

ORDINANCE NO. 2021-72

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS ANNEXING INTO THE CITY 8.704 ACRES OF LAND GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE WEST CENTERPOINT ROAD AND CENTRAL PARK LOOP INTERSECTION IN CASE NO. AN-21-04; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. In Case No. AN-21-04, the owner of 8.704 acres of land generally located at the northwest corner of the West Centerpoint Road and Central Park Loop intersection 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 pursuant to the terms of a development agreement with the City.
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 All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 September 7, 2021.

PASSED, APPROVED AND ADOPTED on second reading on September 21, 2021.

Jane Hughson
Mayor

Attest:

Approved:

Tammy K. Cook
Interim City Clerk

Michael Cosentino
City Attorney

EXHIBIT A

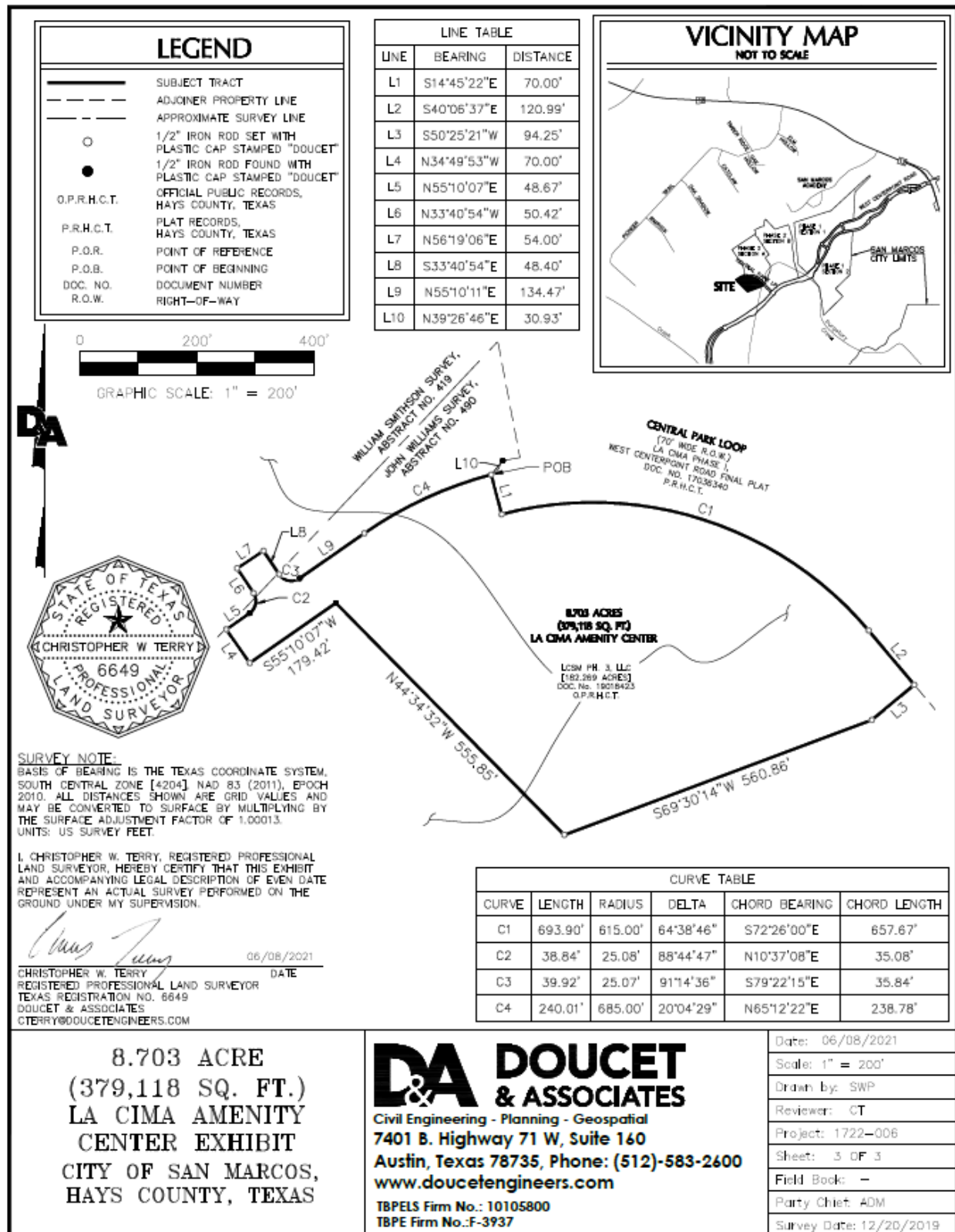




Exhibit " — "

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Doucetengineers.com

La Cima Phase 3 Amenity Center
Hays County, Texas

D&A Job No. 1722-006
June 8, 2021

DESCRIPTION
8.703 ACRE TRACT

BEING A 8.703 ACRE [379,118 SQ. FT.] TRACT PARTIALLY OUT OF THE JOHN WILLIAMS SURVEY, ABSTRACT NUMBER 490, AND PARTIALLY OUT OF THE WILLIAM SMITHSON SURVEY, ABSTRACT NUMBER 419, HAYS COUNTY, TEXAS, SAID TRACT BEING A PORTION OF A CALLED 182.269 ACRE TRACT, DESCRIBED TO LCSM PH. 3, LLC, AS RECORDED IN DOCUMENT NUMBER 19018423 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS [O.P.R.H.C.T.], SAID 8.703 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod with cap stamped "Doucet" found for an internal corner of said 182.269 acre tract, same being in the north right-of-way line of Central Park Loop, a 70-foot wide right-of-way recorded in Document Number 17036340 of the Plat Records of Hays County, Texas [P.R.H.C.T.], from which a 1/2" iron rod with cap stamped "Doucet" found for a west corner of La Cima Phase 2, Section A, and recorded in Document Number 20016922, [P.R.H.C.T.] bears N39°26'46"E, a distance of 30.93 feet;

THENCE continuing with the common line of said 182.269 acre tract and said Central Park Loop right-of-way, the following three (3) courses and distances:

- 1) S14°45'22"E, a distance of 70.00 feet to a 1/2" iron rod with cap stamped "Doucet" set and for the beginning of a curve to the right,
- 2) With said curve to the right, defined by an arc length of 639.90 feet, a radius of 615.00 feet, a delta angle of 64°38'46", and a chord which bears S72°26'00"E, a distance of 657.67 feet to a 1/2" iron rod with cap stamped "Doucet" set, and
- 3) S40°06'37"E, a distance of 120.99 feet to a 1/2" iron rod with cap stamped "Doucet" set;

THENCE departing the common line of said 182.269 acre tract and said Central Park Loop right-of-way, and continuing over and across said 182.269 acre tract, the following thirteen (13) courses and distances:

- 1) S50°25'21"W, a distance of 94.25 feet to a 1/2" iron rod with cap stamped "Doucet" set;
- 2) S69°30'14"W, a distance of 560.86 feet to a 1/2" iron rod with cap stamped "Doucet" set;
- 3) N44°34'32"W, a distance of 555.85 feet to a 1/2" iron rod with cap stamped "Doucet" found;
- 4) S55°10'07"W, a distance of 179.42 feet to a 1/2" iron rod with cap stamped "Doucet" set;
- 5) N34°49'53"W, a distance of 70.00 feet to a 1/2" iron rod with cap stamped "Doucet" set;
- 6) N55°10'07"E, a distance of 48.67 feet to a 1/2" iron rod with cap stamped "Doucet" found and for the beginning of a curve to the left
- 7) With said curve to the left, defined by an arc length of 38.84 feet, a radius of 25.08 feet, a delta angle of 88°44'47", and a chord which bears N10°37'08"E, a distance of 35.08 feet to a 1/2" iron rod with cap stamped "Doucet" set,

(CONTINUED ON NEXT PAGE)




- 8) N33°40'54"W, a distance of 50.42 feet to a 1/2" iron rod with cap stamped "Doucet" set;
- 9) N56°19'06"E, a distance of 54.00 feet to a 1/2" iron rod with cap stamped "Doucet" set;
- 10) S33°40'54"E, a distance of 48.40 feet to a 1/2" iron rod with cap stamped "Doucet" set and for the beginning of a curve to the left,
- 11) With said curve to the left, defined by an arc length of 39.92 feet, a radius of 25.07 feet, a delta angle of 91°14'36", and a chord which bears S79°22'15"E, a distance of 35.84 feet to a 1/2" iron rod with cap stamped "Doucet" found,
- 12) N55°10'11"E, a distance of 134.47 feet to a 1/2" iron rod with cap stamped "Doucet" set and for the beginning of a curve to the right,
- 13) With said curve to the right, defined by an arc length of 240.01 feet, a radius of 685.00 feet, a delta angle of 20°04'29", and a chord which bears N65°12'22"E, a distance of 238.78 feet to a the **POINT OF BEGINNING** of the tract described herein and containing approximately 8.703 acres [379,118 square feet].

Notes:

Basis of bearings is the Texas Coordinate System, South Central Zone [4204], NAD83 (2011), Epoch 2010. All distances are grid values and may be converted to surface by multiplying by the surface adjustment factor of 1.00013. Units: U.S. Survey Feet.

This survey was performed without the benefit of a title commitment. Easements or other matters of record may exist where none are shown.

I, Christopher W. Terry, Registered Professional Land Surveyor, hereby certify that this description and accompanying exhibit of even date represent an actual survey performed on the ground.



Christopher W. Terry
Registered Professional Land Surveyor
Texas Registration No. 6649
Doucet & Associates
CTerry@DoucetEngineers.com
TBPELS Firm Registration No. 10105800

06/08/2021

Date

