

STATE OF TEXAS §  
  §  
COUNTY OF BELL §

**INTERLOCAL GOVERNMENT AGREEMENT**

**WHEREAS**, Section 242.001 Local Government Code, requires that a county and municipalities with extraterritorial jurisdiction in that county shall enter into a written agreement that identifies the governmental entity authorized to regulate subdivision plats and approve related permits in the extraterritorial jurisdiction of each such municipality, and

**WHEREAS**, Section 242.001 authorizes a county and municipalities to establish a consolidated and consistent set of regulations related to plats and subdivisions of land as authorized by Chapters 212 and 232 of the Local Government Code, as well as other statutes applicable to both a county and municipalities, that will be enforced in the extraterritorial jurisdiction; and

**WHEREAS**, it is in the best interests of citizens of Bell County for the various governmental entities in this County to cooperate in the provision of more efficient and higher quality delivery of government services, which in this case can be more effectively provided by the municipalities herein; and

**WHEREAS**, the parties herein entered into a written agreement providing for joint regulation of subdivision platting in the extraterritorial jurisdiction of the City of Temple ("City") by Bell County ("County") and the City, as authorized by Section 242.001, Local Government Code on April 17, 2002; and

**WHEREAS**, the parties herein have mutually agreed to amend the existing agreement to continue to deliver a high level of government services and responsible development in the extraterritorial jurisdiction of the City of Temple.

**NOW, THEREFORE**, in consideration of the promises, covenants, and agreements contained herein, the parties hereto mutually agree as follows:

- A. For plats in the extraterritorial jurisdiction (ETJ) of the City of Temple, Texas that are:
  - a. contiguous and adjacent to the city limits;
  - b. that are located in the two areas commonly referred to as "donut holes":
    - 1) generally described as south of Poison Oak Road, west of Kegley Lane, north of Charter Oak Dr/FM 817, and on both sides of Parkside Drive and S. Pea Ridge Road on the west and specifically defined as all hash marked areas within the thick blackline boundary on Exhibit A;
    - 2) generally described as east of Bend of the River, south of Lions Park, west of the Bella Terra subdivision, and north of Taylors Valley Road and specifically defined as all hash marked areas within the thick blackline boundary on Exhibit B, and
  - c. plats subject to a Local Government Code Section 212.172 development agreement between the City and property owners in its ETJ:

1. The City shall be the entity authorized to regulate subdivision plats and approve related permits within its respective extraterritorial jurisdiction when such, as that authority is found under Chapter 212, Local Government Code, except as otherwise herein provided, and the office established by the City for that purpose shall be the exclusive office for acceptance of such plat and permit applications and all other transactions involving the City, the County, and the developer in the planning process.
2. The City may charge appropriate fees as authorized by law related to the subdivision platting and permitting process and shall retain those fees.
3. The City shall provide to the County a copy of all proposed subdivision plats in the City's extraterritorial jurisdiction and the County shall designate a qualified staff member to review all subdivision plats in the City's extraterritorial jurisdiction as part of the plat review process.

B. For all other plats in the extraterritorial jurisdiction of the City of Temple, Texas:

1. The County shall be the entity authorized to regulate subdivision plats and approve related permits within its respective extraterritorial jurisdiction when such, as that authority is found under Chapter 232, Local Government Code, except as otherwise herein provided, and the office established by the County for that purpose shall be the exclusive office for acceptance of such plat and permit applications and all other transactions involving the County, the City, and the developer in the planning process.
2. The County may not approve a plat that relies on the City's water service or infrastructure unless it has received prior written approval from the City.
3. The County may charge appropriate fees as authorized by law related to the subdivision platting and permitting process and shall retain those fees.
4. The County shall provide to the City a copy of all proposed subdivision plats in the City's extraterritorial jurisdiction and the City shall designate a qualified staff member or members to review all subdivision plats in the City's extraterritorial jurisdiction as part of the plat review process.

C. This Agreement shall be automatically renewed annually on the anniversary of the date it was executed hereunder.

D. The City or the County may rescind this Agreement at any time with thirty days written notice.

E. This Agreement may be amended at any time in writing with the mutual consent of the City and the County.

This Agreement is executed this 17<sup>th</sup> day of October 2022.

County of Bell

By: ~~\_\_\_\_\_~~  
County Judge

Attest: Melley Costan  
County Clerk

City of Temple

By: James A. Davis  
Mayor

Attest: [Signature]  
City Secretary

APPROVED AS TO FORM:

[Signature]  
CITY ATTORNEY'S OFFICE