes, or other obligations or taxes that may be owed, contracted, or authorized by the Smith County Municipal Utility District #1 to which it is been added.

Respectfully Submitted,

William Allen

LAND OWNER

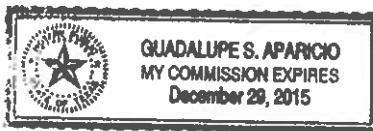
This instrument was acknowledged before me the undersigned authority, on the 9<sup>th</sup> day of Sept. by William E. Allen, who was personally known to me.

Guadalupe S. Aparicio  
NOTARY PUBLIC

(SEAL)

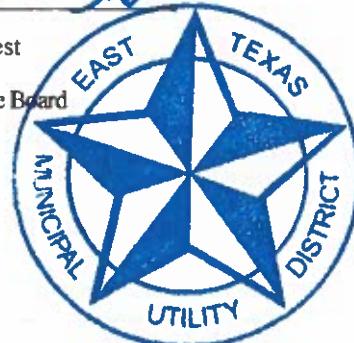
Be it ordered and ordained: Whereas: the Board of Directors by a vote of \_\_\_\_\_ for, and \_\_\_\_\_ against. Therefore: the Board of Directors approve this petition and do annex for all purposes this territory into the Smith County Municipal Utility District #1 this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.  
W. L. Sudder  
Jimmie Boultinghouse

Jimmie Boultinghouse  
President of the Board



(SEAL)

Royce West  
Secretary of the Board



## PETITION FOR ANNEXATION

STATE OF TEXAS  
COUNTY OF SMITH

TO: Board of Directors,  
Smith County Municipal  
Utility District #1  
Smith County, Texas

FROM:

*Bruce L. Roberts*  
6701 Glen Eagles  
Tyler, Texas  
75703

Pursuant to Section 51.714 of the Texas Water Code, petition is hereby made by the undersigned landowner for annexation into Smith County Municipal Utility District #1 for all purposes, the real property described by metes and bounds in Attachment "A" of this petition, also specifically incorporated herein for all purposes.

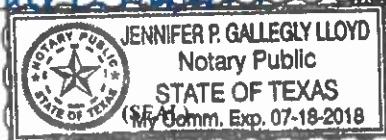
Petitioner would also request that after notice is given, pursuant to Section 51.714 of the Texas Water Code, the Board grant a hearing on this petition. After reviewing all the supporting evidence, Petitioner hereby considered to be of benefit to the District and that the water supply and other improvements are sufficient to supply the added territory without injuring the land already in the District, that the Board approve the annexation of territory without conditions and be incorporated into Smith County Municipal Utility District #1 herein for all purposes.

Petitioner would also request that the annexed area shall bear its pro rata share of all bonds, notes, or other obligations or taxes that may be owed, contracted, or authorized by the Smith County Municipal Utility District #1 to which it is been added.

Respectfully Submitted,

*Bruce L. Roberts*  
LAND OWNER

This instrument was acknowledged before me the undersigned authority, on the 3 day of November by Bruce L. Roberts, who was personally known to me.



*Jennifer P. Gallegly Lloyd*  
NOTARY PUBLIC

Be it ordered and ordained:

Whereas: the Board of Directors by a vote of \_\_\_\_\_ for,

and \_\_\_\_\_ against. Therefore: the Board of Directors approve this petition and do annex for all purposes this territory into the Smith County Municipal Utility District #1 this \_\_\_\_\_ day of November, 2015.

*W. L. Swider*  
W. L. Swider  
Jimmie Boultonghouse

President of the Board

*William L. War*  
William L. War  
Royce West

Secretary of the Board

(SEAL)



20190100024485

12162 STATE HWY 155 N.  
TYLER, TEXAS 75708  
903-877-3644

## PETITION FOR ANNEXATION

STATE OF TEXAS }  
COUNTY OF SMITH }

TO: Board of Directors,  
East Texas Municipal  
Utility District  
Smith County, Texas

FROM: Terry D. Warren  
Regal Machine mfg  
10898 Hwy 271  
Tyler Tx. 75708

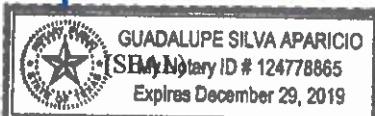
Pursuant to Section 51.714 of Texas Water Code, Petition is hereby made by the undersigned landowner for annexation into East Texas Municipal Utility District for all purposes, the real property described by metes and bounds in Attachment "A" of this petition, also specifically incorporated herein for all purposes.

Petitioner would also request that after notice is given, pursuant to Section 51.714 of the Texas Water Code, the Board grant a hearing on his petition. After reviewing all the supporting evidence, Petitioner hereby considered to be of benefit to the District and that the water supply and other improvements are sufficient to supply the added territory without injuring the land already in the District, that the Board approve the annexation territory without conditions and be incorporated into East Texas Municipal Utility district herein for all purposes.

Petitioner would also request that the annexed area shall bear its pro rata share of all bonds, notes, or other obligations or taxes that may be owed, contracted, or authorized by the east Texas Municipal Utility District to which it is been added.

This instrument was acknowledged before me the undersigned authority, on the

Terry Warren, who was personally known to me.



Respectfully Submitted,

01/30 the day of 2019 by

day of 2019 by

2020-2021

## NOTARY PUBLIC

Be it ordered and ordained:

Whereas: the Board of Directors by a vote of 4 for And 0 against

Therefore: the Board of Directors approve this petition and do annex for all purposes this territory into the East Texas Municipal Utility District his 31 day of January, 2019.

W.L. Snyder

W.L. SNIDER

### President of the Board

Patricia Cline

RITA CLINE

### Secretary of the Board

(SEAL)



20190100024436

12162 STATE HWY 155 N.  
TYLER, TEXAS 75708  
903-877-3644

## PETITION FOR ANNEXATION

STATE OF TEXAS }  
COUNTY OF SMITH }

TO: Board of Directors,  
East Texas Municipal  
Utility District  
Smith County, Texas

FROM: Rick Sage  
Sage & Cross, RCS  
10809 Hwy 271 N  
Tyler, TX 75708

Pursuant to Section 51.714 of Texas Water Code, Petition is hereby made by the undersigned landowner for annexation into East Texas Municipal Utility District for all purposes, the real property described by metes and bounds in Attachment "A" of this petition, also specifically incorporated herein for all purposes.

Petitioner would also request that after notice is given, pursuant to Section 51.714 of the Texas Water Code, the Board grant a hearing on this petition. After reviewing all the supporting evidence, Petitioner hereby considered to be of benefit to the District and that the water supply and other improvements are sufficient to supply the added territory without injuring the land already in the District, that the Board approve the annexation territory without conditions and be incorporated into East Texas Municipal Utility district herein for all purposes.

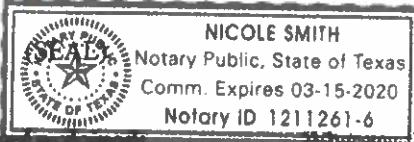
Petitioner would also request that the annexed area shall bear its pro rata share of all bonds, notes, or other obligations or taxes that may be owed, contracted, or authorized by the east Texas Municipal Utility District to which it is been added.

Respectfully Submitted,

## LAND OWNER

This instrument was acknowledged before me the undersigned authority, on the 1st day of Feb. 2019 by

Rick Sage \_\_\_\_\_, who was personally known to me.



3e it ordered and commanded by the Board of Directors by a vote of 4 for. And 0 against.

Therefore: the Board of Directors approve this petition and do annex for all purposes this territory into the East Texas Municipal Utility District his 11<sup>th</sup> day of April, 2019.

W. L. Sieden

W.L. SNIDER

### President of the Board

Pita M. Cline

RITA CLINE

### Secretary of the Board

(SEAL)



20190100024483

12162 STATE HWY 155 N  
TYLER, TEXAS 75708  
903-877-3644

## PETITION FOR ANNEXATION

STATE OF TEXAS }  
COUNTY OF SMITH }

TO: Board of Directors,  
East Texas Municipal  
Utility District  
Smith County, Texas

FROM: Rick Sage  
Locos Pick & Pull  
10810 CR 383  
Tyler, TX 75708

Pursuant to Section 51.714 of Texas Water Code, Petition is hereby made by the undersigned landowner for annexation into East Texas Municipal Utility District for all purposes, the real property described by metes and bounds in Attachment "A" of this petition, also specifically incorporated herein for all purposes.

Petitioner would also request that after notice is given, pursuant to Section 51.714 of the Texas Water Code, the Board grant a hearing on his petition. After reviewing all the supporting evidence, Petitioner hereby considered to be of benefit to the District and that the water supply and other improvements are sufficient to supply the added territory without injuring the land already in the District, that the Board approve the annexation territory without conditions and be incorporated into East Texas Municipal Utility district herein for all purposes.

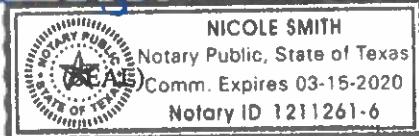
Petitioner would also request that the annexed area shall bear its pro rata share of all bonds, notes, or other obligations or taxes that may be owed, contracted, or authorized by the east Texas Municipal Utility District to which it is been added.

Respectfully Submitted,

### LAND OWNER

This instrument was acknowledged before me the undersigned authority, on the 1st day of Feb 2019 by

Rick Sage who was personally known to me.



226 of 240

## Worship

**NOTARY PUBLIC**

**Be it ordered and ordained:**

Whereas: the Board of Directors by a vote of 4 for. And 0 against.

Therefore: the Board of Directors approve this petition and do annex for all purposes this territory into the East Texas Municipal Utility District his 11<sup>th</sup> day of April, 2019.

*W. L. Snider*  
W. L. SNIDER  
President of the Board

Rita M Cline  
RITA CLINE  
Secretary of the Board

(SEAL)

## PETITION FOR ANNEXATION

STATE OF TEXAS }  
COUNTY OF SMITH }

TO: Board of Directors,  
East Texas Municipal  
Utility District  
Smith County, Texas

FROM: Eldred, & Patti Peoples  
10948 C.R. 337  
Tyler, TX 75708

Pursuant to Section 51.714 of the Texas Water Code, petition is hereby made by the undersigned landowner for annexation into East Texas Municipal Utility District for all purposes, the real property described by metes and bounds in Attachment "A" of this petition, also specifically incorporated herein for all purposes.

Petitioner would also request that after notice is given, pursuant to Section 51.714 of the Texas Water Code, the Board grant a hearing on this petition. After reviewing all the supporting evidence, Petitioner hereby considered to be of benefit to the District and that the water supply and other improvements are sufficient to supply the added territory without injuring the land already in the District, that the Board approve the annexation of territory without conditions and be incorporated into East Texas Municipal Utility District herein for all purposes.

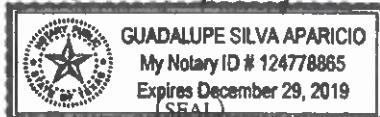
Petitioner would also request that the annexed area shall bear its pro rata share of all bonds, notes, or other obligations or taxes that may be owed, contracted, or authorized by the East Texas Municipal Utility District to which it is been added.

Respectfully Submitted,

Patti Peoples Eldred S. Davis

LAND OWNER

This instrument was acknowledged before me the undersigned authority, on the 6 day of April 2017  
by Patti Peoples Eldred Peoples who was personally known to me.



Guadalupe Silva Aparicio

NOTARY PUBLIC

Be it ordered and ordained:

Whereas: the Board of Directors by a vote of 5 for,  
and 0 against. Therefore: the Board of Directors approve this petition and do annex for all purposes  
this territory into the East Texas Municipal Utility District this Aug. day of 21, 20 17.

W.L. Snider

W.L. SNIDER  
President of the Board

William S. Davis

William S. Davis  
Secretary of the Board

(SEAL)



20190100024487

12162 STATE HWY 155 N  
TYLER, TEXAS 75708  
903-877-3644

## PETITION FOR ANNEXATION

STATE OF TEXAS }  
COUNTY OF SMITH }

TO: Board of Directors,  
East Texas Municipal  
Utility District  
Smith County, Texas

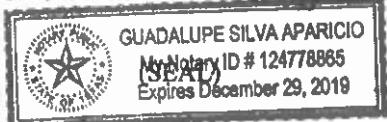
FROM: Barbara Bradley  
10780 CR 383  
Tyler, Tx 75708

Pursuant to Section 51.714 of Texas Water Code, Petition is hereby made by the undersigned landowner for annexation into East Texas Municipal Utility District for all purposes, the real property described by metes and bounds in Attachment "A" of this petition, also specifically incorporated herein for all purposes.

Petitioner would also request that after notice is given, pursuant to Section 51.714 of the Texas Water Code, the Board grant a hearing on his petition. After reviewing all the supporting evidence, Petitioner hereby considered to be of benefit to the District and that the water supply and other improvements are sufficient to supply the added territory without injuring the land already in the District, that the Board approve the annexation territory without conditions and be incorporated into East Texas Municipal Utility district herein for all purposes.

Petitioner would also request that the annexed area shall bear its pro rata share of all bonds, notes, or other obligations or taxes that may be owed, contracted, or authorized by the east Texas Municipal Utility District to which it is been added.

This instrument was acknowledged before me the undersigned authority, on the  
Barbara Bradley who was personally known to me



Respectfully Submitted,  
Barbara Bradley  
19th LAND OWNER  
day of Feb. 2019 by  
Rosie  
NOTARY PUBLIC

Be it ordered and ordained: Whereas: the Board of Directors by a vote of 4 for. And 0 against. Therefore: the Board of Directors approve this petition and do annex for all purposes this territory into the East Texas Municipal Utility District his 11<sup>th</sup> day of April, 2019.

W. L. Snider  
W. L. SNIDER  
President of the Board

Rita M Cline  
RITA CLINE  
Secretary of the Board

(SEAL)