

ORDINANCE NO. 2018-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS ANNEXING INTO THE CITY APPROXIMATELY 15.038 ACRES OF LAND OUT OF THE BARNETTE O. KANE SURVEY, ABSTRACT NO. 281, LOCATED IN THE 1600 BLOCK OF REDWOOD ROAD; APPROVING A SERVICE PLAN FOR THIS AREA; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. The owner of approximately 15.038 acres of land out of the Barnette O. Kane Survey, Abstract No. 281, located in the 1600 Block of Redwood Road, 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. The Property is contiguous and adjacent to the current boundaries of the City.
3. The City Council held a public hearing on August 7, 2018 regarding the request.
4. The requirements of Section 43.028 of the Texas Local Government Code have been met.
5. 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. The Service Plan for the Property, a copy of which is attached hereto as Exhibit "B" and incorporated herein for all purposes, is approved.

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

PASSED AND APPROVED on first reading on August 7, 2018.

PASSED, APPROVED AND ADOPTED on second reading on August 21, 2018.

John Thomaides
Mayor

Attest:

Approved:

Jamie Lee Case
City Clerk

Michael Cosentino
City Attorney

EXHIBIT "A"
Property Description



METES AND BOUNDS DESCRIPTION
FOR A
15.038 ACRE TRACT OF LAND
"ZONING"

Being 15.038 acres of land situated in San Marcos, Hays County, Texas, being out of the Barnette O. Kane Survey, Abstract No. 281, and being out of the remaining portion of that certain 156.350 acre tract of land as conveyed to Jim R. Smith, and recorded in Volume 1146, Page 825, of the Official Public Records of Hays County, Texas, and said 15.038 acres being more particularly described as follows:

BEGINNING at a corner in the Northeast Right-of-Way (R.O.W.) line of Redwood Road (County Road No. 232) (an existing 50' wide R.O.W.) (proposed 100' wide R.O.W.), for the most Westerly corner of a called 100.0 acre tract of land as conveyed to George Edward Meyer and wife, Angela Zipp Meyer, and Elsie Meyer Wray and husband, Milton E. Wray, and recorded in Volume 173, Page 44, of the Official Public Records of Hays County, Texas, and being the most Southerly corner of said remaining portion of 156.350 acre tract of land and this herein described tract of land;

THENCE with the Northeast R.O.W. line of said Redwood Road, and with the Southwesterly line of said remaining portion of 156.350 acre tract of land, N 41° 35' 31" W, a distance of 46.05 feet to a point in the Northeast R.O.W. line of said Redwood Road, being in the Southwesterly line of said remaining portion of 156.350 acre tract of land, and being the most Southwesterly corner of this herein described tract of land;

THENCE departing the Northeast R.O.W. line of said Redwood Road, and across and through said remaining portion of 156.350 acre tract of land, the following courses:

N 60° 38' 29" E, a distance of 255.82 feet to a point for a Southerly interior corner of this herein described tract of land;

N 41° 40' 53" W, a distance of 1,000.04 feet to a point for the most Westerly corner of this herein described tract of land;

N 44° 44' 53" E, a distance of 189.30 feet to a point at the beginning of a non-tangent curve to the right, and being a Northwesterly corner of this herein described tract of land;

With said non-tangent curve to the right, having an arc length of 105.76 feet, a radius of 180.00 feet, a delta angle of 33° 39' 56", a tangent length of 54.46 feet, and a chord bearing and distance of N 61° 34' 51" E, 104.25 feet, to a point for a Northwesterly corner of this herein described tract of land;

N 78° 24' 49" E, a distance of 95.17 feet to a point at the beginning of a non-tangent curve to the left, and being a Northwesterly corner of this herein described tract of land;

With said non-tangent curve to the left, having an arc length of 91.50 feet, a radius of 295.00 feet, a delta angle of 17° 46' 20", a tangent length of 46.12 feet, and a chord bearing and distance of N 69° 31' 39" E, 91.14 feet, to a point for a Northwesterly corner of this herein described tract of land;

N 60° 38' 29" E, a distance of 145.64 feet to a point for the most Northerly corner of this herein described tract of land;

THENCE continuing across and through said remaining portion of 156.350 acre tract of land, S 41° 40' 53" E, a distance of 1,053.27 feet to a point in the Northwesterly line of said 100.0 acre tract of land, same being the Southeasterly line of said remaining portion of 156.350 acre tract of land, and being the most Easterly corner of this herein described tract of land;

THENCE with the common line between said 100.0 acre tract of land and said remaining portion of 156.350 acre tract of land, S 60° 38' 29" W, a distance of 870.05 feet to the POINT OF BEGINNING, and containing 15.038 acres of land, more or less.;

"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."

Bearings based on Volume 8, Page 277-278, of the Map and Plat Records of Hays County, Texas.

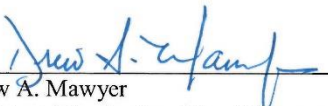

Drew A. Mawyer
Registered Professional Land Surveyor No. 5348
TBPLS Firm Registration #10191500
5151 W. State Highway, New Braunfels, TX 78132
MOE295- Redwood- 15.038 Ac Zoning Rev 070918



EXHIBIT “B”

Annexation
Service Plan
August 7, 2018

1600 Block of Redwood Road
AN-2018-01



Service Plan for the Annexation of a 15.0378 +/- acre tract of land out of the Barnette O. Kane Survey, Abstract No. 281, Hays County, Texas, generally located in the 1600 Block of Redwood Road.

Pursuant to the provisions of the Texas Local Government Code, Chapter 43, the following service plan is hereby adopted for the annexation of a 15.0378 +/- acre area. The property is being annexed at the request of the property owner.

1. Police Protection

Police services, including patrolling, response to calls and other routine services, will begin on the effective date of the annexation using existing personnel and equipment.

2. Fire Protection

Fire protection services, including emergency response calls, will begin on the effective date of the annexation using existing personnel and equipment and within the limitations of the available water supply.

3. Emergency Medical Services

Emergency medical services, including emergency response calls, will continue at the same level of service after the annexation. The City of San Marcos contracts for emergency medical services through the San Marcos – Hays County EMS, which already provides service to the area being annexed.

4. Solid Waste Collection

Solid waste collection services, provided under contract with a private company, will be made available to all residences on the effective date of the annexation. Residents of the annexed area may elect to continue using the services of a private solid waste hauler for a period of two years after the effective date of the annexation. Businesses and institutions must make arrangements with private solid waste haulers.

5. Operation and Maintenance of Water and Wastewater Facilities

The annexation area is located within the City of San Marcos certified service area for water and does not appear to be located within any certified service area for wastewater.

6. Construction, Operation and Maintenance of Roads and Streets

As new development occurs within the annexed area, the developers of property will be required to construct streets in accordance with the city's existing subdivision policies.

7. Electric Service

The property is located in the Bluebonnet Electric Cooperative service area.

8. Operation and Maintenance of Parks, Playgrounds, and/or Swimming Pools

No parks, playgrounds and/or swimming pools currently exist within the proposed annexation area. The same standards and policies now established and in force within the city limits will be followed in maintaining and expanding recreational facilities to serve the annexed area. Upon annexation, the owners and residents of property located within the annexed area shall be entitled to the use of all municipal parks and recreational facilities, subject to the same restrictions, fees and availability that pertains to the use of those facilities by other citizens of the city.

9. Operation and Maintenance of Other Public Facilities, Buildings and Services

No other public facilities, buildings or services currently exist within the annexed area. The same standards and policies now established and in force within the city limits will be followed in maintaining and expanding other public facilities, building and services. Upon annexation, the owners and residents of property located within the annexed area shall be entitled to the use of all municipal facilities, buildings and services, subject to the same restrictions, fees and availability that pertains to the use of those facilities and services by other citizens of the city.