

ORDINANCE NO. 2020-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS ANNEXING INTO THE CITY APPROXIMATELY 59.89 ACRES OF LAND LOCATED AT 4087 STATE HIGHWAY 21; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. The owner of approximately 59.89 acres of land located at 4087 State Highway 21, 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. A location map of the Property is also shown in Exhibit "A."
2. Said owner of the Property has declined the offer of a development agreement from the City concerning the Property.
3. Said 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 of the Property 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 All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 May 19, 2020.

PASSED, APPROVED AND ADOPTED on second reading on June 2, 2020.

Jane Hughson
Mayor

Attest:

Approved:

Tammy K. Cook
Interim City Clerk

Michael Cosentino
City Attorney

EXHIBIT "A"

Property Description



Metes & Bonds description of property to be Annexed into The City of San Marcos

STATE OF TEXAS - CITY OF SAN MARCOS

Palaceway Partners LLC presents a tract of land situated in the Thomas G. McGehee survey, A-11, Hays County, Texas, conveyed in volume 723 page 39, Plat record 7042-19-2-c; Hays County, TX. Same being a tract of land described to Palace Way Partners as conveyed in Instrument number 9927062, official public records, Hays County, Texas. Being more particularly described as 59.89 acres by the following metes and bounds as follows: Grid north of the Texas state plane coordinate system, NAD 83, South central zone.

Beginning at 1/2" Iron rod with plastic cap found at the southeast corner said POB-R same being southeast of Mrs. Millie Gary Et Vir to the State of Texas recorded in the public records Volume 117, Page 493. Hays County, Texas. And lying on the north Right of Way of the State Highway Number 21.

THENCE, South 45 degrees, 26 minutes and 48.34 seconds East, being said West Right-of-Way of State Highway Number 21. Drive a distance of 112.33 feet towards East Right-of-Way of State Highway Number 21.

THENCE, North 50 degrees, 04 minutes and 54.11 seconds East, being said East Right-of-Way of State Highway Number 21. Drive a distance of 118.08 feet, same being the Right-of-Way limit of State Highway Number 21.

THENCE, North 45 degrees, 26 minutes and 48.34 seconds West, being said East Right-of-Way of State Highway Number 21. Drive a distance of 111.50 feet towards 1/2" Iron rod of said Palace way Property Line, same being West side of said Right-of-Way of State Highway Number 21.

THENCE, North 45 degrees, 25 minutes and 53.13 seconds West, parallel with the adjacent gravel road said Cow Trail, drive a distance of 1,530.10 feet towards 1/2" " Iron rod with a plastic cap.

THENCE, North 46 degrees, 12 minutes and 8.40 seconds East, towards the adjacent gravel road said Cow Trail, drive a distance of 175.99 feet towards 1/2" " Iron rod. Same lying on the lefthand right of way of Cow Trial.

THENCE, North 0 degrees, 48 minutes and 43.60 seconds East, with the west right of way of said Cow Trial. Drive a distance of 886.52 feet. Same being the southwest corner of the Industrial lot.

THENCE, North 0 degrees, 48 minutes and 43.60 seconds East, of the East side of the property and limiting with Right of way of Cow Trail. Drive a distance of 670.34 feet towards 1/2" Iron rod with plastic cap stamped "Byrn Associates", same being the Northeast corner of the Parcel.

THENCE, North 46 degrees, 39 minutes and 26.79 seconds West, of the northeast corner of the property Drive a distance of 1,088.94 feet towards 1/2" Iron rod with plastic cap located on the West side of the property and limiting with Right of way of Proposed FM110.

THENCE, South 32 degrees, 35 minutes and 25.70 seconds West, of 1/2" Iron rod with plastic cap located on the northwest side of the property. Drive a distance of 25.54 feet towards 1/2" Iron rod with a plastic cap.

THENCE, South 39 degrees, 38 minutes and 23.78 seconds West, of 1/2" Iron rod with plastic cap located on the northwest side of the property. Drive a distance of 199.92 feet towards 1/2" Iron rod with a plastic cap.

THENCE, South 45 degrees, 21 minutes and 22.62 seconds West, Drive a distance of 251.79 feet towards 1/2" Iron rod with a plastic cap.

THENCE, South 38 degrees, 05 minutes and 05.46 seconds West, drive a distance of 483.82 feet to 1/2" Iron rod with plastic cap stamped "Byrn Associates". lying on the east right of way of the Proposed FM 110 Thoroughfare.

THENCE, South 34 degrees, 57 minutes and 58.46 seconds West, drive a distance of 483.82 feet to 1/2" Iron rod with a plastic cap. Same being southwest of Abundant Life Christian Church to Hays County recorded in the public records Volume 5158, Page 87. Public records, Hays County, Texas, and the southwest corner of the proposed property.

THENCE, South 46 degrees, 29 minutes and 03.48 seconds East, being southwest of Abundant Life Christian Church to Hays County recorded in the public records; Volume 5158, Page 87. Public records, Hays County, Texas, and the southwest corner of the proposed property. Drive a distance of 2104.26 feet to 1/2" Iron rod with plastic cap stamped "Byrn Associates".

THENCE, South 45 degrees, 26 minutes and 48.34 seconds East, being part of the edge of road of Dukes road (proposed). Drive a distance of 1,420.16' towards POB-R, same being the west Right of Way of State Highway Number 21.

TRINITY GROUP

A Real Estate Development Service Company

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Houston 713.574.1949 • San Antonio 210.209.9976
www.trinitycompanies.biz

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Trinity Group, an agent for Palaceway partners, does hereby present this Proposed Annexation description of the above-described property as PALACEWAY DEVELOPMENT, an addition to the City of San Marcos, Texas.

Dr. David L. Joyner, P.E
TX Firm 12656

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