

ORDINANCE NO. 2024-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS ANNEXING INTO THE CITY APPROXIMATELY 3.43 ACRES OF CITY-OWNED LAND, KNOWN AS RATTLER SUBSTATION, IN HAYS COUNTY, TEXAS, GENERALLY LOCATED SOUTHEAST OF THE INTERSECTION OF CLOVIS BARKER ROAD AND LEAH AVENUE (CASE NO. AN-24-05); INCLUDING PROCEDURAL PROVISIONS; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. In Case No. AN-24-05 (Rattler Substation) the City of San Marcos, owner of approximately 3.43 acres of land out of the Cyrus Wickson Survey No. 474 in Hays County, Texas, generally located southeast of the intersection of Clovis Barker Road and Leah Avenue, as further described 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 City has approved measures 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 August 5, 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 approved by 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 All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 August 5, 2024.

PASSED, APPROVED AND ADOPTED on second reading on August 20, 2024.

Jane Hughson
Mayor

Attest:

Approved:

Elizabeth Trevino
City Clerk

Samuel J. Aguirre
City Attorney

EXHIBIT A – PROPERTY DESCRIPTION

[ATTACH LEGAL DESCRIPTION AND SURVEY]

EXHIBIT B – SERVICE AGREEMENT

[ATTACH AGREEMENT FOR THE PROVISION OF SERVICES]