

ANNEXATION CHECKLIST

Petitioner Name: _____
 Site Location: _____

Date: _____

	Prepared	Received	Executed	Filed	Not Required
1 Agreement with landowner authorizing District to proceed with annexation	_____	_____	_____	_____	_____
2 Filing Fee (\$3,500)	_____	_____	_____	_____	_____
3 Metes & bounds description of land to be annexed, signed and sealed by a Registered Professional Land Surveyor (RPLS) in Texas	_____	_____	_____	_____	_____
4 Current Title Report (must have election if less than all landowners are petitioning)	_____	_____	_____	_____	_____
5 Engineering Report	_____	_____	_____	_____	_____
6 Tax Assessor / Collector Certificate	_____	_____	_____	_____	_____
7 Certified copy of deeds tracing title to Petitioner if Petitioner not shown on tax roll as owner	_____	_____	_____	_____	_____
8 Petition to District for Addition of Certain Land	_____	_____	_____	_____	_____
9 Petition to City for Consent to Addition	_____	_____	_____	_____	_____
10 Landowner's Certificate stating who lienholders are (if not stated in the Petition)	_____	_____	_____	_____	_____
11 Lienholder(s) Consent Certificate(s) (if did not join in Petition)	_____	_____	_____	_____	_____
12 Evidence of Authority for Petitioner, Lienholder, and Option Holder if signed in representative capacity (to be attached to Petitions and/or Certificate)	_____	_____	_____	_____	_____
13 District Secretary's Certificate of Filing of Petition for Addition of Certain Land	_____	_____	_____	_____	_____
14 Petition to Board as filed in County Deed Records	_____	_____	_____	_____	_____

Document Number: _____

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Date: _____

	Prepared	Received	Executed	Filed	Not Required
15 Receipt that Petition as recorded in Deed Records was filed with TCEQ	_____	_____	_____	_____	_____
16 Ratification by Option Holder or Purchaser if land is sold or under option for sale to third party between time annexation commences and is completed and Certificates of Authority, as necessary	_____	_____	_____	_____	_____
17 Annexation Application to City (filled out by attorney and engineer)	_____	_____	_____	_____	_____
18 New boundary maps with certificate and notary block for majority of Board to sign	_____	_____	_____	_____	_____
19 Metes and bounds description of District as enlarged	_____	_____	_____	_____	_____
20 City Consent Ordinance	_____	_____	_____	_____	_____
21 Order Adding Land (must be signed by majority of Board)	_____	_____	_____	_____	_____
22 Order Adding Land as filed in County Deed Records	_____	_____	_____	_____	_____
23 Certified Copies of Order Adding Land as filed with TCEQ	_____	_____	_____	_____	_____
24 Voting Rights Submission	_____	_____	_____	_____	_____
25 Response on Voting Rights Submission	_____	_____	_____	_____	_____
26 Letter to Cameron County Appraisal District notifying of boundary change	_____	_____	_____	_____	_____
27 Letter and Revised Boundary Map to Cameron County Elections Administrator notifying of boundary change	_____	_____	_____	_____	_____

Document Number: _____

ANNEXATION CHECKLIST

Petitioner Name: _____

Date: _____

Site Location: _____

28 Letter to District's Tax Assessor/Collector
notifying of boundary change

Prepared

Received

Executed

Filed

Not
Required

RESOLUTION NO. 202-08-2023
AMENDING THE DISTRICT'S POLICY GOVERNING THE ANNEXATION OF
LAND TO THE LAGUNA MADRE WATER DISTRICT AND THE FURNISHING OF
WATER AND SEWER SERVICE TO ANNEXED LAND

WHEREAS, the Board of Directors of the Laguna Madre Water District (the "District") is authorized to annex land pursuant to Chapter 49.301, and establish policies providing water and wastewater services pursuant to Chapter 49.212 of the Texas Water Code; and,

WHEREAS, on June 8, 2005, the Board of Directors of the District adopted an Annexation Policy governing the annexation of land to the District and the furnishing of water and wastewater service to annexed land; and,

WHEREAS, on February 28, 2007, the Board of Directors of the District approved Amendment No. 1 to the Policy Governing the Annexation of Land to the District and the Furnishing of Water and Sewer Service to Annexed Land by adding Section II G stating, "The owner shall comply with District's Annexation Fee and Payment Schedule attached hereto and shall have paid to the District all necessary system Buy-in-Fees contemplated therein."

WHEREAS, on July 27, 2011, the Board of Directors of the District approved an amendment to add Section I.B.1.d. to read as follows: "If the property sought to be annexed as reflected in applicant's petition is a proposed Planned Development Site on property within the District's annexed area or immediately adjacent to property already within the District's annexed area, then the petition for annexation is exempt from compliance with minimum acreage requirement contained in paragraph (ii) above."

WHEREAS, on December 13, 2017, the Board of Directors of the District approved Amendment to the Policy Governing the Annexation of Land to the District and the Furnishing of Water and Sewer Service to Annexed Land by revising the Annexation Fee and Payment Schedule.

WHEREAS, the Board of Directors of the District finds it necessary to revise the policies governing the annexation of land to the District and the furnishing of water and wastewater service to annexed land; and,

WHEREAS, all such revisions to the District's Policies are deemed to be in the public interest; now, therefore

BE IT RESOLVED by the Board of Directors of the Laguna Madre Water District that:

The policy governing the Annexation of Land to the District and the Furnishing of Water and Sewer Service to Annexed Land is replaced in its entirety by the revision provided in this Resolution, attached hereto as Exhibit A. The District recognizes the need to implement alternative water supply such as seawater desalination. Pre-Service Water Rights fees will be developed to support a Port Isabel Seawater Desalination Facility.

PASSED AND APPROVED THIS 9th day of August 2023

ATTEST:


JASON STARKEY, SECRETARY


SCOTT FRIEDMAN, CHAIRMAN

**ANNEXATION POLICY
(ANNEXATION FEE AND PAYMENT SCHEDULE)**

Amended by the Laguna Madre Water District Board of Directors

On August 9, 2023

POLICY GOVERNING THE ANNEXATION OF LAND
TO LAGUNA MADRE WATER DISTRICT AND THE FURNISHING OF
WATER AND SEWER SERVICE TO ANNEXED LAND

- I. Annexation of Land to District. Land will be annexed to the District in accordance with the following policy:
- A. Definitions:
1. Developable Acreage – The difference between Gross Acreage and Undevelopable Acreage.
 2. Undevelopable Acreage – That portion of Gross Acreage that cannot be developed because of statute, rule, or ordinance, or other legal impediment.
 3. Gross Acreage – The total acreage subject to a petition for annexation.
 4. District – The Laguna Madre Water District
 5. Annexation Water Rights – Municipal use water rights conveyed to the District or an equivalent cash payment to the District upon Annexation for acquiring Municipal use water rights.
 6. Pre-Service Water Rights – Municipal use water rights conveyed to the District or an equivalent cash payment to the District prior to installation of the service connection to address any alternative source water needs in excess of those satisfied by the Annexation Water Rights.
 7. System Buy-in Fee – A fee paid to the District upon annexation to address the effect of the annexation on the District’s existing water and wastewater systems.
 8. Filing Fee – A fee set by the Board of Directors to pay the actual costs of the district for processing, engineering, and legal review of a petition for annexation.
 9. Engineering Report – A sealed engineering report prepared by or under the direct supervision of a professional engineer licensed in the State of Texas setting forth water and wastewater requirements of the land subject to a petition for annexation as described in Section I.B.3.
- B. Application for Annexation: An application for annexation consisting of the following shall be filed with the District.
1. Petition: The petition must allege each of the following:
 - a) That the applicant for annexation, whether one or more persons or business entities, is the owner of all the land sought to be annexed to the District.
 - b) That the persons signing the petition in a representative capacity have authority to do so.
 - c) That all lienholders of the land to be annexed consent to the annexation of land to the District.

Exhibit "A"

- d) That the petition covers either:
 - (1) the entire contiguous acreage owned by the applicant if the entire contiguous acreage owned by the applicant is fifty (50) acres or less; or
 - (2) a minimum of fifty (50) contiguous acres if the applicant's entire contiguous acreage is greater than fifty (50) acres
 - (3) If the property sought to be annexed as reflected in applicant's petition is a proposed Planned Development Site on property within the District's annexed area or immediately adjacent to property already within the District's annexed area, then the petition for annexation is exempt from compliance with minimum acreage requirement contained in paragraph I.B.1.d)(2).
- e) That either none of the land to be annexed is located within the boundaries of a city or within the extraterritorial jurisdiction of any city, or that such city has consented to the annexation of the land to the District and that the requirements contained in the consent have been met.
- f) That the applicant:
 - (1) assumes, on behalf of itself and its heirs, successors, and assigns, its share of the outstanding bonds, notes, or others obligations of the District and of the voted, but unissued tax bonds of the District; and
 - (2) authorizes the District to levy and collect an ad valorem tax on all taxable property within the area to be annexed, along with a tax on the land already in the District, for payment of all outstanding bonds, notes, or other obligations of the District, payable in whole or in part from taxes, and for the payment of voted, but unissued tax bonds of the District, and for the payment of maintenance expenses.
- g) That the applicant agrees, on behalf of itself, its heirs, successors, and assigns that, if the projected water and wastewater needs established in the engineering report are underestimated, the applicant will pay to the District the difference between the annexation fee paid and a Pre-Service Water Rights & System Buy-in Capacity cost based on alternative source water available through a diversion from the Laguna Madre Bay (i.e. seawater) and treatment works necessary to implement the process.

Exhibit "A"

- h) That the annexation of land to the District is advantageous to the District and that the water and wastewater systems or other improvements of the District are sufficient, or will be sufficient, to serve the land to be annexed without injuring land already in the District by increasing rates or taxes due to the annexation accelerating the need for expansion of water and wastewater systems or other improvements of the District or an offer to pay the District a capacity replacement charge in an amount established by the District.
- i) That the proposed annexation is feasible and practicable and would be of benefit to the District and the area to be annexed to the District.
- j) That none of the land to be annexed is subject to the Federal Coastal Barrier Resources Act.
- k) That the applicant will convey to the District, upon annexation of the land to the District, the right to divert and use four (4) acre-feet of water per developable acre or calculated use as determined by the applicant and reviewed and approved by the District Engineer, per annum for municipal use, or alternatively at the option of the District, an equivalent cash value for the market value of municipal water rights for each acre of developable land, or part thereof, annexed to the District (hereinafter at times referred to as "Annexation Water Rights"), and the applicant will dedicate or convey said Annexation Water Rights to the District, without expense to the District free and clear of all encumbrances.
- l) The District may waive or reduce the requirement to dedicate water rights for that portion of the area to be annexed that cannot be developed, such as areas that are inundated by water and mitigation areas.
- m) If the Annexation Water Rights are insufficient to satisfy the expected demand of the development on the annexed land, applicant will also be required to convey to the District municipal water rights based upon the projected demand for service as a condition precedent to receiving water and/or wastewater services from the District as set forth in Article II, at the time water and/or sewer service is requested if no new water facilities are required for development, or, alternatively, as a condition precedent to District review and approval of plans and specification for water or sewer system improvements to or for the area to be developed (hereinafter at times referred to as "Pre-Service Water Rights"). If the applicant does not own or will be unable to convey to the District either the Annexation Water Rights or the Pre-Service

Exhibit "A"

Water Rights, or both, as required above, the applicant may offer to pay the District a water rights charge in an amount established by the District in lieu of the required Annexation Water Rights or Pre-Service Water Rights specified above. The District's Board of Directors will decide whether to accept or reject the offer and if the offer is accepted, shall set the amount of the water rights charge based on the price set in the District's annexation fee and payment schedule of the water rights at the time of payment of the water rights charge, plus the projected cost of negotiating and completing the purchase of water rights and the amendment of the water rights. In addition, the District may choose to have an equivalent payment in cash in lieu of the required Annexation Water Rights or Pre-Service Water Rights.

- n) That the applicant grants the District an irrevocable offer, coupled with an interest, to dedicate or convey to the District, without expense to the District, all land, easements, and rights-of-way within the land to be annexed or within land already in the District considered necessary by the District's Engineer to serve the land to be annexed to the District.
 - o) That the applicant understands and agrees, on behalf of itself, its heirs, successors, and assigns that none of the land to be annexed to the District will receive either water or sewer service from the District, unless and until the applicant, its successors, heirs, or assigns, comply with the District's service policy for water and sewer service to land annexed to the District and rules and regulations for service, and that the applicant, its successors, heirs, and assigns will not allow any utility, other than the District, to provide water or sewer service to the land to be annexed.
 - p) That the annexation of land to the District does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race, color, religion, sex (including gender identity, sexual orientation, and pregnancy), national origin, age (40 or older), disability, or genetics.
2. Metes and Bounds Description. The petition shall contain a metes and bounds description of land to be annexed. The petition shall be signed and acknowledged in the manner required for conveyances of land and shall provide a form for the secretary of the Board of Directors to acknowledge receipt of the petition. The petition shall be typed and single spaced on letter size paper.

Exhibit "A"

3. Engineering Report. An engineering report shall be prepared by or under the direction of a professional engineer licensed in the State of Texas and the engineer's seal must be affixed on the front cover of the report or the cover letter if bound in the report. The engineering report shall contain the following:

a) General Information:

- (1) Total acreage of the land proposed to be annexed to the District, total developable acreage within the area to be annexed, excluding public areas, and undevelopable flood prone areas, etc.
- (2) Table showing proposed improvements and number of acres and utility connections to be developed by sections, units, etc.
- (3) Total projected connections and population at full development. Applicant shall provide the projected water and wastewater needs in accordance with standards established by the District indicated in the Annexation Fee and Payment Schedule.
- (4) Source and adequacy of water supply and wastewater treatment capacity and whether expansion of water supply and wastewater treatment capacity necessary to prevent the annexation from injuring land already in the District by increasing rates or taxes due to the annexation accelerating the need for expansion of water and wastewater systems or other improvements of the District.
- (5) Complete description of any unusual improvements that may be installed.
- (6) The demographic information and maps necessary for a submission for preclearance under the Voting Rights Act of 1965, as amended. See 28 CFR § 51.28(a), (b), and (c).
- (7) Provide an estimated building schedule for residential and commercial unit construction.
- (8) State specifically the benefits to the District if the land is annexed.

b) Exhibits – Include the following Exhibits:

- (1) Projected construction costs by facility and section.
- (2) Legible drawing (not necessarily to scale) showing area to be annexed, divided into sections according to proposed development. Show section number, or other identification, and acreage. Also show major utilities, roads, and other features sufficient for project orientation.

Exhibit "A"

- (3) Designation of area subject to flooding on contour map of the District.
 - (4) Documentary evidence supporting each of the facts alleged in the petition for application.
 - (5) Map showing the boundaries of the District as existing on the date of the application and a map showing the boundaries of the District upon annexation of land to the District. Each map should contain a vicinity map inset and be provided in electronic format and printable on 11"x17" paper.
4. Filing Fee. The filing fee for the application for annexation of land to the District shall be set by the Board of Directors and shall be adequate to pay the actual costs of the District for processing, engineering, and legal review of the application, legal notices, and filing fees. The initial deposit towards the payment of the filing fee is hereby set at \$3,500 and is due when the application is filed. Additional deposits may be required by the District if the District incurs costs in excess of prior deposits, and the remaining balance of the filing fee is due at the time the Board of Directors considers the application. There will be no refund of the filing fee.
- C. Hearing on Application. Upon receipt of an application for annexation that complies with the minimum requirements of this policy and upon receipt of any additional information that the District deems necessary to consider the application, a date, time, and place will be set for consideration of the application by the Board of Directors. The District will provide notices of the hearing. At the hearing, the applicant has the burden of presenting to the satisfaction of the Board of Directors that each of the allegations contained in the petition are true and correct and that the applicant has complied with all requirements for annexation. The District has the absolute discretion to deny annexation of the Applicant's land if the District does not have nor will have sufficient water and/or wastewater treatment capacity for the land proposed to be annexed or the proposed annexation will have the effect of injuring land already in the District by increasing rates or taxes due to the annexation accelerating the need for expansion of water and wastewater systems or other improvements of the District.
- D. Annexation Order. Unless the Board of Directors dismisses or denies the application, stating the grounds therefore, the Board of Directors will enter an order that provides that the land shall be annexed to the District.

Exhibit "A"

- E. Completion of Annexation. The annexation of the land to the District shall be complete and final only upon entry of final order finding that the annexation shall be final and complete and authorizing and ordering annexation of the land to the District and the filing of the order annexing the land to the District in the County Deed Records and with the Texas Commission on Environmental Quality and providing copies of the filings to the District for the District's files.
- II. Water and Sewer Service to Annexed Land. Before the District will provide water and/or wastewater service to any area of land annexed to the District at rates charge for other customers within the District, the person or persons who desire service to such area annexed to the District shall comply with the minimum following requirements:
- A. Formal acceptance by the District of the dedication or conveyance to the District, without cost to the District and free and clear of all liens and encumbrances, of title to the following property:
1. The Annexation Water Rights and the Pre-Service Water Rights, or with the consent of the District, a payment in lieu of water rights, as provided in Articles I.B.1.k & m of the District's annexation policy.
 2. All facilities, improvements, works, plants, equipment, and appliances (hereinafter referred to as "facilities") necessary to efficiently provide water and wastewater services to the area for which service is requested, including all capacity within such facilities and all lands, easements, and rights-of-way necessary for such facilities to prevent the proposed annexation from having the effect of injuring land already in the District by increasing rates or taxes due to the annexation accelerating the need for expansion of water and wastewater systems or other improvements of the District. In the alternative, the petitioner may pay to the District the amount of money needed to prevent the proposed annexation from having the effect of injuring land already in the District by increasing rates or taxes due to the annexation accelerating the need for expansion of water and wastewater systems or other improvements of the District. The District will not accept the conveyance or dedication unless the following minimum requirements are met:
 - a) Plans and Specifications. Any person who proposes to construct facilities within the District shall submit to the District plans and specifications for such proposed facilities and obtain approval of the plans prior to beginning construction of the facilities. Approval of the plans and specifications by the District shall not relieve the owner or the design engineer of any liability or responsibilities with respect to the design of the facilities. The design criteria for the water and wastewater facilities shall be established by the District's engineer in accordance with good public health and engineering practices. The District may require that, as part of the approval process, the owner install oversized facilities to provide

Exhibit "A"

utility service to areas located outside the area for which service is requested and may also require the installation of permanent or temporary water or wastewater treatment plants or additional water or wastewater treatment capacity. The plans and specifications shall include the following information:

- (1) Complete description and estimated cost of facilities proposed for installation including utility plans, force mains, gravity trunk lines, water mains, and other water and wastewater facilities.
 - (2) Describe land features including soil types, vegetation, marshland, etc. and provide high and low elevation (msl) in the area to be annexed.
 - (3) Describe each proposed facility or system and its relationship with existing or future improvements, including past and projected oversizing of trunk lines, mains, ditches, plants, etc.
 - (4) Describe need for improvements.
 - (5) Describe basis of design for all facilities including water supply and distribution, wastewater treatment and collection.
 - (6) Construction plans and specifications for all facilities required to serve the land to be annexed.
- b) Construction. The facilities shall be constructed in accordance with the following minimum requirements:
- (1) That the facilities were constructed in accordance with plans and specifications approved by the District. The owner shall be responsible for providing construction inspection services. Notice of start of construction shall be given to the District, and the District shall be allowed to observe construction.
 - (2) That the facilities are constructed in a good and workmanlike manner and that the materials used in the construction of the facilities are free from defects and fit for their intended purposes.
 - (3) That the facilities are constructed or installed in streets, alleys, easements, or public rights-of-way dedicated to the public or the District. No construction shall be allowed that will interfere with the servicing of the lines.
 - (4) That the facilities were tested, flushed, and disinfected in accordance with the review and approval of the Water Distribution Department.

Exhibit "A"

- (5) That within thirty days after completion of construction, the following were filed with the District: contract completion certificate, "as-built" drawings, "payment" and "payment receipt" certificates, and an assignment to the District of all warranties made respecting said facilities.
- (6) The applicant shall provide the District with a warranty of not less than one (1) year beginning on the date of acceptance by the District for all facilities.

The District may require the owner to provide certification of each of the above requirements.

- B. The District engineer must determine that the District has, or will have, adequate water and wastewater treatment capacity in existing or proposed facilities required to serve the area requested. The District will not commence construction of facilities to provide additional water or wastewater treatment capacity for the area to be served unless or until the District: 1) owns the water rights required to provide service to the area; and 2) the District receives acceptable financial guarantees that the owner will timely complete construction and development of the area for which service is requested.
- C. In the event District requires the owner to construct or install permanent or temporary wastewater treatment facilities, the owner shall acquire all necessary permits and approval for facilities, the terms and conditions of which must be acceptable to the District. The owner shall acquire such permits in its name and transfer ownership to the District after such permit is obtained. In the event a permit is not obtained with terms and conditions acceptable to the District, the District may require the owner to construct the facilities necessary to transport the wastewater to existing treatment facilities and, if necessary, finance the construction of additional treatment capacity and procurement of all necessary permits and approvals.
- D. In the event the District previously required other owners to construct oversized facilities, or additional water or wastewater treatment capacity which the developer is permitted or required by the District to use, the petitioner may be required to pay recoupment fees pursuant to the District's Service extension policy.
- E. All tap fees, connection fees, standby fees, and all other fees or charges owed by the owner to the District, and all property taxes, penalties, and interest on the land for which service is requested, shall be paid in full prior to acceptance of the conveyance of the facilities.
- F. The owner shall comply with all rules and regulations for service adopted by the District.
- G. The owner shall comply with District Annexation Fee and Payment Schedule as shown in Exhibit 'A' and shall have paid to the District all necessary system Buy-in-Fees contemplated therein.

EXHIBIT “A”



<p>Annexation Fee and Payment Schedule</p>

The following fee and payment schedule has been adopted by the Laguna Madre Water District on the 9th day of August, 2023.

Background

The Laguna Madre Water District has enacted a fee schedule to offset the cost of providing water and wastewater treatment capacity reserved for proposed development for annexation into the District. In addition, Pre-Service Water Rights will be negotiated on a case-by-case basis to address any alternative source water needs in excess of those satisfied by the Annexation Water Rights.

The fees associated herein will be reviewed on a regular basis and adjusted according to current costs for providing water and wastewater services. The fees charged will be in accordance with provision contained herein and the currently adopted Annexation Agreement and any associated addenda thereto.

Fee Schedule Water Supply Capacity

<u>Unit Type</u>	<u>Population</u>	<u>Avg. Flow, gal/day</u>	<u>Flow per unit, gal/day</u>
Condominium	3.5	75 per person	263
Hotel	2.5	75 per person	188
Single Family	4.0	75 per person	300
Commercial		50 per 100 sq. ft.	
Restaurant		100 per 100 sq. ft.	
Landscape		7,000 per acre	
Municipal Water Rights Charge		\$3,500	Acre-feet per year

Fee Schedule Water Treatment Capacity

<u>Unit Type</u>	<u>Population</u>	<u>Peak Flow, gal/day</u>	<u>Flow per unit, gal/day</u>
Condominium	3.5	150 per person	525
Hotel	2.5	150 per person	375
Single Family	4.0	150 per person	600
Commercial		50 per 100 sq. ft.	
Restaurant		100 per 100 sq. ft.	
Landscape		14,000 per acre	20% of gross acreage
Capacity Buy-in Charge		\$ 1.00	gallon of capacity standby

Fee Schedule for Wastewater Treatment Capacity

<u>Unit Type</u>	<u>Population</u>	<u>Peak Flow, gal/day</u>	<u>Flow per unit, gal/day</u>
Condominium	3.5	120 per person	420
Hotel	2.5	120 per person	300
Single Family	4.0	120 per person	480
Commercial		50 per 100 sq. ft.	
Restaurant		100 per 100 sq. ft.	
Capacity Buy-in Charge		\$ 1.50	gallon of capacity standby

Offsite Costs

Applicant shall be responsible for the construction of water and wastewater supply lines to the proposed annexation site in accordance with the District’s policies including any oversizing required by the District. All facilities shall be constructed in accordance with District standards, and District shall inspect work to assure compliance with standards.

Payment Schedule

Water Rights Charge – Annexation Water Rights charges will be paid at the time the annexation agreement is approved by the Board of Directors. Water Rights amount will include master planned area.

Pre-Service Water Rights; Water and Wastewater Buy-in – Pre-Service Water Rights and system buy-in charges will be paid upon the General Manager’s approval of platted area for construction. Subdivision plat can be a partial area of the total annexation request. Pre-Service Water Rights & Buy-in charges will be set at the rate in effect at the time of annexation agreement approval.

Offsite Construction – Applicant will be required to complete all offsite improvements, submit as-built drawings, certifications that work has been completed and all bills have been paid before District will allow for the connection to water and wastewater facilities.

Penalties for Under Planning

The District must provide for the growth potential for newly annexed areas and growth within the current District boundaries. It is imperative that the master planning be as accurate as possible to allow for proper service to all areas within the District. The District will impose a fee for areas master planned that exceed 10% of the projected volume of capacities at the time of platting / construction. Assessment will be in accordance with the following schedule.

$$(\text{Revised Municipal Water Rights Demand} - \text{Original Municipal Water Rights Demand}) \times \text{Pre-Service Water Rights Unit Cost}$$