

ORDINANCE NO. 2024-49

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS ANNEXING INTO THE CITY APPROXIMATELY 51 ACRES OF LAND (INCLUDING ADJACENT RIGHT-OF-WAY) GENERALLY LOCATED ON THE SOUTHERN SIDE OF FM-110/EAST MCCARTY LANE AND THE NORTHERN SIDE OF OLD BASTROP HIGHWAY, APPROXIMATELY 1,600 FEET WEST OF THE INTERSECTION BETWEEN OLD BASTROP HIGHWAY AND SH-123 (CASE NO. AN-24-07); INCLUDING PROCEDURAL PROVISIONS; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. In Case No. AN-24-07 (Old Bastrop Road) the owner of approximately 51 acres of land (including adjacent right-of-way) out of the Cyrus Wickson Survey No. 474 in Hays County, Texas, generally located on the southern side of FM-110/ East McCarty Lane and the northern side of Old Bastrop Highway, approximately 1,600 feet west of the intersection between Old Bastrop Highway and SH-123, 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 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 on September 17, 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 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 September 17, 2024.

PASSED, APPROVED AND ADOPTED on second reading on October 2, 2024.

Jane Hughson
Mayor

Attest:

Approved:

Elizabeth Trevino
City Clerk

Samuel J. Aguirre
City Attorney

EXHIBIT A – PROPERTY DESCRIPTION

[ATTACH LEGAL DESCRIPTION AND SURVEY]