

**ORDINANCE NO. 20221103-090**

**AN ORDINANCE ANNEXING, FOR FULL PURPOSES, APPROXIMATELY 498 ACRES OWNED BY THE CITY OF AUSTIN AND LOCATED NORTHWEST OF THE INTERSECTION OF YAUPON DRIVE AND SPICEWOOD SPRINGS ROAD IN 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 2nd 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 498 acres owned by the City of Austin and located northwest of the intersection of Yaupon Drive and Spicewood Springs Road in 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

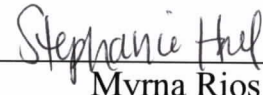
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\_\_\_\_\_  
Steve Adler  
Mayor

**APPROVED:**

  
\_\_\_\_\_  
Anne L. Morgan  
City Attorney

**ATTEST:**

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

## EXHIBIT A

C7a-2022-0007

Area to be annexed.

(Approximately 497.96 acres of land out of the James Coleman Survey No. 25, Abstract No. 169, the James Cole Survey No. 606, Abstract No. 195, the Joseph Scott Survey No. 27, Abstract No. 722, and the Green McCoy Survey No. 29, Abstract No. 514 in Travis County, Texas. (Unplatted Land)

### LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR ELEVEN TRACTS OF LAND CONTAINING APPROXIMATELY 497.96 ACRES OF LAND, THE TRACT HEREINAFTER DESCRIBED AS TRACT ONE CONTAINING APPROXIMATELY 16.9188 ACRES OF LAND OUT OF THE JAMES COLEMAN SURVEY NO. 25, ABSTRACT NO. 169 AND THE JAMES COLE SURVEY NO. 606, ABSTRACT NO. 195 IN TRAVIS COUNTY, TEXAS, THE TRACT HEREINAFTER DESCRIBED AS TRACT TWO CONTAINING APPROXIMATELY 8.670 ACRES OF LAND OUT OF THE JOSEPH SCOTT SURVEY NO. 27, ABSTRACT NO. 722 IN TRAVIS COUNTY, TEXAS, THE TRACT HEREINAFTER DESCRIBED AS TRACT THREE CONTAINING APPROXIMATELY 50.3990 ACRES OF LAND OUT OF THE JAMES COLE SURVEY NO. 606, ABSTRACT NO. 195 IN TRAVIS COUNTY, TEXAS, THE TRACT HEREINAFTER DESCRIBED AS TRACT FOUR CONTAINING APPROXIMATELY 95.66 ACRES OF LAND OUT OF THE GREEN MCCOY SURVEY NO. 29, ABSTRACT NO. 514 AND THE JOSEPH SCOTT SURVEY NO. 27, ABSTRACT NO. 722 IN TRAVIS COUNTY, TEXAS, THE TRACT HEREINAFTER DESCRIBED AS TRACT FIVE CONTAINING APPROXIMATELY 214.58 ACRES OF LAND OUT OF THE GREEN MCCOY SURVEY NO. 29, ABSTRACT NO. 514 AND THE JOSEPH SCOTT SURVEY NO. 27, ABSTRACT NO. 722 IN TRAVIS COUNTY, TEXAS, THE TRACT HEREINAFTER DESCRIBED AS TRACT SIX CONTAINING APPROXIMATELY 79.80 ACRES OF LAND OUT OF THE GREEN MCCOY SURVEY NO. 29, ABSTRACT NO. 514 IN TRAVIS COUNTY, TEXAS,



THE TRACT HEREINAFTER DESCRIBED AS TRACT SEVEN CONTAINING APPROXIMATELY 1.225 ACRES OF LAND OUT OF THE JAMES COLE SURVEY NO. 606, ABSTRACT NO. 195 IN TRAVIS COUNTY, TEXAS, THE TRACT HEREINAFTER DESCRIBED AS TRACT EIGHT CONTAINING APPROXIMATELY 4.903 ACRES OF LAND OUT OF THE JOSEPH SCOTT SURVEY NO. 27, ABSTRACT NO. 722 IN TRAVIS COUNTY, TEXAS, THE TRACT HEREINAFTER DESCRIBED AS TRACT NINE CONTAINING APPROXIMATELY 6.83 ACRES OF LAND OUT OF THE JOSEPH SCOTT SURVEY NO. 27, ABSTRACT NO. 722 IN TRAVIS COUNTY, TEXAS, THE TRACT HEREINAFTER DESCRIBED AS TRACT TEN CONTAINING APPROXIMATELY 8.986 ACRES OF LAND OUT OF THE GREEN MCCOY SURVEY NO. 29, ABSTRACT NO. 514 AND THE JOSEPH SCOTT SURVEY NO. 27, ABSTRACT NO. 722 IN TRAVIS COUNTY, TEXAS AND THE TRACT HEREINAFTER DESCRIBED AS TRACT ELEVEN CONTAINING APPROXIMATELY 9.9872 ACRES OF LAND OUT OF THE GREEN MCCOY SURVEY NO. 29, ABSTRACT NO. 514 IN TRAVIS COUNTY, TEXAS. SAID APPROXIMATELY 497.96 ACRES BEING MADE UP OF THE FOLLOWING ELEVEN TRACTS OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**Tract One**

BEING all of that certain called 16.9188 acre tract of land conveyed to the City of Austin by Special Warranty Deed recorded in Document No. 2001036086 Records of Travis County, Texas.

**Tract Two**

BEING all of that certain called 8.670 acre tract of land conveyed to the City of Austin by Special Warranty Deed recorded in Document No. 2000081063 of the Official Public Records of Travis County, Texas.

**Tract Three**

BEING all of that certain called 50.3990 acre tract of land conveyed to the City of Austin by Special Warranty Deed recorded in Volume 12812, Page 1257 of the Real Property Records of Travis County, Texas.

**Tract Four**

BEING all that certain called 95.66 acre tract of land conveyed to the City of Austin by Special Warranty Deed recorded in Document No. 2002015456 of the Official Public Records of Travis County, Texas.

**Tract Five**

BEING all of that certain called 214.58 acre tract of land conveyed to the City of Austin by Special Warranty Deed recorded in Volume 12321, Page 1519 of the Real Property Records of Travis County, Texas.

**Tract Six**

BEING all of that certain called 79.80 acre tract of land conveyed to the City of Austin by General Warranty Deed recorded in Volume 9921, Page 854 of the Real Property Records of Travis County, Texas.

**Tract Seven**

BEING all that certain called 1.225 acre tract of land conveyed to the City of Austin by Street Deed recorded in Volume 11004, Page 919 of the Real Property Records of Travis County, Texas.

**Tract Eight**

BEING all that certain called 4.903 acre tract of land conveyed to the City of Austin by Special Warranty Deed recorded in Document No. 2000081064 of the Official Public Records of Travis County, Texas.

**Tract Nine**

BEING all that certain 6.83 acre tract of land being comprised of a called 3.40 acre tract of land conveyed to the City of Austin by General Warranty Deed recorded in Volume 10224, Page 836 of the Real Property Records of Travis County, Texas, a called 2.10 acre tract of land conveyed to the City of Austin by General Warranty Deed recorded in Volume 10224, Page 884 of the Real Property Records of Travis County, Texas and a called 1.33 acre tract of land conveyed to the City of Austin by General Warranty Deed recorded in Volume 10224, Page 854 and Volume 10224, Page 860 of the Real Property Records of Travis County, Texas.

**Tract Ten**

BEING all that certain called 8.986 acre tract of land conveyed to the City of Austin by General Warranty Deed recorded in Volume 12824, Page 776 of the Real Property Records of Travis County, Texas.

**Tract Eleven**

BEING all that certain called 9.9872 acre tract of land conveyed to the City of Austin by General Warranty Deed recorded in Volume 10291, Page 388 of the Real Property Records of Travis 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  
10-18-2022

*Mary P. Hawkins 10/18/22*

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

**REFERENCES**

Austin Grid F-33, F-34, F-35, G-32, G-33, G-34

TCAD Parcel ID's 0151180120, 0151180105, 0152090302, 0151180119,  
0151180109, 0151180102, 0151180129, 0152090303, 0152090205,  
0156090309, 0156090308, 0159180206

## 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 Balcones Canyonlands Preserve - North 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-2022-0007, Balcones Canyonlands Preserve - North annexation area (approximately 508 acres), located in Travis County northwest of the intersection of Yaupon Drive and Spicewood Springs Road. The area is currently in Austin limited purpose jurisdiction as well as extraterritorial jurisdiction adjacent to Council Districts 6 and 10. All land in the area is owned by the City of Austin. The current use of the area is conservation land with some recreational uses.

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