

## **ORDINANCE NO. 2021-91**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS ANNEXING INTO THE CITY APPROXIMATELY 3.60 ACRES OF LAND GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE STATE HIGHWAY 123 AND CLOVIS BARKER ROAD INTERSECTION IN CASE NO. AN-21-10; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.**

### **RECITALS:**

- 1.** In Case No. AN-21-10, the owner of approximately 3.60 acres of land generally located at the northwest corner of the State Highway 123 and Clovis Barker Road 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.
- 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**SECTION 7.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 December 7, 2021.

**PASSED, APPROVED AND ADOPTED** on second reading on January \_\_\_\_, 2022.

Jane Hughson  
Mayor

Attest:

Approved:

Tammy K. Cook  
City Clerk

Michael J. Cosentino  
City Attorney

# EXHIBIT A

## 2101 CLOVIS BARKER COMMERCIAL PLAT

