

Parker Ammar

February 15, 2022

Maxwell Creek Annexation

The city of Parker has the authority to annex the length of Maxwell Creek that runs through its ETJ, as is described in Texas Local Government Code **Section 43.013**, if Maxwell Creek is a navigable stream.

Texas Local Government Code Section 43.013:

Sec. 43.013. AUTHORITY OF MUNICIPALITY TO ANNEX NAVIGABLE STREAM. The governing body of a municipality by ordinance may annex any navigable stream adjacent to the municipality and within the municipality's extraterritorial jurisdiction under the procedures prescribed by Subchapter C-1.

A stream is considered navigable so far as it maintains an average width of 30 feet from the mouth up, as is defined in Texas Natural Resources Code **Section 21.001**.

Texas Natural Resources Code Section 21.001:

Sec. 21.001. DEFINITIONS. In this chapter:

- (1) "Commissioner" means the Commissioner of the General Land Office.
- (2) "Land office" means the General Land Office.
- (3) "Navigable stream" means a stream which retains an average width of 30 feet from the mouth up.

By measurements taken from satellite images and from the ground, I have determined that Maxwell Creek maintains an average width of **35.52 feet** from its mouth to its intersection with N Murphy Road.

The full results of my findings will be posted tomorrow (February 16, 2022) at Noon at:

paammar.org/maxwell-creek.html