

# ANNEXATION APPLICATION

Updated: September, 2020



## CONTACT INFORMATION

Applicant's Name	Andrew & Stephanie Reyes	Property Owner	Same
Company	—	Company	—
Applicant's Mailing Address	722 Palomino Lane San Marcos, TX 78666	Owner's Mailing Address	Same
Applicant's Phone #	(512) 644-8497 cell	Owner's Phone #	Same
Applicant's Email	areyes032009@gmail.com Sreyes032009@gmail.com	Owner's Email	Same

## PROPERTY INFORMATION

Is the property adjacent to city limits: ☒ YES ☐ NO

Is the property proposing to connect to City utilities: ☐ YES, WATER ☐ YES, WASTE WATER ☒ NO

Is the property subject to an approved development or other agreement: ☐ YES ☒ NO

Proposed Use: Single Family Residential Proposed Zoning: FD

Reason for Annexation / Other Considerations: City manager residency requirement in accordance with the City Charter

## AUTHORIZATION

By submitting this digital application, I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee \$1,181      Technology Fee \$13      TOTAL COST \$1,194

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE – [WWW.MYGOVERNMENTONLINE.ORG/](http://WWW.MYGOVERNMENTONLINE.ORG/)

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**OWNER'S CONSENT TO ANNEXATION OF LAND**

**Date:** February 8, 2023  
**City:** City of San Marcos, Texas, a home rule municipal corporation  
**Owner:** Andrew & Stephanie Reyes  
**Property:** 722 Palomino Lane, San Marcos, TX 78666

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Owner petitioned the City to initiate proceedings to annex the Property. Owner acknowledges and agrees that, in connection with annexation of the Property:

1. Owner does not wish to enter into a development agreement with the City under Section 212.172 and has declined the offer by the City of such a development agreement.

2. Unless specifically authorized by a written agreement with Owner approved by the City Council under applicable ordinances, the City has no obligation to extend water, wastewater, or electric utility services, roads, or other infrastructure to the Property at the City's expense, and the City has made no offers, representations or promises that the City will, at the City's expense, extend water, wastewater, or electric utility services, roads, or other infrastructure to the Property. Such extensions to the Property shall be made available in the same manner and on the same basis as available to other areas of the City, whereby it shall be Owner's sole obligation, and at Owner's sole expense, to construct and install all infrastructure necessary to extend such services to the Property under applicable ordinances.

3. Owner waives any and all rights of Owner to assert any claim or demand, or to file suit against, and covenants not to sue, the City on the basis that the annexation of the Property by the City is invalid, void or voidable, in whole or in part.

4. This instrument is made, and shall be construed and interpreted under the laws of the State of Texas. Venue for any legal proceedings concerning this instrument shall lie in State courts having jurisdiction located in Hays County, Texas. Venue for any matters in federal court will be in the United States District Court for the Western District of Texas.

5. If any word, phrase, clause, sentence, or paragraph of this instrument is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this instrument will continue in force if they can be given effect without the invalid portion.

6. This instrument may be recorded in the Official Public Records of the County or Counties in which the Property is located and is binding on Owner's successors, heirs and assigns, and any future owners of the Property.

[SIGNATURE(S) ON NEXT PAGE]

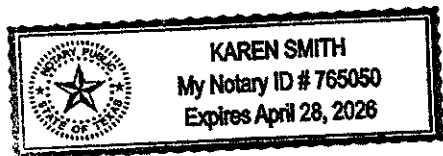
**OWNER:**

By: Stephanie Reyes  
Name: Stephanie Reyes  
Title: Property owner

**ACKNOWLEDGMENT**

STATE OF Texas §  
COUNTY OF Hays §

This instrument was acknowledged before me on February 3<sup>rd</sup> 2023 by Stephanie Reyes Interim City Manager of City of San Marcos in such capacity on behalf of said entity.



Karen Smith  
Notary Public, State of Texas

OWNER:

Stephanie Reyes

ACKNOWLEDGMENT

STATE OF Texas §  
COUNTY OF Hays §

This instrument was acknowledged before me on February, 2023 by  
Stephanie Reyes.

Karen Smith  
Notary Public, State of Texas



## DECLINATION OF OFFER OF DEVELOPMENT AGREEMENT

The attached Development Agreement was offered by the City of San Marcos to the owner of the property subject to the following application/petition (check one):

☐ Out of City Utility Connection of Extension Application

☒ Petition for Annexation (without OCU Request)

By signing below, the owner of the subject property declines the offer to enter into such Development Agreement.

**OWNER (individual):**

Stephanie Reyes

Date: 2/3/2023

[OR]

**OWNER (Entity):**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

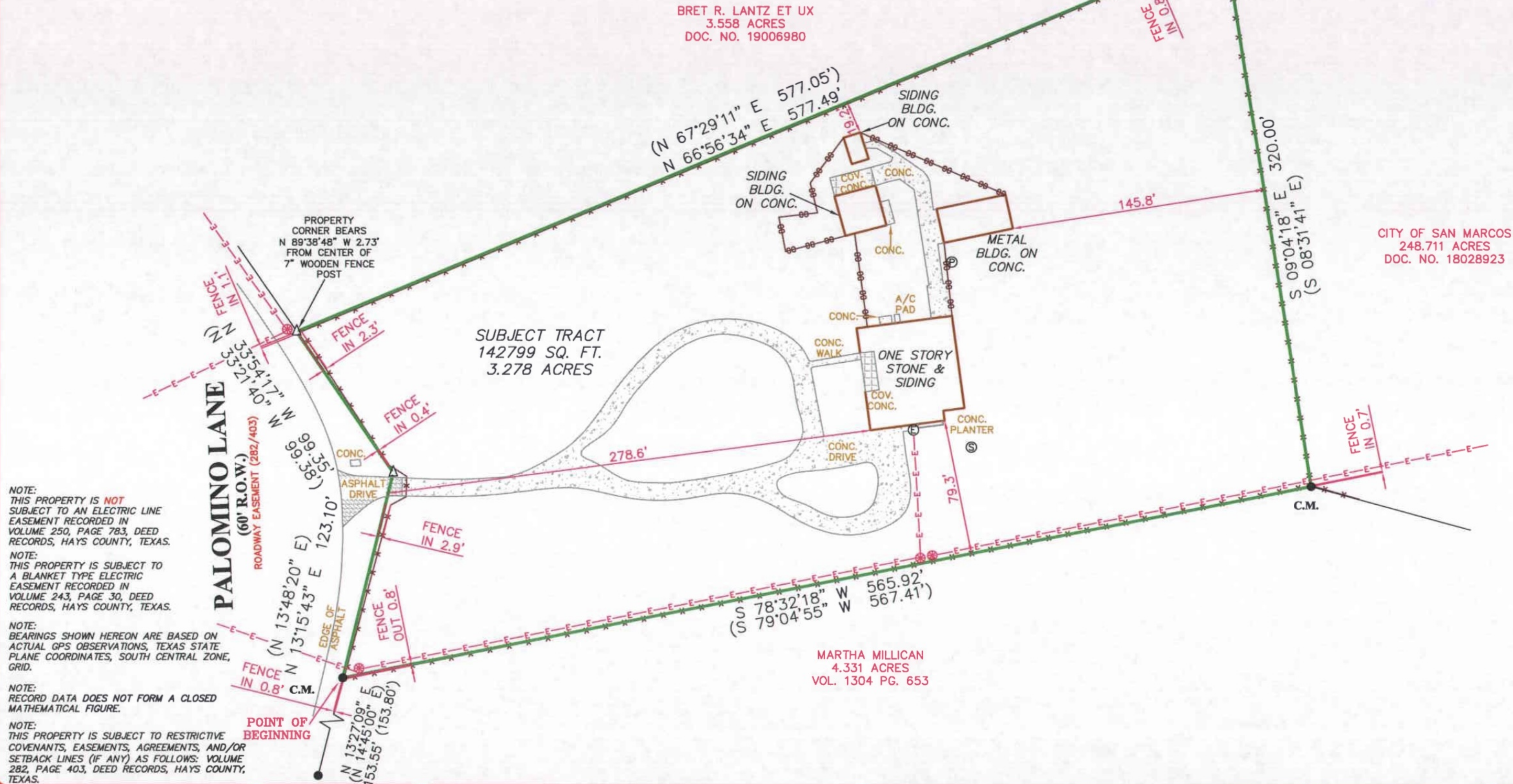
Date: \_\_\_\_\_

Case No. \_\_\_\_\_ (to be inserted by City Staff)



FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INTENDED USE OF THE PROPERTY. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), identified as Community No. 48209C, Panel No. 0386F, which is Dated 9/2/2005. By scaling from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) X. Because this is a boundary survey, the survey did not take any actions to determine the Flood Zone status of the surveyed property other than to interpret the information set out on FEMA's FIRM, as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONES, which may not agree with the interpretations of FEMA or state or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at <https://msc.fema.gov/portal>.

SCALE: 1"=60'



NOTE:  
THIS PROPERTY IS NOT  
SUBJECT TO AN ELECTRIC LINE  
EASEMENT RECORDED IN  
VOLUME 250, PAGE 783, DEED  
RECORDS, HAYS COUNTY, TEXAS.

NOTE:  
THIS PROPERTY IS SUBJECT TO  
A BLANKET TYPE ELECTRIC  
EASEMENT RECORDED IN  
VOLUME 243, PAGE 30, DEED  
RECORDS, HAYS COUNTY, TEXAS.

NOTE:  
BEARINGS SHOWN HEREON ARE BASED ON  
ACTUAL GPS OBSERVATIONS, TEXAS STATE  
PLANE COORDINATES, SOUTH CENTRAL ZONE,  
GRID.

NOTE:  
RECORD DATA DOES NOT FORM A CLOSED  
MATHEMATICAL FIGURE.

NOTE:  
THIS PROPERTY IS SUBJECT TO RESTRICTIVE  
COVENANTS, EASEMENTS, AGREEMENTS, AND/OR  
SETBACK LINES (IF ANY) AS FOLLOWS: VOLUME  
282, PAGE 403, DEED RECORDS, HAYS COUNTY,  
TEXAS.

- LEGEND**
- CALCULATED POINT
  - FND 1/2" IRON ROD
  - ( ) RECORD INFORMATION
  - B.S. BUILDING SETBACK
  - C.M. CONTROLLING MONUMENT
  - OVERHEAD ELECTRIC
  - WIRE FENCE
  - CHAIN LINK FENCE
  - POWER POLE
  - SEPTIC AREA
  - ELECTRIC METER
  - PROPANE

FIRM REGISTRATION NO.  
1011700

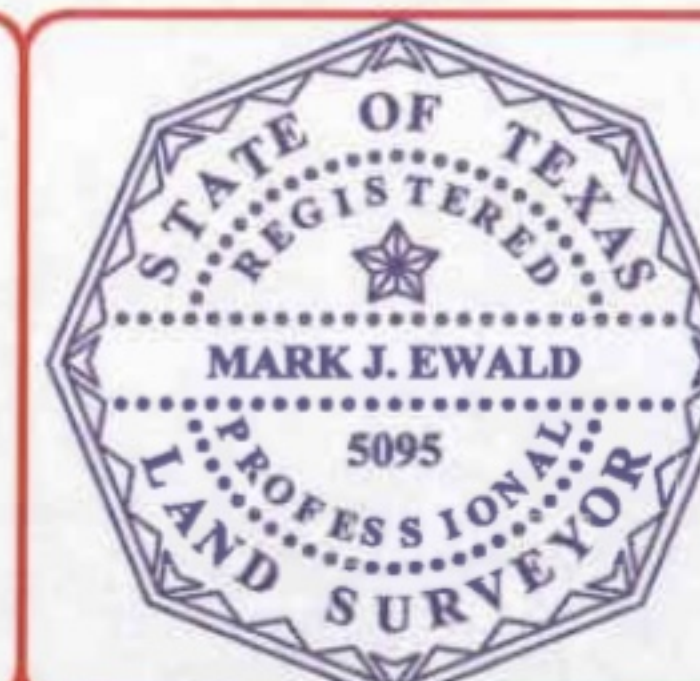
**Westar  
Alamo**

LAND SURVEYORS, LLC.

P.O. BOX 1645 BOERNE, TEXAS 78006  
PHONE (210) 372-9500 FAX (210) 372-9999

**Property Address:**  
722 PALOMINO LANE  
**Property Description:**  
BEING 3.278 ACRES OF LAND (CALLED 2.699 ACRES), MORE OR LESS, OUT  
OF THE T.H.W. FORSITH SURVEY, ABSTRACT NO. 173, BEING ALL OF LOT  
14, SECTION 2, COUNTRY ESTATES, A SUBDIVISION IN HAYS COUNTY,  
TEXAS, AND BEING THAT SAME PROPERTY DESCRIBED IN A WARRANTY  
DEED RECORDED IN VOLUME 2340, PAGE 212, OFFICIAL PUBLIC RECORDS,  
HAYS COUNTY, TEXAS, SAID 3.278 ACRES BEING MORE PARTICULARLY  
DESCRIBED BY METES AND BOUNDS ATTACHED HERETO:

**Owner:**  
ANDREW REYES AND STEPHANIE LYNN REYES



I, MARK J. EWALD, Registered Professional  
Land Surveyor, State of Texas, do hereby  
certify that the above plat represents an  
actual survey made on the ground under my  
supervision, and there are no discrepancies,  
conflicts, shortages in area or boundary  
lines, or any encroachment or overlapping of  
improvements, to the best of my knowledge  
and belief, except as shown herein.

*Mark J. Ewald*

MARK J. EWALD  
Registered Professional Land Surveyor  
Texas Registration No. 5095

G.F. NO. 029138SMT DRAWN BY: CC JOB NO. 93620

TITLE COMPANY: SAN MARCOS TITLE

DATE: 10/31/2019



## METES AND BOUNDS

Being 3.278 acres of land (called 2.699 acres), more or less, out of the T.H.W. Forsith Survey, Abstract No. 173, being all of Lot 14, Section 2, Country Estates, a subdivision in Hays County, Texas, and being that same property described in a Warranty Deed recorded in Volume 2340, Page 212, Official Public Records, Hays County, Texas, said 3.278 acres being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2 inch iron rod found for the southwest corner of this 3.278 acres, same being the northwest corner of Martha Millican, 4.331 acres (Volume 1304, Page 653) and on the East Right-of-Way line of Palomino Lane, same also being the **POINT OF BEGINNING**;

**THENCE** along the East Right-of-Way line of said Palomino Lane the following courses and distances:

North 13 degrees 15 minutes 43 seconds East (called North 13 degrees 48 minutes 20 seconds East), a distance of 123.10 feet to a point for an interior corner of this 3.278 acres;

North 33 degrees 54 minutes 17 seconds West (called North 33 degrees 21 minutes 40 seconds West), a distance of 99.35 feet (called 99.38 feet) to a point for the northwest corner of this 3.278 acres, from which the center of a 7 inch wooden fence post bears South 89 degrees 38 minutes 48 seconds West, a distance of 2.73 feet, same being on the East Right-of-Way line of said Palomino Lane and the southwest corner of Bret R. Lantz et ux, 3.558 acres (Document No. 19006980);

**THENCE** along the line common to this 3.278 acres and said Lantz 3.558 acres, North 66 degrees 56 minutes 34 seconds East (called North 67 degrees 29 minutes 11 seconds East), a distance of 577.49 feet (called 577.05 feet) to a point for the northeast corner of this 3.278 acres, same being the southeast corner of said Lantz 3.558 acres and on the West line of the City of San Marcos, 248.711 acres (Document No. 18028923);

**THENCE** along the line common to this 3.278 acres and said City of San Marcos 248.711 acres, South 09 degrees 04 minutes 18 seconds East (called South 08 degrees 31 minutes 41 seconds East), a distance of 320.00 feet to a 1/2 inch iron rod found for the southeast corner of this 3.278 acres, same being an interior corner of said City of San Marcos 248.711 acres and an angle corner of said Millican 4.331 acres;

**THENCE** along the line common with this 3.278 acres and said Millican 4.331 acres, South 78 degrees 32 minutes 18 seconds West (called South 79 degrees 04 minutes 55 seconds West), a distance of 565.92 feet (called 567.41 feet) to the **POINT OF BEGINNING**, and containing 3.278 acres of land, more or less.

I hereby certify that these field notes were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief. A survey plat of the above described tract prepared this day is hereby attached to and made a part hereof. Bearings shown herein are based on actual GPS observations, Texas State Plane Coordinates, South Central Zone, Grid.



Mark J. Ewald  
Registered Professional Land Surveyor  
Texas Registration No. 5095  
October 31, 2019.

