

ORDINANCE NO. 2020-61

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS UNDER CASE NO. AN-20-08 (LA CIMA PHASE 2) ANNEXING INTO THE CITY APPROXIMATELY 89.694 ACRES OF LAND OUT OF THE JOHN WILLIAMS SURVEY, ABSTRACT NO. 490, AND THE WILLIAM SMITHSON SURVEY, ABSTRACT NO. 419, HAYS COUNTY, GENERALLY LOCATED WEST OF THE INTERSECTION OF OLD RANCH ROAD 12 AND WONDER WORLD DRIVE; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. Pursuant to the terms of development agreement with the City, the owner of approximately 89.694 acres of land out of the John Williams Survey, Abstract No. 490, and the William Smithson Survey, Abstract No. 419, Hays County, generally located west of the intersection of Old Ranch Road 12 and Wonder World Drive, 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 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 September 1, 2020.

PASSED, APPROVED AND ADOPTED on second reading on September 15, 2020.

Jane Hughson
Mayor

Attest:

Approved:

Tammy K. Cook
Interim City Clerk

Michael Cosentino
City Attorney

EXHIBIT A



Exhibit “ — ”

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

DOUCETengineers.com

Boundary Exhibit
La Cima
Hays County, Texas

D&A Job No. 1722-001
May 15, 2020

DESCRIPTION
For a 89.694 Acre [3,906,616 Square Feet]
Boundary Exhibit

BEING A 89.694 ACRE TRACT [3,906,616 SQUARE FEET] IN THE JOHN WILLIAMS SURVEY, ABSTRACT NO. 490, THE PATRICK MCGREAL SURVEY, ABSTRACT NUMBER 308, AND THE WILLIAM SMITHSON SURVEY, ABSTRACT NUMBER 419, HAYS COUNTY, TEXAS, SAID 89.6936 ACRE TRACT BEING OUT OF A CALLED 94.504 ACRES AND A CALLED 182.269 ACRES DESCRIBED TO LCSM PH 2, LLC, AS RECORDED IN DOCUMENT NUMBER 18022545, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS [O.P.R.H.C.T.], SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod set with cap stamped “DOUCET” on a south line of said 94.504 acres, same being on the north right-of-way of West Centerpoint Road, described in document number 17036340 of the Plat Records of Hays County, Texas [P.R.H.C.T.], for the **POINT OF BEGINNING** of the tract described herein;

THENCE over and across said 182.269 acres and 94.504 acres, the following thirty-seven (37) courses and distances:

- 1) S71°59'35"W, a distance of 536.37 feet to a calculated point at the beginning of a curve to the left,
- 2) With the arc of said curve to the left, having an arc length of 572.24 feet, a radius of 1,065.00 feet, a delta angle of 30°47'09", and a chord bearing of S56°36'00"W, for a distance of 565.38 feet to a 1/2-inch iron rod set with cap stamped “DOUCET”,
- 3) S41°12'25"W, a distance of 15.35 feet to a 1/2-inch iron rod set with cap stamped “DOUCET” at the beginning of a curve to the right,
- 4) With the arc of said curve to the right, having an arc length of 30.29 feet, a radius of 20.00 feet, a delta angle of 86°46'56", and a chord bearing of S83°03'03"W, for a distance of 27.48 feet to a 1/2-inch iron rod set with cap stamped “DOUCET”,
- 5) N51°05'00"W, a distance of 26.25 feet to a 1/2-inch iron rod set with cap stamped “DOUCET” at the beginning of a curve to the right,
- 6) With the arc of said curve to the right, having an arc length of 123.51 feet, a radius of 815.00 feet, a delta angle of 08°40'57", and a chord bearing of N44°27'06"W, for a distance of 123.39 feet to a 1/2-inch iron rod set with cap stamped “DOUCET”,
- 7) N40°06'37"W, passing at 196.38 feet, a 1/2-inch iron rod set with cap stamped “DOUCET”, and continuing for a total distance of 339.13 feet to a calculated point at the beginning of a curve to the left,
- 8) With the arc of said curve to the left, having an arc length of 665.76 feet, a radius of 685.00 feet, a delta angle of 55°41'13", and a chord bearing of N67°57'20"W, for a distance of 639.87 feet to a calculated point at the beginning of a curve to the right,

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



- 9) With the arc of said curve to the right, having an arc length of 29.69 feet, a radius of 20.22 feet, a delta angle of $84^{\circ}09'04''$, and a chord bearing of $N53^{\circ}26'10''W$, for a distance of 27.10 feet to a calculated point,
- 10) $S80^{\circ}00'46''W$, a distance of 64.91 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 11) $N10^{\circ}16'24''W$, a distance of 257.65 feet to a 1/2-inch iron rod set with cap stamped "DOUCET" at the beginning of a curve to the left,
- 12) With the arc of said curve to the left, having an arc length of 110.12 feet, a radius of 270.00 feet, a delta angle of $23^{\circ}22'04''$, and a chord bearing of $N21^{\circ}57'26''W$, for a distance of 109.36 feet to 1/2-inch iron rod set with cap stamped "DOUCET",
- 13) $N33^{\circ}38'28''W$, passing at 473.78 feet, a 1/2-inch iron rod set with cap stamped "DOUCET", and continuing for a total distance of 662.05 feet to a calculated point at the beginning of a curve to the left,
- 14) With the arc of said curve to the left, having an arc length of 41.52 feet, a radius of 470.00 feet, a delta angle of $05^{\circ}03'41''$, and a chord bearing of $N36^{\circ}10'19''W$, for a distance of 41.51 feet to a calculated point,
- 15) $N51^{\circ}17'50''E$, a distance of 60.00 feet to a calculated point,
- 16) $N56^{\circ}21'32''E$, passing at 973.91 feet a 1/2-inch iron rod set with cap stamped "DOUCET", and continuing for a total distance of 1,028.43 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 17) $N25^{\circ}39'04''W$, a distance of 145.42 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 18) $N64^{\circ}20'56''E$, a distance of 291.09 feet to a 1/2-inch iron rod set with cap stamped "DOUCET" at the beginning of a curve to the right,
- 19) With the arc of said curve to the right, having an arc length of 86.33 feet, a radius of 173.50 feet, a delta angle of $28^{\circ}30'33''$, and a chord bearing of $N78^{\circ}36'13''E$, for a distance of 85.44 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 20) $N02^{\circ}51'29''E$, a distance of 53.00 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 21) $N12^{\circ}59'10''E$, a distance of 199.70 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 22) $N64^{\circ}20'56''E$, a distance of 27.11 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 23) $S43^{\circ}46'38''E$, a distance of 512.11 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 24) $N71^{\circ}48'34''E$, a distance of 532.02 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 25) $S16^{\circ}25'58''E$, a distance of 512.32 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 26) $S16^{\circ}15'24''E$, a distance of 33.68 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 27) $S10^{\circ}06'10''E$, a distance of 81.02 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 28) $S00^{\circ}06'48''W$, a distance of 81.02 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 29) $S10^{\circ}19'46''W$, a distance of 81.02 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 30) $S05^{\circ}27'59''W$, a distance of 75.37 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 31) $S04^{\circ}34'06''E$, a distance of 69.44 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 32) $S12^{\circ}37'02''E$, a distance of 101.90 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 33) $S15^{\circ}31'59''E$, a distance of 101.88 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 34) $S04^{\circ}54'54''E$, a distance of 63.30 feet to a 1/2-inch iron rod set with cap stamped "DOUCET",
- 35) $S89^{\circ}27'32''W$, a distance of 22.41 feet to a 1/2-inch iron rod set with cap stamped "DOUCET"
- 36) $S05^{\circ}16'10''W$, a distance of 92.13 feet to a 1/2-inch iron rod set with cap stamped "DOUCET", and

(CONTINUED ON NEXT PAGE)

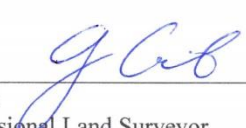


37) S15°48'49"E, a distance of 761.24 feet to the **POINT OF BEGINNING** of the tract described herein, and containing approximately 89.694 acres [3,906,616 square feet].

Basis of bearings is the Texas Coordinate System, South Central Zone [4204], NAD83 (2011), Epoch 2010. All distances are surface values and may be converted to grid by using the surface adjustment factor of 1.00009768. Units: U.S. Survey Feet.

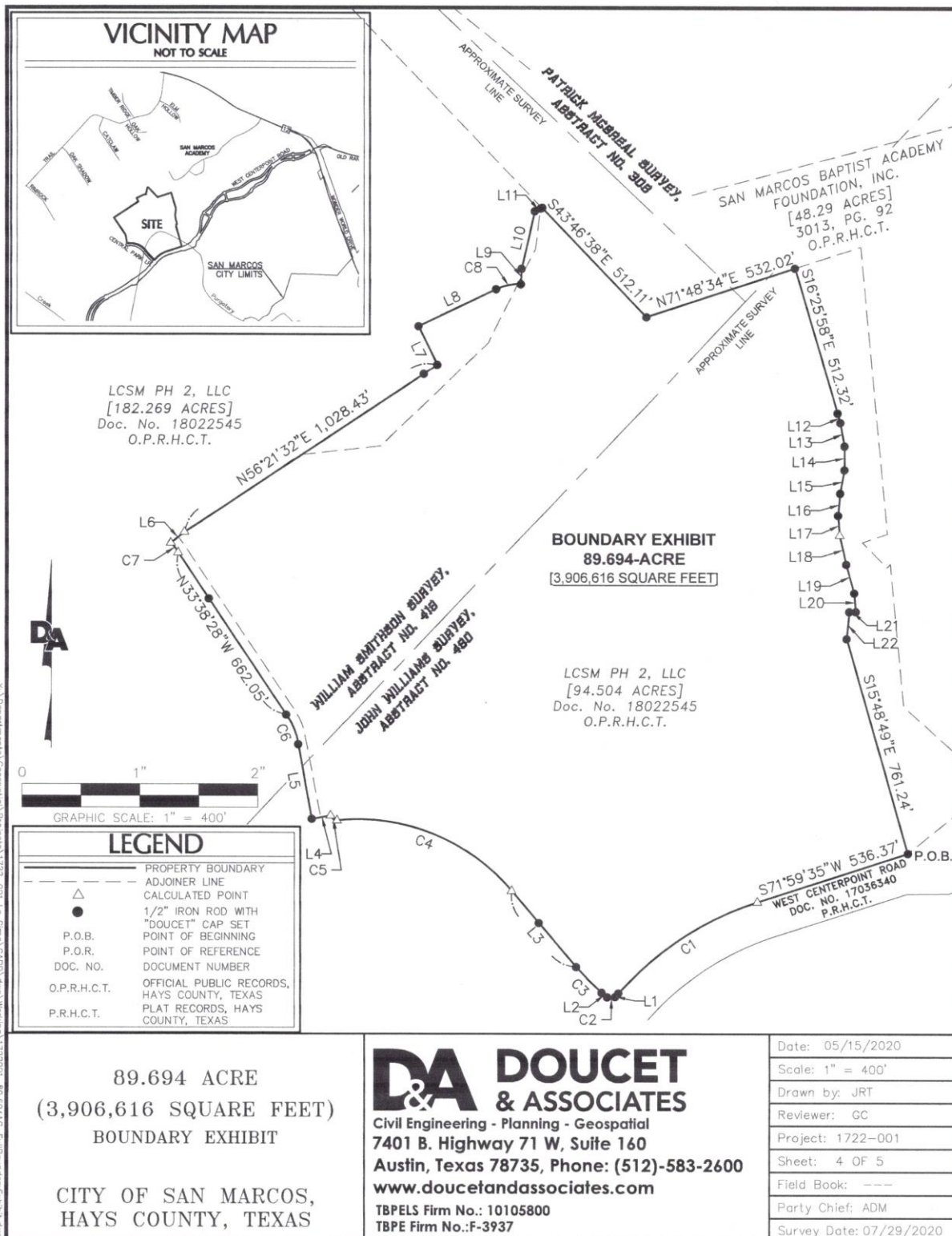
This survey was performed without the benefit of a title commitment. Easements or other matters of record may exist where none are shown.

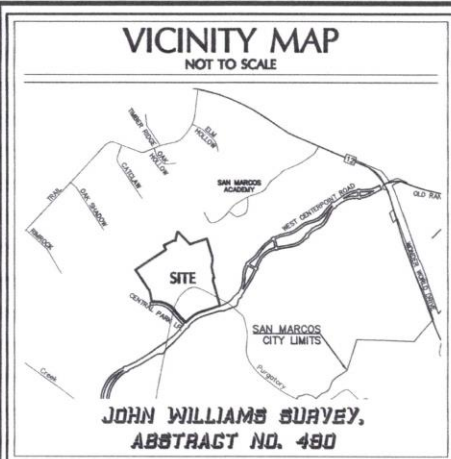
This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.


Garrett Cavauiolo
Registered Professional Land Surveyor
Texas Registration No. 6714
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GCavauiolo@DoucetEngineers.com
TBPELS Firm Registration No. 10105800

5/15/20
Date







| CURVE TABLE | | | | | |
|-------------|---------|-----------|-----------|---------------|--------------|
| CURVE | LENGTH | RADIUS | DELTA | CHORD BEARING | CHORD LENGTH |
| C1 | 572.24' | 1,065.00' | 30°47'09" | S56°36'00"W | 565.38' |
| C2 | 30.29' | 20.00' | 86°46'56" | S83°03'03"W | 27.48' |
| C3 | 123.50' | 815.00' | 8°40'57" | N44°27'06"W | 123.39' |
| C4 | 665.76' | 685.00' | 55°41'13" | N67°57'20"W | 639.87' |
| C5 | 29.69' | 20.22' | 84°09'04" | N53°26'10"W | 27.10' |
| C6 | 110.12' | 270.00' | 23°22'04" | N21°57'26"W | 109.36' |
| C7 | 41.52' | 470.00' | 5°03'41" | N36°10'19"W | 41.51' |
| C8 | 86.33' | 173.50' | 28°30'33" | N78°36'13"E | 85.44' |

| LEGEND | |
|--------------|---|
| — | PROPERTY BOUNDARY |
| - - - | ADJOINER LINE |
| △ | CALCULATED POINT |
| ● | 1/2" IRON ROD WITH "DOUCET" CAP SET |
| P.O.B. | POINT OF BEGINNING |
| P.O.R. | POINT OF REFERENCE |
| DOC. NO. | DOCUMENT NUMBER |
| O.P.R.H.C.T. | OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS |
| P.R.H.C.T. | PLAT RECORDS, HAYS COUNTY, TEXAS |

| LINE TABLE | | |
|------------|-------------|----------|
| LINE | BEARING | DISTANCE |
| L1 | S41°12'25"W | 15.35' |
| L2 | N51°05'00"W | 26.24' |
| L3 | N40°06'39"W | 339.13' |
| L4 | S80°00'46"W | 64.90' |
| L5 | N10°16'24"W | 257.65' |
| L6 | N51°17'50"E | 60.00' |
| L7 | N25°39'04"W | 145.42' |
| L8 | N64°20'56"E | 291.09' |
| L9 | N02°51'29"E | 53.00' |
| L10 | N12°59'10"E | 199.70' |
| L11 | N64°20'56"E | 27.11' |
| L12 | S16°15'24"E | 33.68' |
| L13 | S10°06'10"E | 81.02' |
| L14 | S00°06'48"W | 81.02' |
| L15 | S10°19'46"W | 81.02' |
| L16 | S05°27'59"W | 75.37' |
| L17 | S04°34'06"E | 69.44' |
| L18 | S12°37'02"E | 101.90' |
| L19 | S15°31'59"E | 101.88' |
| L20 | S04°54'54"E | 63.30' |
| L21 | S89°27'32"W | 22.41' |
| L22 | S05°16'10"W | 92.13' |

SURVEY NOTES:

COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE [4204], NAD83 (2011), EPOCH 2010.

DISTANCES SHOWN HEREON ARE BASED ON SURFACE MEASUREMENTS, TO CONVERT SURFACE DISTANCES TO GRID, MULTIPLY BY THE RECIPROCAL OF THE FOLLOWING COMBINED SCALE FACTOR-1.00009768.

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.

Garrett Cavauiolo
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6714
DOUCET & ASSOCIATES
GCAVAUIOLO@DOUCETENGINEERS.COM

DATE



89.694 ACRE
(3,906,616 SQUARE FEET)
BOUNDARY EXHIBIT

CITY OF SAN MARCOS,
HAYS COUNTY, TEXAS

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Civil Engineering - Planning - Geospatial
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TBPELS Firm No.: 10105800
TBPE Firm No.: F-3937

Date: 05/15/2020
Scale: 1" = 100'
Drawn by: JRT
Reviewer: GC
Project: 1722-001
Sheet: 5 OF 5
Field Book: ---
Party Chief: ADM
Survey Date: 07/29/2020