

**ORDINANCE NO. 22021103-089**

**AN ORDINANCE ANNEXING, FOR FULL PURPOSES, APPROXIMATELY 3067 ACRES OWNED BY THE CITY OF AUSTIN AND LOCATED SOUTHWEST OF STATE HIGHWAY 45 AND NEAR THE INTERSECTION OF SPANISH OAK TRAIL AND LIVE OAK DRIVE IN HAYS COUNTY AND TRAVIS COUNTY, TEXAS; AND APPROVING A WRITTEN MUNICIPAL SERVICE PLAN.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The Council finds that:

- (A) Notice of the public hearing concerning the voluntary annexation of the territory described in **Exhibit “A”** was published in a newspaper of general circulation on October 13, 2022, in the City of Austin and in the area to be annexed, and on the City of Austin website. Proof of published notice is attached as **Exhibit “B”**.
- (B) The public hearing was held on November 3, 2022, at Austin City Hall, 301 West 2<sup>nd</sup> Street, Austin, Texas, and via videoconference.
- (C) The public hearing was concluded after providing an opportunity for all persons present to be heard with respect to the proposed annexation.
- (D) The City of Austin is the owner of the territory described in **Exhibit “A”**.
- (E) The annexation, for full purposes, of the territory described in **Exhibit “A”** serves the interest of the current and future residents of the City of Austin.
- (F) All procedural requirements imposed by state law for the full purpose annexation of the territory described in **Exhibit “A”** have been met.

**PART 2.** The present boundary limits of the City are amended to include the following territory, which is within the limited purpose jurisdiction and extraterritorial jurisdiction and adjacent to the city limits of the City of Austin in Travis County, Texas, and which is annexed into the City for full purposes:

Approximately 3067 acres owned by the City of Austin and located southwest of State Highway 45 and near the intersection of Spanish Oak Trail and Live Oak Drive in Hays County and Travis County, Texas, this area being more particularly described in **Exhibit “A”**.

**PART 3.** The City Council declares that its purpose is to annex to the City of Austin each part of the area described in **Exhibit "A"** as provided in this ordinance, whether any other part of the described area is effectively annexed to the City. If this ordinance is held invalid as to part of the area annexed to the City of Austin, the invalidity does not affect the effectiveness of this ordinance as to the remainder of the area.

If any area or lands included within the description of the area set out in **Exhibit "A"** are: (1) presently part of and included within the general limits of the City of Austin; (2) presently part of and included within the limits of any other city, town or village; or (3) are not within the jurisdiction of the City of Austin to annex, then that area is excluded and excepted from the area annexed.

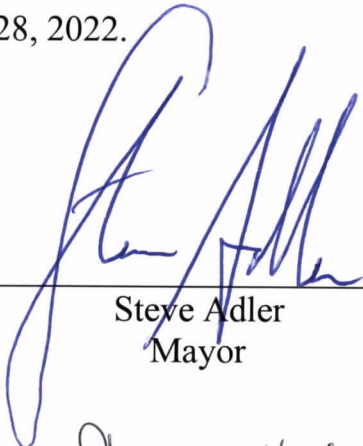
**PART 4.** The City Council approves the written municipal service plan for the territory attached as **Exhibit "C"**.

**PART 5.** This ordinance takes effect on November 28, 2022.


**PASSED AND APPROVED**

\_\_\_\_\_, November 3, 2022

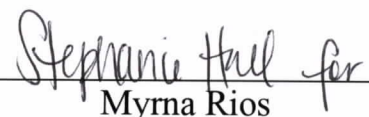
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Steve Adler  
Mayor

**APPROVED:**

  
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Anne L. Morgan  
City Attorney

**ATTEST:**

  
\_\_\_\_\_  
Myrna Rios  
City Clerk

## EXHIBIT A

C7a-2022-0010

Area to be annexed.

(Approximately 3066.65 acres of land out of the H. W. Cocke Survey No. 432, Abstract No. 197 in Travis County, Texas and the Joseph S. Arrington Survey No. 56, Abstract No. 24, the El Paso Irrigation Co. Survey, Abstract No. 524, the James Wells Survey No. 84, Abstract No. 496, the F. W. Sutor Survey No. 53, Abstract No. 443, the G. W. Finley Survey, Abstract No. 185, the Jesse B. Crawford Survey No. 13, Abstract No. 110, the Thomas H. Crawford Survey No. 12, Abstract No. 111, the S. E. Echols Survey No. 3, Abstract No. 762, the Joseph S. Arrington Survey No. 56, Abstract No. 24, the John G. McGehee Survey No. 6, Abstract No. 12, the John Woodruff Survey, Abstract No. 478, the B. F. Cady Survey, Abstract No. 138, the S. E. Echols No. 2, Abstract No. 775, the M. T. Key Survey No. 13, Abstract No. 273, the F. W. Sutor Survey No. 52, Abstract No. 442, F. W. Sutor Survey No. 51, Abstract No. 441, the F. W. Sutor Survey No 50, Abstract No. 440, the Joseph S. Arrington Survey No. 57, Abstract No. 23, the J. R. Worrall Survey No. 58, Abstract No. 500 and the H. W. Cocke Survey No. 83, Abstract No. 127 in Hays County, Texas)  
(Unplatted Land)



LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR SIX TRACTS OF LAND CONTAINING APPROXIMATELY 3066.65 ACRES OF LAND, THE TRACT HEREINAFTER DESCRIBED AS TRACT ONE CONTAINING APPROXIMATELY 450.000 ACRES OF LAND OUT OF THE JOSEPH S. ARRINGTON SURVEY NO. 56, ABSTRACT NO. 24, THE EL PASO IRRIGATION CO. SURVEY, ABSTRACT NO. 524, THE JAMES WELLS SURVEY NO. 84, ABSTRACT NO. 496, THE F. W. SUTOR SURVEY NO. 53, ABSTRACT NO. 443, THE G. W. FINLEY SURVEY, ABSTRACT NO. 185. THE JESSE B. CRAWFORD SURVEY NO. 13, ABSTRACT NO. 110, THE THOMAS H. CRAWFORD SURVEY NO. 12, ABSTRACT NO. 111 AND THE S. E. ECHOLS SURVEY NO. 3, ABSTRACT NO. 762 IN HAYS COUNTY, TEXAS, THE TRACT HEREINAFTER DESCRIBED AS TRACT TWO CONTAINING APPROXIMATELY 400.44 ACRES OF LAND IN THE EL PASO IRRIGATION CO. SURVEY, ABSTRACT NO. 524, THE JOSEPH S. ARRINGTON SURVEY NO. 56, ABSTRACT NO. 24 AND THE JOHN G. MCGEHEE SURVEY NO. 6, ABSTRACT NO. 12 IN HAYS COUNTY, TEXAS, THE TRACT HEREINAFTER DESCRIBED AS TRACT THREE CONTAINING APPROXIMATELY 84.62 ACRES OF LAND OUT OF THE JAMES WELLS SURVEY NO. 84, ABSTRACT NO. 496 IN HAYS COUNTY, TEXAS, THE TRACT HEREINAFTER DESCRIBED AS TRACT FOUR CONTAINING APPROXIMATELY 1325.0 ACRES OF LAND OUT OF THE JOHN WOODRUFF SURVEY, ABSTRACT NO. 478, THE B. F. CADY SURVEY, ABSTRACT NO. 138, THE S. E. ECHOLS SURVEY NO. 2, ABSTRACT NO. 775, THE M. T. KEY SURVEY NO. 13, ABSTRACT NO. 273, THE JAMES WELLS SURVEY NO. 84, ABSTRACT NO. 496, THE F. W. SUTOR SURVEY NO. 52, ABSTRACT NO. 442, THE F. W. SUTOR SURVEY NO. 53, ABSTRACT NO. 443, THE F. W. SUTOR SURVEY NO. 51, ABSTRACT NO. 441, THE F. W. SUTOR SURVEY NO. 50, ABSTRACT NO. 440, THE G. W. FINLEY SURVEY, ABSTRACT NO. 185, THE THOMAS H. CRAWFORD SURVEY NO. 12, ABSTRACT NO. 111, THE JOSEPH S. ARRINGTON SURVEY NO. 57, ABSTRACT NO. 23, THE J. R. WORRALL SURVEY NO. 58, ABSTRACT NO. 500 AND THE H. W. COCKE SURVEY NO. 83, ABSTRACT NO. 127 IN HAYS

COUNTY, TEXAS, THE TRACT HEREINAFTER DESCRIBED AS TRACT FIVE CONTAINING APPROXIMATELY 697.929 ACRES OF LAND OUT OF THE H. W. COCKE SURVEY NO. 83, ABSTRACT NO. 127, THE JOSEPH S. ARRINGTON SURVEY NO. 57, ABSTRACT NO. 23, THE F. W. SUTOR SURVEY NO. 50, ABSTRACT NO. 440, THE H. W. COCKE SURVEY NO. 432, ABSTRACT NO. 128, THE THOMAS H. CRAWFORD SURVEY NO. 12, ABSTRACT NO. 111, THE J. R. WORRALL SURVEY NO. 58, ABSTRACT NO. 500 AND THE JOHN G. MCGEHEE SURVEY NO. 6, ABSTRACT NO. 12 IN HAYS COUNTY, TEXAS AND THE H. W. COCKE SURVEY NO. 432, ABSTRACT NO. 197 IN TRAVIS COUNTY, TEXAS AND THE TRACT HEREINAFTER DESCRIBED AS TRACT SIX CONTAINING APPROXIMATELY 108.66 ACRES OF LAND OUT OF THE JAMES WELLS SURVEY NO. 84, ABSTRACT NO. 496 IN HAYS COUNTY, TEXAS. SAID APPROXIMATELY 3066.65 ACRES BEING MADE UP OF THE FOLLOWING SIX TRACTS OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**Tract One**

BEING all that certain called 450.000 acre tract of land conveyed to the City of Austin by Special Warranty Deed recorded in Document No. 20021860 of the Official Public Records of Hays County, Texas.

**Tract Two**

BEING all of that certain called 400.44 acre tract of land conveyed to the City of Austin by Special Warranty Deed recorded in Document No. 19029979 of the Official Public Records of Hays County, Texas.

**Tract Three**

BEING all of that certain called 84.62 acre tract of land conveyed to the City of Austin by Special Warranty Deed recorded in Volume 2506, Page 682 of the Official Public Records of Hays County, Texas.

**Tract Four**

BEING all that certain called 1325.0 acre tract of land conveyed to the City of Austin by Special Warranty Deed recorded in Volume 1473, Page 961 of the Official Public Records of Hays County, Texas.

**Tract Five**

BEING all of that certain called 62.354 acre tract of land and all of that certain called 23.754 acre tract of land conveyed to the City of Austin by Special Warranty Deed recorded in Volume 4691, Page 169 of the Official Public Records of Hays County, Texas and in Document No. 2013128818 of the Official Public Records of Travis County, Texas and being all of that certain called 185.857 acre tract of land and all of that certain called 425.964 acre tract of land conveyed to the City of Austin by Special Warranty Deed recorded Volume 4184, Page 619 of the Official Public Records of Hays County, Texas and in Document No. 2011128479 of the Official Public Records of Travis County, Texas.

**Tract Six**

BEING all of that certain called 56.60 acre tract of land conveyed to the City of Austin by Special Warranty Deed recorded in Document No. 21039842 of the Official Public Records of Hays County, Texas and all of that certain called 52.06 acre tract of land conveyed to the City of Austin by Special Warranty Deed recorded in Document No. 21039841 of the Official Public Records of Hays County, Texas.

This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared".

LEGAL DESCRIPTION: Mary P. Hawkins  
08-18-2022

*Mary P. Hawkins 8/22/22*

APPROVED: Mary P. Hawkins, RPLS No. 4433  
Quality Management Division  
Department of Public Works  
City of Austin

REFERENCES

Austin Grid A-10, A-11, A-12, A-13, B-10, B-11, B-12, B-16, WZ-10, WZ-11, WZ-12 & WZ-13

TCAD Map No. 04-3947

HCAD Property ID's R92021, R134409, R10169, R19101, R13576, R13698, R14315, R15771, R18303, R-18305, R18307, R18995, R19103, R20183, R138695, R97543, R140178, R114043, R19106, R19107, R19106, R19107



## EXHIBIT B

### Public Notices

Originally published at statesman.com on 10/13/2022

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#### NOTICE OF PUBLIC HEARING ON FULL PURPOSE ANNEXATION INTO AUSTIN

A public hearing will be held by the City Council of Austin, Texas, for the Water Quality Protection Lands - South annexation area. At the hearing, City Council will hear and consider comments on issues related to the full purpose annexation of land in Travis County.

Hearing date and location: October 27, 2022, meeting convenes at 10:00 AM at 301 W. 2nd St., Austin, TX 78701. All speakers must register in advance. Instructions for speaker registration and participation are available at the Austin City Council Meeting Information Center website at <https://www.austintexas.gov/council>.

Under consideration is case C7a-2022-0010, Water Quality Protection Lands - South annexation area (approximately 3,067 acres), located in Hays County and Travis County southwest of State Highway 45 and near the intersection of Spanish Oak Trail and Live Oak Drive. The area is currently in Austin limited purpose jurisdiction and extraterritorial jurisdiction adjacent to Council District 8. All land in the area is owned by the City of Austin. The current use of the area is conservation land.

Additional information regarding this case is available on the City's website at <https://www.austintexas.gov/page/annexation>. For further information, contact Andrei Lubomudrov at (512) 974-7659.

10-13/22



## EXHIBIT C

### MUNICIPAL SERVICE PLAN

The City of Austin ("City") will provide the following services to the area on and after the effective date of annexation and pursuant to Chapter 43 of the Texas Local Government Code. All City Departments with jurisdiction in the area will provide services commencing on the effective date of annexation unless otherwise noted according to City policy and procedure.

1. **Police Protection.** The Austin Police Department will provide protection and law enforcement services.
2. **Fire Protection.** The Austin Fire Department will provide emergency and fire prevention services.
3. **Emergency Medical Service.** The City of Austin/Travis County Emergency Medical Services Department will provide emergency medical services.
4. **Solid Waste Collection.** Services will be provided pursuant to Chapter 43 of the Texas Local Government Code.
5. **Operation and Maintenance of Water and Wastewater Facilities.** The City shall provide retail water service and wastewater service to areas that are not within the certificated service area of another utility. The facilities will be maintained and operated by Austin Water as governed by standard policies and procedures.
6. **Operation and Maintenance of Roads and Streets, Including Street Lighting.** The Public Works Department will maintain public streets over which the City has jurisdiction. If necessary, the Transportation Department will also provide regulatory signage services. Street lighting will be maintained in accordance with the City ordinances, Austin Energy criteria, and state law.
7. **Operation and Maintenance of Parks, Playgrounds, and Swimming Pools.** The Parks and Recreation Department will operate and maintain public parks, playgrounds, and swimming pools in accordance with the City Code and operating procedures.
8. **Operation and Maintenance of any Other Publicly Owned Facility, Building, or Service.** Applicable City departments will operate and maintain other publicly owned facilities, buildings, and services in accordance with the City Code and operating procedures.
9. **Watershed Protection.** The Watershed Protection Department, or successor department, will provide drainage planning and maintenance services in the annexation area.
10. **Planning and Development Review.** The Housing and Planning Department and the Development Services Department (or successor departments) will provide comprehensive planning, land development, and building review and inspection services in accordance with and as limited by applicable codes, laws, ordinances and special agreements.

## EXHIBIT C

11. **Code Compliance.** In order to comply with City Code regarding land use regulations and the maintenance of structures, the Austin Code Department, or successor department, will provide education, cooperation, enforcement, and abatement relating to code violations.
12. **Library.** Upon annexation residents may utilize all Austin Public Library facilities and services.
13. **Public Health, Social, and Environmental Services.** Upon annexation the Austin/Travis County Health and Human Services Department will provide services.
14. **Electric Utility Service.** Austin Energy will continue to provide electric utility service to all areas which the City is authorized to serve by the Public Utility Commission of Texas.
15. **Clean Community Services.** Austin Resource Recovery will provide clean community services.
16. **Capital Improvements Planning.** The annexation area will be included with other territory in connection with planning for new or expanded facilities, functions, and services