

ORDINANCE NO. 2020-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS ANNEXING INTO THE CITY APPROXIMATELY 39.37 ACRES OF LAND OUT OF THE CYRUS WICKSON SURVEY, ABSTRACT NO. 474, HAYS COUNTY, GENERALLY LOCATED AT THE WESTERN CORNER OF SOUTH OLD BASTROP HIGHWAY AND RATTLER ROAD; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. The owner of approximately 39.37 acres of land out of the Cyrus Wickson Survey, Abstract No. 474, Hays County, generally located at the western corner of South Old Bastrop Highway and Rattler 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. 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. 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 January 7, 2020.

PASSED, APPROVED AND ADOPTED on second reading on January 21, 2020.

Jane Hughson
Mayor

Attest:

Approved:

Tammy K. Cook
Interim City Clerk

Michael Cosentino
City Attorney

EXHIBIT "A"
Property Description



Exhibit " — "

7401B Highway 71 West, Suite 160
Austin, TX 78735
Office: 512.583.2600
Fax: 512.583.2601

Doucetengineers.com

McCarty Lane
Hays County, Texas

D&A Job No. 1787-001
November 27, 2019

METES & BOUNDS DESCRIPTION
For 39.37 acres [1,714,958 square feet].

BEING A 39.37 ACRE [1,714,957 SQUARE FEET] TRACT OF LAND OUT OF THE CYRUS WICKSON SURVEY, ABSTRACT NUMBER 474, HAYS COUNTY, TEXAS, BEING ALL OF THE CALLED 35.40 ACRE TRACT OF LAND DESCRIBED IN VOLUME 4595, PAGE 398 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS [O.P.R.H.C.T.], AND A PORTION OF MCCARTY LANE [DEED OF RECORD NOT FOUND, AND OLD BASTROP ROAD [DEED OF RECORD NOT FOUND], SAID 39.37 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found for the east corner of the remainder of Lot 18 of Hillside Village Subdivision, a subdivision of record in Volume 8, Page 148, Plat Records of Hays County, Texas [P.R.H.C.T.], same being the south corner of a called 0.03 acre tract described in Volume 3510, Page 283 [O.P.R.H.C.T.], for the **POINT OF BEGINNING**, same being on the south right-of-way line of said McCarthy Lane;

THENCE, N47°47'46"E, across said right-of-way of McCarthy Lane, a distance of 81.64 feet, to an angle point of the tract described herein, same being on the north right-of-way of said McCarthy Lane;

THENCE with the north right-of-way of McCarthy Lane the following three (3) courses and distances:

- 1) S48°20'36"E, a distance of 113.94 feet to an angle point of the tract described herein,
- 2) S47°13'24"E, a distance of 40.31 feet to an angle point of the tract described herein, and
- 3) S46°06'12"E, a distance of 171.77 feet to an angle point, found on the north right-of-way of said McCarthy Lane, same being on the west right-of-way of Old Bastrop Road (County Road 266), no record information found;

THENCE, S57°34'20"E, across said right-of-way of Old Bastrop Road, a distance of 97.44 feet, to a point of curvature to the left of the tract described herein, same being on the south right-of-way of Old Bastrop Road;

THENCE with said curve to the left, an arc length of 39.28 feet, having a radius of 25.00 feet, a delta angle of 90°00'54", and a chord which bears S01°03'54"E, a distance of 35.36 feet, to an angle point found along the said north right-of-way of McCarthy Road;

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COMMITMENT YOU EXPECT.
EXPERIENCE YOU NEED.
PEOPLE YOU TRUST.



THENCE, S42°26'29"W, across the right-of-way of said McCarthy Lane, a distance of 90.04 feet, to point of curvature to the left of the tract described herein, same being on the south right-of-way of McCarthy Lane;

THENCE leaving the south right-of-way of said McCarthy Lane and continuing with the south right-of-way line of said Old Bastrop Road, the following seventeen (17) courses and distances:

- 1) With said curve to the left, an arc length of 45.22 feet, having a radius of 25.00 feet, a delta angle of 103°37'35", and a chord which bears S81°43'02"W a distance of 39.30 feet to a point of curvature to the left of the tract described herein,
- 2) With said curve to the left, an arc length of 170.36 feet, having a radius of 505.95 feet, a delta angle of 19°17'31", and a chord which bears S19°06'14"W a distance of 169.55 feet to an angle point of the tract described herein,
- 3) S08°58'47"W, a distance of 131.08 feet to a point of curvature to the right of the tract described herein,
- 4) With said curve to the right, an arc length of 411.18 feet, having a radius of 540.00 feet, a delta angle of 43°37'40", and a chord which bears S30°47'36"W a distance of 401.32 feet to an angle point of the tract described herein,
- 5) S52°36'25"W, a distance of 18.02 feet to an angle point of the tract described herein,
- 6) S50°32'28"W, a distance of 48.29 feet to an angle point of the tract described herein,
- 7) S52°20'06"W, a distance of 208.92 feet to an angle point of the tract described herein,
- 8) N41°00'32"W, a distance of 11.67 feet to an angle point of the tract described herein,
- 9) S51°06'42"W, a distance of 60.01 feet to an angle point of the tract described herein,
- 10) S41°00'17"E, a distance of 10.34 feet to an angle point of the tract described herein,
- 11) S52°21'10"W, a distance of 209.77 feet to an angle point of the tract described herein,
- 12) N39°21'26"W, a distance of 5.84 feet to an angle point of the tract described herein,
- 13) S55°04'30"W, a distance of 44.99 feet to an angle point of the tract described herein,
- 14) S52°01'14"W, a distance of 53.16 feet to an angle point of the tract described herein,

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- 15) S51°59'17"W, a distance of 234.60 feet to an angle point of the tract described herein,
- 16) S27°59'53"W, a distance of 22.97 feet to an angle point of the tract described herein and,
- 17) S55°06'48"W, a distance of 29.55 feet to a point for the south corner of the tract described herein,

THENCE, N46°06'13"W, across the said right-of-way of Old Bastrop Road, a distance of 84.66 feet, to 1/2-inch iron rod found on the north right-of-way of said Old Bastrop Road, same being the southeast corner of a called 10.265 acre tract, described in Volume 2761, Page 162 [O.P.R.H.C.T.], and same being the south corner of said 35.40-acre tract;

THENCE, N46°06'13"W, with the line common to said 35.40 acres and said 10.265 acres, for a distance of 1,335.73 feet to 1/2-inch iron rod, found for the west corner of said 35.40 acre-tract, the north corner of said 10.265 acres, and same being in the southeast line of a called 60.435 acre tract described in Volume 3698, Page 591 [O.P.R.H.C.T.], and for the west corner of the tract described herein;

THENCE, N44°08'35"E, with the line common to said 35.40 acres, and said 60.435 acres, for a distance of 697.25 feet to a 1/2-inch iron rod found for the westerly north corner of said 35.40 acres, and for the west corner of Lot 9 of said A Hillside Village, Section 1, and for the most westerly north corner of the tract described herein;

THENCE, with the lines common to said 35.40-acre tract and said Hillside Subdivision Section One, the following seven (7) courses and distances;

- 1) S46°01'51"E, a distance of 335.04 feet to a 1/2-inch iron rod with "Byrn" cap, found for the south corner of said Lot 9, same being in the northwest right-of-way line of Cerro Vista Drive, 60 feet wide per recorded plat, and an angle corner of the tract described herein;
- 2) S19°22'40"E, for a distance of 67.29 feet to a 1/2-inch iron rod, found in the southeast right-of-way line of Cerro Vista Drive, same being the west corner of Lot 17 of said A Hillside Village, Section 1, and an angle corner of the tract described herein;
- 3) S46°02'02" E, a distance of 286.55 feet to a 1/2-inch iron rod, found for the south corner of Lot 17, and an angle corner of the tract described herein,
- 4) N44°07'40"E, passing at a distance of 233.93 feet, a 1/2 inch iron rod, found for the common southerly corner of Lots 16 and 15, and continuing in all 350.84 feet to 1/2 inch iron rod found for an angle point in a northwest line of said 35.40 acres and the herein described tract, same being the common southerly corner of Lots 15 and 14,

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- 5) N47°46'10"E, passing at a distance of 117.71 feet a 1/2 inch iron rod, found for the common southerly corner of Lots 14 and 13, and passing at 235.47 feet a 1/2 inch iron rod, found for the common southerly corner of Lots 13 and 12, and continuing in all 273.51 feet to a 1/2 inch iron rod, found for an exterior corner of said 35.40 acres and the herein described tract, same being the west corner of said remainder of Lot 18;
- 6) S46°08'50" E, a distance of 159.87 feet to a 1/2-inch iron rod, found for the south corner of Lot 18, and an angle corner of the tract described herein,
- 7) N47°47'46"E, a distance of 321.75 feet, back to the **POINT OF BEGINNING** of the herein described tract and containing 39.37 acres [1,714,958 square feet].

Basis of bearings is the Texas Coordinate System, South Central Zone [4204], NAD83 (2011), Epoch 2010.
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.

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.

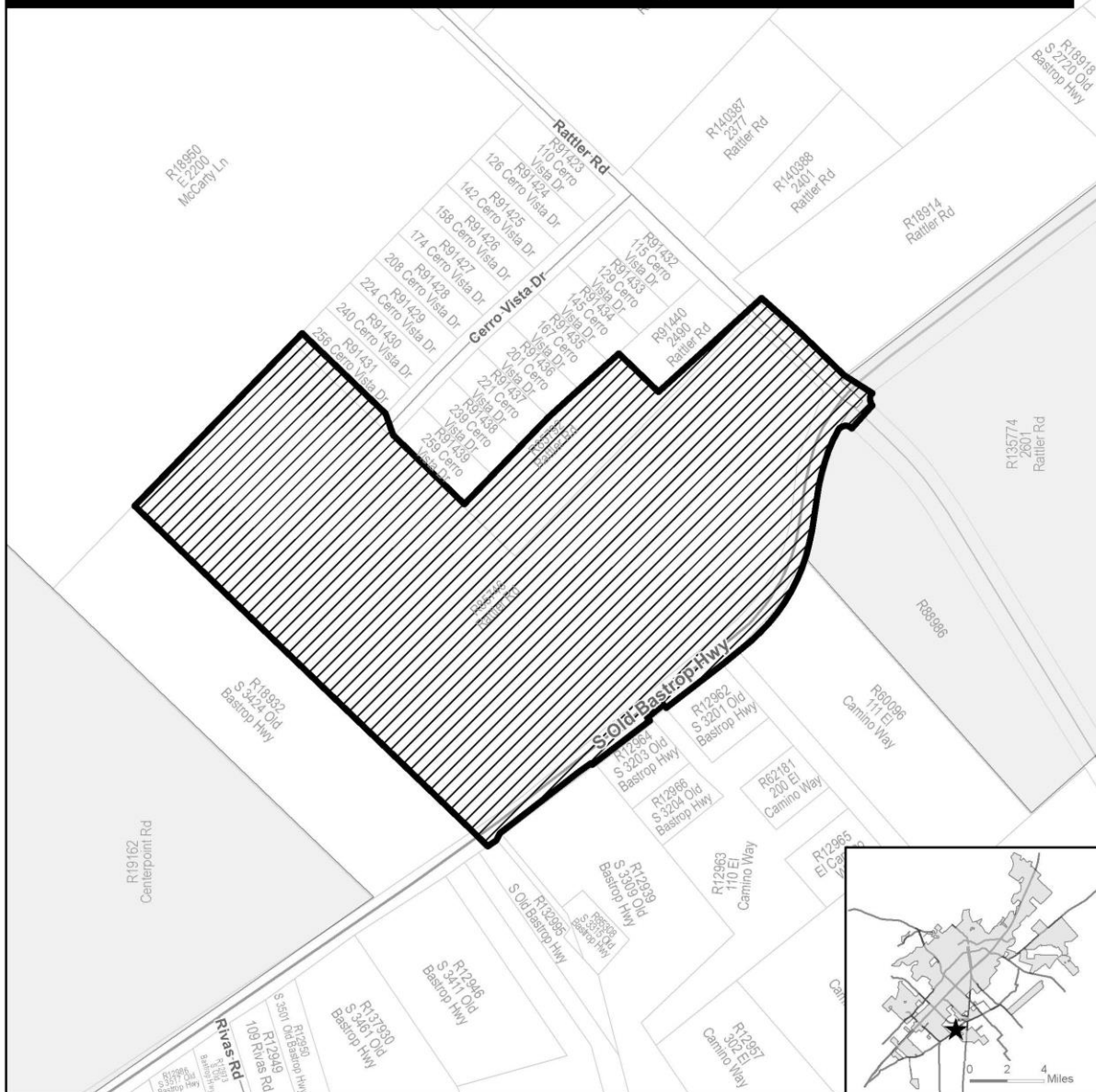


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GCavauiolo@DoucetEngineers.com
TBPLS Firm No. 10105800

11/27/19
Date



AN-19-03 Location Map Annexation - South Old Bastrop Hwy / Rattler Road



- ★ Site Location
-  Subject Property
-  Parcel
-  City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 11/18/2019