

ORDINANCE NO. 2024-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING AN ADJUSTMENT TO ORDINANCE NO. 2019-01, WHICH ANNEXED APPROXIMATELY 734.6 ACRES OF LAND INTO THE CITY LIMITS (SMART TERMINAL/AXIS) TO REPLACE EXHIBIT A “DESCRIPTION” WITH AN UPDATED SURVEY WHICH REDUCES THE ACREAGE ANNEXED TO APPROXIMATELY TO 733.6 ACRES; INCLUDING PROCEDURAL PROVISIONS; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. On March 19, 2019, the City of San Marcos (the “City Council”) passed, approved, and adopted on second reading Ordinance No. 2019-01 (“the Original Ordinance”) annexing to the City 734.6 acres of land out of the William Pettus Survey, Abstract No. 21, and located along State Highway 80 and FM1984 (as described in Exhibit “A” to the Original Ordinance), and approving a service plan for this area (the “Annexed Area”).

2. More recently the current owners of the Annexed Area had an on-the-ground survey of the Annexed Area which found that the description attached to Ordinance 2019-01 was slightly off and reduced the annexed acreage to approximately 733.6 acres. A true and correct copy of the updated survey of the Annexed Area is attached hereto as Exhibit “A.”

3. In order to accurately reflect the Annexed Area, for the purpose of having a more accurate public record, City Council now finds it in the interest of public health, morals, welfare, and safety to correct Exhibit “A” to replace it with the updated survey.

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 description of the Annexed Area included in Ordinance No. 2019-01 at Exhibit “A” is hereby replaced with the description attached hereto as Exhibit “A”.

SECTION 3. The corporate limits of the City shall be adjusted to reflect updated Annexed Area.

SECTION 4. 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 5. All parts of ordinances or resolutions in conflict with this ordinance are repealed.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 15, 2024.

PASSED, APPROVED AND ADOPTED on second reading on November 6, 2024.

Jane Hughson
Mayor

Attest:

Approved:

Elizabeth Trevino
City Clerk

Samuel J. Aguirre
City Attorney

EXHIBIT A – PROPERTY DESCRIPTION
[ATTACH LEGAL DESCRIPTION AND SURVEY]