



**Frank Madla**  
 Texas State Senate  
 District 19

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OPINION COMMITTEE

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*RQ-0580-80*

July 22, 2002

FILE # ML-42713-02  
 I.D. # 42713

The Honorable John Cornyn  
 Texas Attorney General  
 Post Office Box 12548  
 Austin, Texas 78711-2548

RE: Request for an Opinion under Section 42.0225 of the Texas Local Government Code concerning extraterritorial jurisdiction around certain municipally owned property.

Dear General Cornyn:

Please accept this letter as one of request for Opinion on Section 42.0225 of the Texas Local Government Code. My specific question is:

**Will the City of San Antonio's extraterritorial jurisdiction expand into Medina County if, subsequent to the annexation of the property in Medina County, additional properties are annexed which complete the contiguity with existing city limits?**

**FACTS:**

- The property in question, commonly referred to as the Mayberry tract, is currently owned by the City of San Antonio.
- The Mayberry tract is located within Medina County.
- As of the date of this letter, the Mayberry tract is not contiguous to the San Antonio city limits.
- The City of San Antonio is in the process of considering the annexation of the Mayberry tract.
- The City of San Antonio contends that the Mayberry tract is currently within the City's extraterritorial jurisdiction.

**ISSUE:**

- The City of San Antonio maintains that the extraterritorial jurisdiction will expand upon annexation of two other contiguous properties, Galm/1604 and Government Canyon areas. I have included a map for your use. The question arises due to the fact that the Mayberry tract is not currently contiguous to San Antonio's city limits. Therefore, it is unclear as to whether the extraterritorial jurisdiction will expand if the City annexes the Mayberry tract.

Attorney General Cornyn

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It is important to note that the annexation of the previously mentioned properties may occur prior to the effective date, December 31, 2002, of the new provisions set forth by Senate Bill 89 of the 76th Session requiring a three year plan, notification provisions, etc. If appropriate, please address whether the effective date of SB 89 will impact the annexation process of these properties.

Please call me or Tara Snowden, the Senate Intergovernmental Relations Committee Policy Analyst assigned to this issue, if you have any questions or require further information. Thank you for your consideration of this matter.

Yours truly,

  
Frank Madla

FM/ts

Enclosure