

**ORDINANCE NO. 2021-92**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS UNDER CASE NO. AN-21-06 ANNEXING INTO THE CITY APPROXIMATELY 2.1 ACRES OF LAND GENERALLY LOCATED IN THE 5900 BLOCK OF SOUTH IH-35; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.**

**RECITALS:**

1. The owner of approximately 2.1 acres of land generally located in the 5900 Block of South IH-35, as further described by metes and bounds in Exhibit "A," attached hereto and incorporated herein for all purposes (the "Property"), made a request for the City to annex the Property.
2. Said owner consents to the annexation of the Property.
3. The Owner and the City have entered into a written 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.
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 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 written agreement for the provision of services entered into between the Owner and the City 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**SECTION 7.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 December 7, 2021.

**PASSED, APPROVED AND ADOPTED** on second reading on December 15, 2021.

Jane Hughson  
Mayor

Attest:

Approved:

Tammy K. Cook  
City Clerk

Michael J. Cosentino  
City Attorney

EXHIBIT "A"



METES AND BOUNDS DESCRIPTION  
FOR A  
2.006 ACRE TRACT OF LAND  
"CITY OF SAN MARCOS - ANNEXATION"

BEING a 2.006 acre tract of land situated in the Samuel Craft League, Abstract No. 89, in Hays County, Texas, being a portion of a called 84.947 acre tract of land, as conveyed to Las Colinas San Marcos Phase I, LLC, and recorded in Document No. 19024612, of the Official Public Records of Hays County, Texas, and said 2.006 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2" iron pin with red cap found in the Southeasterly Right-of-Way (R.O.W.) line of Interstate Highway 35 (I.H. 35) (a variable width R.O.W.), being the most Northerly corner of a called 40.241 acre tract of land, as conveyed to Las Colinas San Marcos Phase I, LLC, and recorded in Document No. 15007121, of the Official Public Records of Hays County, Texas, and being the most Westerly corner of said 84.947 acre tract of land;

THENCE departing the Northerly corner of said 40.241 acre tract of land, with the Southeasterly R.O.W. line of said I.H. 35, and with the Northwesterly line of said 84.947 acre tract of land, N 44° 08' 27" E, a distance of 99.94 feet to a 1/2" iron pin with cap stamped "BCG" found in the Southeasterly R.O.W. line of said I.H. 35, and being in the Northwesterly line of said 84.947 acre tract of land;

THENCE departing the Southeasterly R.O.W. line of said I.H. 35, same being the Northwesterly line of said 84.947 acre tract of land, and across and through said 84.947 acre tract of land, S 45° 55' 53" E, a distance of 80.00 feet to a point for the most Westerly Southwest corner of this herein described tract of land and the POINT OF BEGINNING;

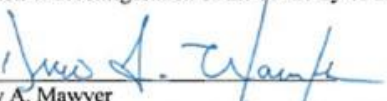
THENCE continuing across and through said 84.947 acre tract of land, the following courses:

- N 43° 34' 24" E, a distance of 421.64 feet to a point for the most Northerly Northeast corner;
- S 45° 55' 53" E, a distance of 207.21 feet to a point for the most Easterly Northeast corner;
- S 43° 34' 24" W, a distance of 421.64 feet to a point for the most Southerly Southwest corner;

THENCE continuing across and through said 84.947 acre tract of land, N 45° 55' 53" W, a distance of 207.21 feet to the POINT OF BEGINNING, and containing 2.006 acres of land.

Bearings based on the Texas State Plane Coordinate System, Texas South Central Zone (4204), North American Datum 1983.

"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."

  
Drew A. Mawyer  
Registered Professional Land Surveyor No. 5348  
TBPLS Firm Registration #10191500  
5151 W. SH 46, NEW BRAUNFELS, TX 78132  
TX2004- LAS COLINAS- ANNEX 2.006 AC- 090121

