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SB 1844 DISANNEXATION PETITION COVER SHEET

Legal Description: ABS 739 SUR 2 SPILLMAN 5 AC. 75

Landowner Name(s): Christopher Benson

Contact Name for the Petition: Chris Benson

Contact Phone Number: [REDACTED]

Contact Email Address: [REDACTED]

Date Received: 12/2/2025

Received by: Enika Brady

(Print name of OCC staff member)

[Signature]

(Signature of staff member)

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SB 1844 DISANNEXATION PETITION

Colleen and Christopher Benson
2705 Pearce Road
Lake Austin, Texas 78730
[REDACTED]

December 2, 2025

Erika Brady
City of Austin, City Clerk
Austin City Hall
P.O. Box 1088
Austin, Texas 78767
city.clerk@austintexas.gov

Re: Petition for Disannexation from the City of Austin

Dear Ms. Brady,

1. The property owners Colleen and Christopher Benson ("Petitioners") petition for disannexation of their Property (Disannexation Area) under TEX. LOC. GOV'T CODE SECTION 43.141 because the City of Austin (COA) has failed to provide, and never connected the Property to the COA's water system or wastewater system even though City of Austin has connected a vast number of properties in other areas within the City of Austin to the COA water and wastewater systems.
2. This Petition is made on the same basis as Disannexation Petitions C7d-2025-0003; -0004; and -0005. The Disannexation Area is also in the same vicinity as:
 - a. The property identified in the -0003 Petition;
 - b. the properties identified in and shown on pages 9 and 10 of Exhibit "A" to Petition Number C7d-2025-0004 (aka Cobb & Johns Petition 1 (see also boxes 9 and 10 on the map marked **EXHIBIT "A"**)); and
 - c. the properties identified in and shown on page 3 of Exhibit "A" to Petition Number C7d-2025-0005 (aka Cobb & Johns Petition 2 (see also box 3 on the map marked **EXHIBIT "A"**)).
3. The Petition meets the requirements of TEX. LOC. GOV'T CODE SECTION 43.141(a)(3) because the Property identified as the Disannexation Area is located adjacent to a navigable waterway and did not become part of the City of Austin in

compliance with or under Chapter 43, Subchapter C of the Texas Local Government Code.

4. The notice, publication, and affidavit requirements of TEX. LOC. GOV'T CODE SECTION 43.141(f) do not apply to this Petition because the Disannexation Area was not annexed under Chapter 43 of the Texas Local Government Code.
5. This Petition complies with TEX.LOC.GOV'T CODE SECTION 43.141(h) because the Petitioner does not request disannexation of any portion comprising the bed of a navigable waterway.
6. This petition complies with TEX. LOC. GOV'T CODE SECTION 43.141(i) because the Disannexation Area was not previously designated as an industrial district under TEX.LOC.GOV'T CODE SECTION 42.044.
7. The COA has failed to provide and connect the following services to the Property in the Disannexation Area:
 - (1) **Water Service and Maintenance of Water Facilities:** The COA has not connected the Property in the Disannexation Area to the COA's water system or a majority of the Properties in the vicinity of the Disannexation Area to the COA water system.
 - (2) **Sanitary Sewer Service and Maintenance:** The COA has not connected the Property in the Disannexation Area to the COA's wastewater system or a majority of the Properties in the vicinity of the Disannexation Area to the COA wastewater system.
8. **Other Areas are connected to the COA water system and wastewater system:** The COA has connected a vast number of other properties throughout the COA to the COA's water system, and wastewater system.
9. Accordingly, the property owners of the Disannexation Area petition for disannexation from the City of Austin pursuant to TEX. LOC. GOV'T CODE SECTION 43.141.
10. In summary and as set forth above, this Petition meets the requirements of TEX. LOC. GOV'T CODE SECTION 43.141 because the:
 - (1) Disannexation Area was not annexed under TEX. LOC. GOV'T CODE SECTION 43, Subchapter C. (43.141(a)(3));
 - (2) Disannexation Area does not include or claim land that comprises the bed of a navigable waterway. (43.141(h));

- (3) Disannexation Area was not previously designated as an industrial district under TEX.LOC.GOV'T CODE SECTION 42.044. (43.141(i));
 - (4) COA has refused to provide and never connected water service to the Disannexation Area (i.e., the Property). (43.141(b)(3));
 - (5) COA has refused to provide and never connected wastewater or sanitary sewer service to the Disannexation Area (i.e., the Property). (43.141(b)(3)); and
 - (6) COA has connected other areas within the COA to its water system and to its wastewater system. (43.141(b)(3)).
11. This petition meets the requirements of the TEX. LOC. GOV'T CODE SECTION 43.141(d) because it:
- (1) is in writing;
 - (2) requests disannexation;
 - (3) is signed in ink by the Property Owners;
 - (4) contains a note made by each Property owner stating the person's residence address;
 - (5) describes the area to be disannexed and has a survey of the area attached; and
 - (6) was submitted to the City Clerk of the City of Austin, the local equivalent of a secretary of the City.
12. The Petitioners do not concede that their Property was ever properly annexed by the COA, or that the COA has ever properly exercised full-purpose jurisdiction over their Property in the Disannexation Area.
13. Pursuant to TEX. LOC. GOV'T CODE SECTION 43.141(g), Petitioners acknowledge that they are not eligible to seek, under Section 43.148, a refund of taxes or fees for the Designated Area (i.e. their Property). However, the Petitioners do not concede that they are foreclosed or ineligible from seeking, by other legal or equitable means, a refund or compensation for past taxes, fees, fines, interest, damages, or other monetary relief in connection with the payment of property taxes or the refusal to pay property taxes to the COA, its agent(s) or assign(s) for the Designated Area.

14. Pursuant to TEX. LOC. GOV'T CODE SECTION 43.141(d), the description of the property in the Disannexation Area, and a note from each property owner stating the person's residence address, and a signature in ink by the appropriate property owners is set forth immediately below.

Property Owners: Christopher and Colleen Benson.

Property Address: 2705 Pearce Road, (Lake) Austin, Texas 78730. This is also our residential address.

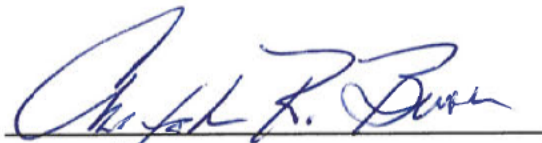
Property Description: The legal description is ABS 739 SUR 2 SPILLMAN J ACR.75* AKA LOT 20 BLK 2 MANANA SUBD UNRECORDED- an unrecorded subdivision in Travis County, Texas according to the map or plat thereof, recorded in Volume 2456, Page 97 of the Plat Records of Travis County, Texas.

Survey: A survey of the Disannexation Area is attached on the following page.

The Property has **NO** City of Austin Water connection or service.

The Property has **NO** City of Austin Wastewater connection or service.

Signature of Property Owners:

A handwritten signature in blue ink, appearing to read "Christopher Benson", written over a horizontal line.

Christopher Benson

A handwritten signature in blue ink, appearing to read "Colleen Benson", written over a horizontal line.

Colleen Benson

