

ORDINANCE NO. 2024-50

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS ANNEXING INTO THE CITY APPROXIMATELY 30.69 ACRES OF THE FOLLOWING ROAD RIGHTS-OF-WAY) LOCATED IN HAYS COUNTY, TEXAS: CENTERPOINT ROAD AS IT RUNS FROM HUNTER ROAD TO INTERSTATE HIGHWAY 35; MCCARTY LANE AS IT RUNS FROM HUNTER ROAD TO UNION PACIFIC RAILROAD; YARRINGTON ROAD AND HARRIS HILL ROAD, BOTH AS THEY RUN ADJACENT TO THE WHISPER DEVELOPMENT; POSEY ROAD AND OLD BASTROP HIGHWAY, BOTH AS THEY RUN ADJACENT TO THE TRACE DEVELOPMENT (CASE NO. AN-24-06); INCLUDING PROCEDURAL PROVISIONS; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. In Case No. AN-24-06 Hays County, the political subdivision owning or maintaining the following roads (including adjacent right-of-way) in Hays County, Texas: Centerpoint Road as it runs from Hunter Road to Interstate Highway 35; McCarty Lane as it runs from Hunter Road to Union Pacific Railroad; Yarrington Road and Harris Hill Road, both as they run adjacent to the Whisper Development; Posey Road and Old Bastrop Highway, both as they run adjacent to the Trace Development, as further described in Exhibit “A,” attached hereto and incorporated herein for all purposes (the “Property”), has notified the City in writing that it voluntarily consents to the annexation of the Property.

2. Said political subdivision owner or maintaining the roads (“Owner”) consents to the annexation of the Property.

3. The City has approved a service plan/ agreement for the provision of services to the Property.

4. The Property is contiguous and adjacent to the current boundaries of the City.

5. The City Council held a public hearing regarding the request on October 2, 2024.

6. The City Council hereby finds and determines that the adoption of the following ordinance is in the interest of the public health, morals, welfare, and safety.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The recitals of this ordinance are approved and adopted.

SECTION 2. The Property, together with abutting right-of-way, if applicable, is annexed to and is a part of the City of San Marcos, Texas and subject to the acts, ordinances, resolutions,

and regulations of the City.

SECTION 3. Services to the Property will be provided under the terms of the service plan/ agreement for the provision of services entered as noted in Recital 3.

SECTION 4. The corporate limits of the City are extended to include the Property.

SECTION 5. The inhabitants of the Property are entitled to all the rights and privileges of other citizens of the City, and are bound by the acts, ordinances, resolutions, and regulations of the City.

SECTION 6. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 7. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 8. This ordinance shall be effective upon its adoption on second reading.

PASSED AND APPROVED on first reading on October 2, 2024.

PASSED, APPROVED AND ADOPTED on second reading on November 4, 2024.

Jane Hughson
Mayor

Attest:

Approved:

Elizabeth Trevino
City Clerk

Samuel J. Aguirre
City Attorney

EXHIBIT A – PROPERTY DESCRIPTION

[ATTACH LEGAL DESCRIPTION AND SURVEY]