

ORDINANCE NO. 08-18-26-1

AN ORDINANCE OF THE CITY OF MERKEL, TEXAS ANNEXING PROPERTY DESCRIBED AS A PORTION OF F.M. HIGHWAY NO. 126, BEGINNING AT THE PRESENT CITY LIMITS OF THE CITY OF MERKEL AND CONTINUING NORTH TO THE NORTHERN BOUNDARY OF A PARCEL OF LAND DESIGNATED AS 1137 F.M. 126, TO THE CITY OF MERKEL, TAYLOR COUNTY, TEXAS; EXTENDING THE BOUNDARY LIMITS OF SAID CITY TO INCLUDE SAID PROPERTY WITHIN SAID CITY LIMITS; AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Merkel (the "City") is a Texas general law municipality operating pursuant to the laws of the State of Texas;

WHEREAS, Section 43.1055 of the Texas Local Government Code allows municipalities to annex a road right-of-way that is "parallel to the boundary of the municipality" or "connects the boundary of the municipality...to another point on the boundary of the municipality" if the municipality provides notice to the owner of the right-of-way and the owner does not object;

WHEREAS, pursuant to this authority, on April 23, 2026 and June 1, 2026, the City provided notice to the Texas Department of Transportation ("TxDOT") that the City wishes to annex a portion of Farm to Market Road 126 which connects current City limits to an area recently annexed by the City;

WHEREAS, on June 1, 2026, TxDOT provided notice to the City that it does not object to said annexation;

WHEREAS, pursuant to Section 43.063 of the Texas Local Government Code, the City Council of the City held public hearings regarding this proposed annexation on July 14, 2026 and July 21, 2026 and provided notice of said hearings as required by that section; and

WHEREAS, the City Council elects to annex said property into the City limits of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MERKEL, TEXAS THAT:

I. Incorporation. The property described in **Exhibit "A"**, attached hereto and incorporated herein for all purposes (the "Property"), is hereby annexed into the City limits.

II. Extension of City Limits. The boundary limits of the City of Merkel be and the same are hereby extended to include the Property within the city limits of the City of Merkel, and the Property shall hereafter be included within the territorial limits of the City, and the inhabitants of the Property

shall hereafter be entitled to all the rights and privileges of other citizens of the City of Merkel, and they shall be bound by the acts, ordinances, resolutions, and regulations of the City.

III. **Adoption of Service Plan.** The service plan described in **Exhibit "B"**, attached hereto and incorporated herein for all purposes, is hereby adopted to describe the services that shall be provided for the Property.

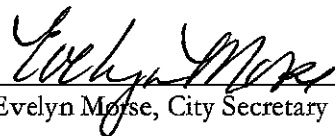
IV. **Effective Date.** This Ordinance shall take effect immediately upon its adoption.

V. **Certified Record.** The City Secretary is hereby directed to file a certified copy of this Ordinance with the County Clerk of Taylor County, Texas.

PASSED AND APPROVED this 18th day of August 2026.

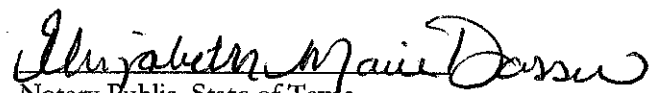

Ray Cobb, Mayor

ATTEST:


Evelyn Morise, City Secretary

STATE OF TEXAS §
 §
COUNTY OF TAYLOR §

This instrument was acknowledged before me on the 18 day of August, 2026 by Ray Cobb, Mayor of the City of Merkel, on behalf of said City.


Notary Public, State of Texas

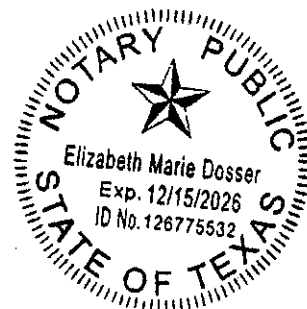


EXHIBIT "A"

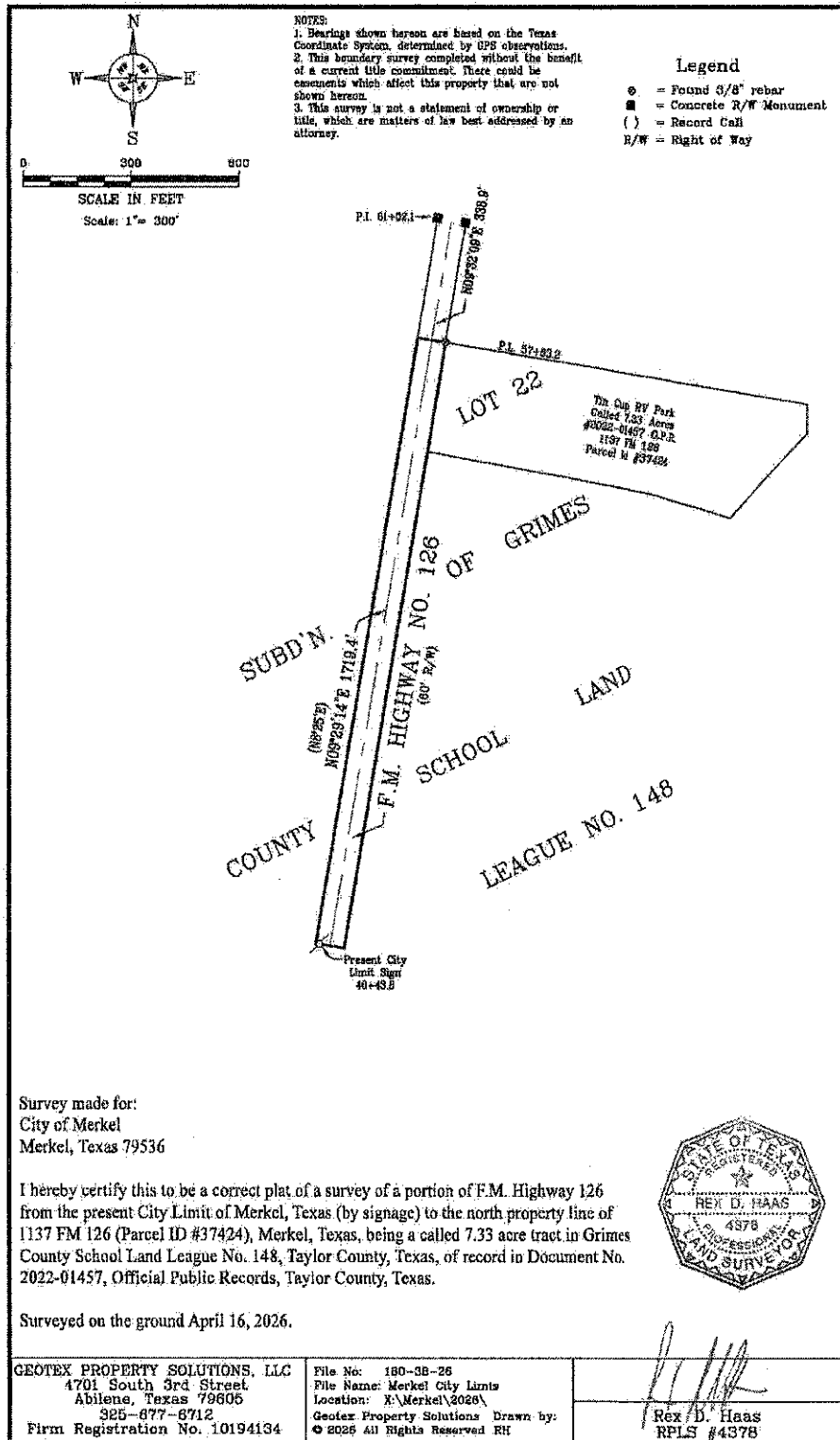


EXHIBIT "B"

City of Merkel, Texas Annexation Service Plan 2026 F.M. 126 Annexation

I. Area to be Annexed. A portion of F.M. Highway No. 126 beginning at present City limits of the City of Merkel and continuing north to the northern boundary of a parcel of land designated as 1137 F.M. 126 (the "Annexed Area").

II. Introduction. This service plan has been prepared in accordance with Section 43.056 of the Texas Local Government Code. Municipal facilities and services to the Annexed Area shall be provided or made available on behalf of the City at the following levels as of the effective date of the annexation unless otherwise noted. The Annexed Area is an interstate highway with no residents which is owned by the Texas Department of Transportation, so services provided by the City are limited accordingly.

III. Services

A. **Police Protection.** The Merkel Police Department shall provide protection and law enforcement services. These services shall include, but not be limited to: 911 service; normal patrols and responses; special units, such as traffic enforcement, criminal investigations, and narcotics; and any community program that may be implemented in the future by the City.

B. **Code Enforcement and Animal Control.** Regular code enforcement and animal control services shall be provided.

C. **Fire Protection.** The Merkel Volunteer Fire Department shall provide fire protection and prevention services. These services shall include: fire suppression and rescue, assistance in providing emergency medical services, emergency prevention and public education services, and emergency management planning.

D. **Public Works.** The City's Public Works Department may provide maintenance services to the Annexed Area pursuant to a separate agreement between the City and the Texas Department of Transportation.

IV. Use of Property. In accordance with Texas Local Government Code Section 43.002, all legal uses of property in the Annexed Area shall be allowed to continue in the manner in which the property was used as of August 18, 2026.

V. Term; Amendments. This Service Plan shall be valid for 10 years. The Service Plan is eligible for renewal at the discretion of the City. The City Council may amend the Service Plan to conform to changed conditions or subsequent occurrences pursuant to the Texas Local Government Code.