

ORDINANCE NO. 2020-50

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS ANNEXING INTO THE CITY APPROXIMATELY 83.291 ACRES OF LAND LOCATED AT 2519 REDWOOD ROAD; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

- 1.** The owner of approximately 83.291 acres of land located at 2519 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. 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.** Said 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 of the Property 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 All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 August 4, 2020.

PASSED, APPROVED AND ADOPTED on second reading on August 18, 2020.

Jane Hughson
Mayor

Attest:

Approved:

Tammy K. Cook
Interim City Clerk

Michael Cosentino
City Attorney

EXHIBIT A



METES AND BOUNDS DESCRIPTION FOR A 83.291 ACRE TRACT OF LAND "ZONING"

Being a 83.291 acre tract of land out of the Barnette O. Kane Survey, Abstract No. 281, in Hays County, Texas, being a portion of the remaining portion a called 99.56 acre tract of land, as conveyed to Smithco Redwood, LLC, and recorded in Document No. 19023899, of the Official Public Records of Hays County, Texas, and said 83.291 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a point in the Northeasterly Right-of-Way line of Redwood Road (a variable width R.O.W.), being in the Southeasterly line of a called 99.36 acre tract of land, as conveyed to Three Rivers Development, LLC, and recorded in Document No. 18042251, of the Official Public Records of Hays County, Texas, being the most Westerly corner of the remaining portion of said 99.56 acre tract of land and being a Westerly corner of this herein described tract of land;

THENCE departing the Northeasterly R.O.W. line of said Redwood Road, and with the common line between the remaining portion of said 99.56 acre tract of land and said 99.36 acre tract of land, N 60° 24' 29" E, a distance of 1,319.01 feet to a point for a Southeasterly corner of said 99.36 acre tract of land, and being a Northwesterly corner of the remaining portion of said 99.56 acre tract of land and this herein described tract of land;

THENCE continuing with the common line between said 99.36 acre tract of land and the remaining portion of said 99.56 acre tract of land, N 60° 18' 52" E, a distance of 1,395.93 feet to a point for the most Easterly corner of said 99.36 acre tract of land, being in the Southwesterly line of a called 125.0 acre tract of land, as conveyed to James S. Lane and Billye Jo Sherrill Lane, recorded in Volume 878, Page 325, of the Official Public Records of Hays County, Texas, and being the most Northerly corner of the remaining portion of said 99.56 acre tract of land and this herein described tract of land;

THENCE with the common line between said 125.0 acre tract of land and the remaining portion of said 99.56 acre tract of land, S 41° 06' 43" E, a distance of 270.93 feet to a point in the common line between said 125.0 acre tract of land and the remaining portion of said 99.56 acre tract of land, and being a Northeasterly corner of this herein described tract of land;

THENCE continuing with the common line between said 125.0 acre tract of land and the remaining portion of said 99.56 acre tract of land, S 40° 30' 11" E, a distance of 1,363.82 feet to a point in the Northwesterly R.O.W. line of Old Bastrop Highway (a variable width R.O.W.), being the most Southerly corner of said 125.0 acre tract of land, and being the most Easterly corner of the remaining portion of said 99.56 acre tract of land;

THENCE departing the Northwestern R.O.W. line of said Old Bastrop Highway, and across and through said Old Bastrop Highway R.O.W., S 40° 30' 11" E, a distance of 55.01 feet to a point in the Southeasterly R.O.W. line of said Old Bastrop Highway, being in the Northwestern line of a called 525.22 acre tract of land, as conveyed to Frost National Bank, Independent Executor and Trustee under the Will of Joseph Freeman, and recorded in Volume 359, Page 870, of the Official Public Records of Hays County, Texas, and being the most Easterly corner of this herein described tract of land;

THENCE with the Southeasterly R.O.W. line of said Old Bastrop Highway, and with the Northwestern line of said 525.22 acre tract of land, S 60° 56' 17" W, a distance of 2,019.19 feet to a point in the Southeasterly R.O.W. line of said Old Bastrop Highway, being in the Northwestern line of said 525.22 acre tract of land, and being the most Southerly corner of this herein described tract of land;

THENCE departing the Southeasterly R.O.W. line of said Old Bastrop Highway, same being the Northwestern line of said 525.22 acre tract of land, and across and through said Old Bastrop Highway R.O.W., N 29° 47' 20" W, a distance of 50.73 feet to a point in the Northwestern R.O.W. line of said Old Bastrop Highway, being in the Southeasterly line of the remaining portion of said 99.56 acre tract of land, and being a Southerly corner of this herein described tract of land;

THENCE departing the Northwestern R.O.W. line of said Old Bastrop Highway, same being the Southeasterly line of the remaining portion of said 99.56 acre tract of land, and across and through the remaining portion of said 99.56 acre tract of land, the following courses:

N 29° 47' 20" W, a distance of 89.26 feet to a point for a Southerly corner;

N 29° 21' 38" W, a distance of 120.00 feet to a point for a Southerly corner, and being at the beginning of a curve to the right;

With said curve to the right, having an arc length of 181.89 feet, a radius of 50.00 feet, a delta angle of 208° 26' 05", a tangent length of 197.35, and a chord bearing and distance of N 76° 15' 42" W, 96.94 feet to a point for a Southerly corner;

N 29° 21' 38" W, a distance of 815.77 feet to a point for a Southwesterly interior corner;

S 60° 38' 22" W, a distance of 251.21 feet to a point for a Southwesterly corner;

S 60° 38' 22" W, a distance of 275.65 feet to a point for a Southwesterly corner, and being at the beginning of a curve to the right;

With said curve to the right, having an arc length of 103.78 feet, a radius of 227.00 feet, a delta angle of 26° 11' 40", a tangent length of 52.81 feet, and a chord bearing and distance of S 73° 44' 12" W, 102.88 feet to a point for a Westerly corner;

S 86° 52' 31" W, a distance of 97.35 feet to a point for a Westerly corner, and being at the beginning of a curve to the left;

With said curve to the left, having an arc length of 114.77 feet, a radius of 173.00 feet, a delta angle of 38° 00' 36", a tangent length of 59.59 feet, and a chord bearing and distance of S 67° 48' 58" W, 112.68 feet to a point for a Westerly corner;

THENCE continuing across and through the remaining portion of said 99.56 acre tract of land, S 48° 48' 40" W, a distance of 40.23 feet to a point in the Northeasterly R.O.W. line of aforementioned Redwood Road, being in the Southwesterly line of the remaining portion of said 99.56 acre tract of land, and being a Southwesterly corner of this herein described tract of land;


THENCE departing the Northeasterly R.O.W. line of said Redwood Road, same being the Southwesterly line of the remaining portion of said 99.56 acre tract of land, and across and through said Redwood Road R.O.W., S 48° 21' 23" W, a distance of 89.90 feet to a point in the Southwesterly R.O.W. line of said Redwood Road, being in the Northeasterly line of El Camino Real Subdivision, Phase 2, Section One, as recorded in Volume 10, Page 374, of the Map and Plat Records of Hays County, Texas, and being a Southwesterly corner of this herein described tract of land;

THENCE with the Northeasterly line of said El Camino Real Subdivision, and with the Southwesterly R.O.W. line of said Redwood Road, N 41° 38' 37" W, a distance of 448.33 feet to a point in the Southwesterly R.O.W. line of said Redwood Road, being in the Northeasterly line of said El Camino Real Subdivision, and being the most Westerly corner of this herein described tract of land;

THENCE departing the Southwesterly R.O.W. line of said Redwood Road, same being the Northeasterly line of said El Camino Real Subdivision, and across and through said Redwood Road R.O.W., N 60° 21' 42" E, a distance of 95.49 feet to the POINT OF BEGINNING, and containing 83.291 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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MOE394- REDWOOD- 83.291 AC- 051420



