

ORDINANCE NO. 2019-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS ANNEXING INTO THE CITY APPROXIMATELY 92.787 ACRES OF LAND OUT OF THE BARNETTE O. KANE SURVEY, ABSTRACT NO. 281, GENERALLY LOCATED IN THE 1900 BLOCK OF REDWOOD ROAD BETWEEN STATE HIGHWAY 123 AND OLD BASTROP ROAD; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

- 1.** The owner of approximately 92.787 acres of land out of the Barnette O. Kane Survey, Abstract No. 281, generally located in the 1900 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.** Said owner of the Property has declined the offer of a development agreement from the City concerning 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 on September 30, 2019 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 All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 October 15, 2019.

PASSED, APPROVED AND ADOPTED on second reading on November 6, 2019.

Jane Hughson
Mayor

Attest:

Approved:

Jamie Lee Case
City Clerk

Michael Cosentino
City Attorney

EXHIBIT "A"
Property Description



METES AND BOUNDS DESCRIPTION
FOR A
92.787 ACRE TRACT OF LAND

Being a 92.787 acre tract of land out of the Barnette O. Kane Survey, Abstract No. 281, in Hays County, Texas, and being out of the remaining portion of a called 156.35 acre tract of land, as conveyed to Two Rivers Interests, LP, and recorded in Volume 4514, Page 304, of the Official Public Records of Hays County, Texas, and being a portion of the Right-of-Way of Redwood Road (also known as C.R. 232) (a variable width R.O.W.), and said 92.787 acre tract of land being more particularly described as follows:

BEGINNING at a ½" iron pin with cap stamped "Eagle Surveying" found in the Northeasterly R.O.W. line of said Redwood Road, being the most Westerly corner of a called 99.36 acre tract of land, as conveyed to Two Rivers Interests, LP, and recorded in Document No. 18017502, of the Official Public Records of Hays County, Texas, and being the most Southerly corner of the remaining portion of said 156.35 acre tract of land and this herein described tract of land;

THENCE departing the Northeasterly R.O.W. line of said Redwood Road, and across and through the R.O.W. of said Redwood Road, S 60° 43' 54" W, a distance of 81.79 feet to a point in the Southwesterly R.O.W. line of said Redwood Road, and being the most Southerly corner of this herein described tract of land;

THENCE with the Southwesterly R.O.W. line of said Redwood Road, N 41° 16' 01" W, a distance of 1,047.49 feet to a point in the Southwesterly line of said Redwood Road, and being the most Westerly Southwest corner of this herein described tract of land;

THENCE departing the Southwesterly R.O.W. line of said Redwood Road, and across and through the R.O.W. of said Redwood Road, N 44° 12' 01" E, at a distance of 80.25 feet passing the most Westerly Southwest corner of the remaining portion of said 156.35 acre tract of land, same being the most Southerly corner of Lot 1, Block "A", of La Vista Foundation Subdivision, as recorded in Volume 8, Page 277-278, of the Map and Plat Records of Hays County, Texas, same being in the Northeasterly R.O.W. line of said Redwood Road, and continuing with the common line between the remaining portion of said 156.35 acre tract of land and said Lot 1, for a total distance of 2,269.80 feet to a point for the most Easterly Northeast corner of said Lot 1, and being a Northwesterly interior corner of the remaining portion of said 156.35 acre tract of land and this herein described tract of land;

THENCE continuing with the common line between the remaining portion of said 156.35 acre tract of land and said Lot 1, N 42° 04' 11" W, a distance of 1,391.97 feet to a point for the most Northerly corner of said Lot 1, being in the Southeasterly line of a called 58.94 acre tract of land, as conveyed to Enos Gary, executor of the estate of Eloise Crawford, and recorded in Volume 990, Page 795, of the Official Public Records of Hays County, Texas, and being the most Westerly Northwest corner of the remaining portion of said 156.35 acre tract of land and this herein described tract of land;

THENCE with the common line between said 58.94 acre tract of land and the remaining portion of said 156.35 acre tract of land, N 44° 05' 24" E, a distance of 521.18 feet to a point for the most Easterly corner of said 58.94 acre tract of land, being in the Southwesterly line of Lot 17, Block 6, of the Hills of Hays Subdivision, Phase 2, as recorded in Volume 4, Page 337, of the Map and Plat Records of Hays County, Texas, and being the most Northerly corner of the remaining portion of said 156.35 acre tract of land and this herein described tract of land;

THENCE with the Southwesterly line of the said Hills of Hays Subdivision, Phase 2, same being the Northeasterly line of the remaining portion of said 156.35 acre tract of land, S 40° 59' 56" E, a distance of 591.72 feet to a point for the most Southerly corner of Lots 24 and 25, of said Hills of Hays Subdivision, Phase 2, same being the most Westerly corner of the remaining portion of a called 195.677 acre tract of land, as conveyed to Two Rivers Interests, LP, and recorded in Document No. 12036811, of the Official Public Records of Hays County, Texas, and being a Northerly Northeast corner of the remaining portion of said 156.35 acre tract of land and this herein described tract of land;

THENCE with the common line between the remaining portion of said 156.35 acre tract of land and the remaining portion of said 195.677 acre tract of land, S 41° 06' 18" E, a distance of 2,654.16 feet to a 1/4" iron pin found in the Southwesterly line of the remaining portion of said 195.677 acre tract of land, being the most Northerly corner of the aforementioned 99.36 acre tract of land, and being the most Easterly Northeast corner of the remaining portion of said 156.35 acre tract of land and this herein described tract of land;

THENCE with the common line between the remaining portion of said 156.35 acre tract of land and said 99.36 acre tract of land, S 60° 43' 54" W, a distance of 1,870.34 feet to a point in the common line between the remaining portion of said 156.35 acre tract of land and said 99.36 acre tract of land, and being a Southeasterly corner of this herein described tract of land;

THENCE departing the common line between the remaining portion of said 156.35 acre tract of land and said 99.36 acre tract of land, and across and through the remaining portion of said 156.35 acre tract of land, the following courses:

N 41° 40' 53" W, a distance of 1,057.97 feet to a point for a Southwesterly interior corner;

S 60° 38' 29" W, a distance of 145.64 feet to a point for a Southwesterly interior corner, and being at the beginning of a curve to the right;

With said curve to the right, 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 S 69° 31' 39" W, 91.14 feet to a point for a Southwesterly interior corner;

S 78° 24' 49" W, a distance of 95.17 feet to a point for a Southwesterly interior corner, and being at the beginning of a curve to the left;

With said curve to the left, having an arc length of 105.76 feet, a radius of 180.00 feet, a delta angle of $33^{\circ} 39' 56''$, a tangent length of 54.46 feet, and a chord bearing and distance of $S 61^{\circ} 34' 51'' W$, 104.25 feet to a point for a Southwesterly interior corner;

$S 44^{\circ} 44' 53'' W$, a distance of 189.30 feet to a point for a Southwesterly interior corner;

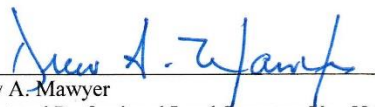
$S 41^{\circ} 40' 53'' E$, a distance of 1,000.04 feet to a point for a Southwesterly corner;

$S 60^{\circ} 38' 29'' W$, a distance of 246.94 feet to a point for a Southwesterly corner;

THENCE continuing across and through the remaining portion of said 156.35 acre tract of land, $S 41^{\circ} 16' 01'' E$, a distance of 49.30 feet to the POINT OF BEGINNING, and containing 92.787 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 the Texas State Plane Coordinate System, South Central Zone (4204), North American Datum 1983.



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MOE307- REDWOOD- 92.787 AC- 053019

