

ORDINANCE NO. 20221103-091

AN ORDINANCE ANNEXING, FOR FULL PURPOSES, APPROXIMATELY 877 ACRES OWNED BY THE CITY OF AUSTIN AND LOCATED WEST OF THE INTERSECTION OF RANCH TO MARKET ROAD 2222 AND CITY PARK 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 the 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 877 acres owned by the City of Austin and located west of the intersection of Ranch to Market Road 2222 and City Park 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.

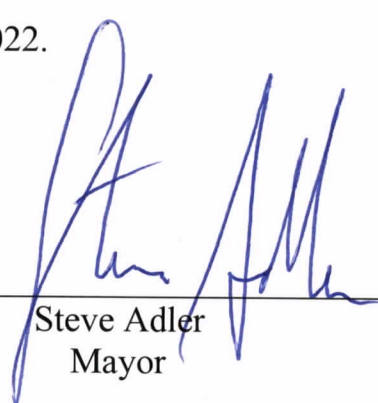
PART 4. The City Council approves the written municipal service plan for the territory attached as **Exhibit "C"**.

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

PASSED AND APPROVED


_____, November 3, 2022

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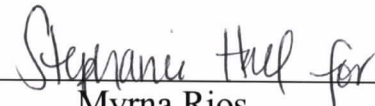
Steve Adler
Mayor

APPROVED:



Anne L. Morgan
City Attorney

ATTEST:



Myrna Rios
City Clerk

EXHIBIT A

C7a-2022-0008

Area to be annexed.

(Approximately 876.77 acres of land out of the William Preece Survey No. 4, Abstract No. 2596, the M. W. Townsend Survey No. 809, Abstract No. 776, the A. T. Perry Survey No. 22, Abstract No. 2666, the Phillip Stroh Survey No. 803, Abstract No. 728, the I. & G. N. R. R. Co. Survey No. 56, Abstract No. 2110, the William Swain Survey No. 810, Abstract No. 727, the A. C. Champion Survey No. 118, Abstract No. 2603 and the James Cole Survey No. 542, Abstract No. 165 in Travis County, Texas.

(Unplatted Land)

LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR FOUR TRACTS OF LAND CONTAINING APPROXIMATELY 876.77 ACRES OF LAND, THE TRACT HEREINAFTER DESCRIBED AS TRACT ONE CONTAINING APPROXIMATELY 158.089 ACRES OF LAND OUT OF THE WILLIAM PREECE SURVEY NO. 4, ABSTRACT NO. 2596 AND THE M. W. TOWNSEND SURVEY NO. 809, ABSTRACT NO. 776 IN TRAVIS COUNTY, TEXAS, THE TRACT HEREINAFTER DESCRIBED AS TRACT TWO CONTAINING APPROXIMATELY 292.00 ACRES OF LAND OUT OF THE WILLIAM PREECE SURVEY NO. 4, ABSTRACT NO. 2596, THE M. W. TOWNSEND SURVEY NO. 809, ABSTRACT NO. 776, THE A. T. PERRY SURVEY NO. 22, ABSTRACT NO. 2666, THE PHILLIP STROH SURVEY NO. 803, ABSTRACT NO. 728, THE I. & G. N. R. R. CO. SURVEY NO. 56, ABSTRACT NO. 2110, THE WILLIAM SWAIN SURVEY NO. 810, ABSTRACT NO. 727, THE A. C. CHAMPION SURVEY NO. 118, ABSTRACT NO. 2603 AND THE JAMES COLE SURVEY NO. 542, ABSTRACT NO. 165 IN TRAVIS COUNTY, TEXAS, THE TRACT HEREINAFTER DESCRIBED AS TRACT THREE CONTAINING APPROXIMATELY 413.603 ACRES OF

LAND OUT OF THE I. & G. N. R. R. CO. SURVEY NO. 56, ABSTRACT NO. 2110 IN TRAVIS COUNTY, TEXAS AND THE TRACT HEREINAFTER DESCRIBED AS TRACT FOUR CONTAINING APPROXIMATELY 13.076 ACRES OF LAND OUT OF THE I. & G. N. R. R. CO. SURVEY NO. 56, ABSTRACT NO. 2110 IN TRAVIS COUNTY, TEXAS. SAID APPROXIMATELY 876.77 ACRES BEING MADE UP OF THE FOLLOWING SEVEN TRACTS OF LAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Tract One

BEING all of that certain called 158.089 acre tract of land conveyed to the City of Austin by Warranty Deed recorded in Volume 13279, Page 2957 of the Real Property Records of Travis County, Texas.

Tract Two

BEING all of that certain called 292.00 acre tract of land conveyed to the City of Austin by Warranty Deed recorded in Volume 12735, Page 646 of the Real Property Records of Travis County, Texas.

Tract Three

BEING all of that certain 413.603 acre tract of land being comprised of a called 262.240 acre tract of land referred to as "Tract 8.1" and a called 151.363 acre tract of land referred to as "Tract 8.2", conveyed to the City of Austin by Special Warranty Deed recorded in Volume 11917, Page 1317 of the Real Property Records of Travis County, Texas.

Tract Four

BEING all of that certain called 13.076 acre tract of land conveyed to the City of Austin by Deed without Warranty or Covenant recorded in Volume 11848, Page 1711 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
08-16-2022

Mary P. Hawkins 8/18/22

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

REFERENCES

Austin Grid D-31, D-32, E-30, E-31, E-32, F-30, F-31

TCAD Parcel ID's 0142270103, 0142270140, 0142270123

EXHIBIT B

Public Notices

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

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 - 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-2022-0008, Balcones Canyonlands Preserve - South annexation area (approximately 877 acres), located in Travis County west of the intersection of Ranch to Market Road 2222 and City Park Road. The area is currently in Austin limited purpose jurisdiction as well as extraterritorial jurisdiction adjacent to Council District 10. 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