

## **ORDINANCE NO. 2021-40**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS ANNEXING INTO THE CITY APPROXIMATELY 21.73 ACRES OF LAND GENERALLY LOCATED 1,500 FEET WEST OF THE CENTERPOINT ROAD AND CENTER POINT COURT INTERSECTION IN CASE NO. AN-21-03; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.**

### **RECITALS:**

- 1.** In Case No. AN-21-03, the owner of approximately 21.73 acres of land generally located 1,500 feet west of the Centerpoint Road and Center Point Court intersection as further described 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 consents to the annexation of 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**SECTION 7.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 June 1, 2021.

**PASSED, APPROVED AND ADOPTED** on second reading on June 15, 2021.

Jane Hughson  
Mayor

Attest:

Approved:

Tammy K. Cook  
Interim City Clerk

Michael Cosentino  
City Attorney

# EXHIBIT A

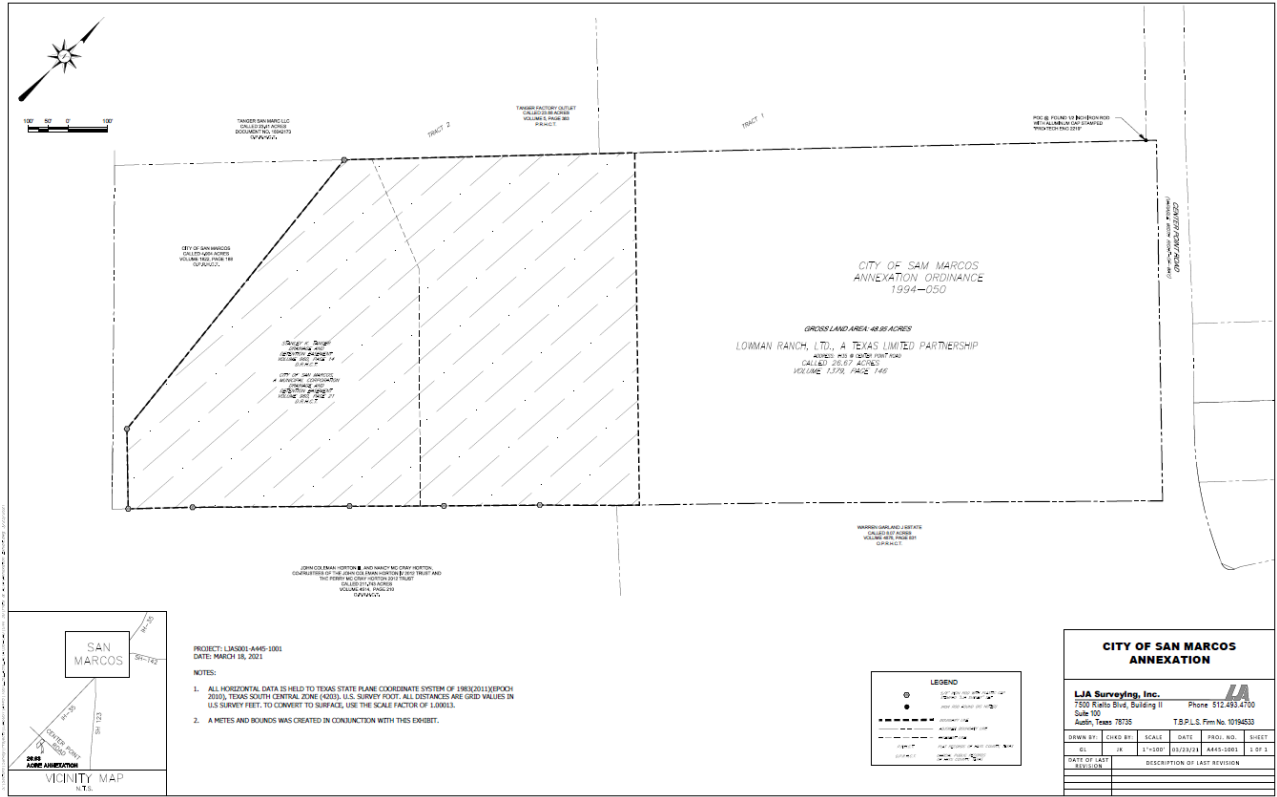


EXHIBIT "A"

County: Hays  
Description: San Marcos Annexation Area  
Acreage: 21.73

Being 21.73 acres out of a called 53.83 acres of land, more or less, situated in the Edward Burleson Survey, Abstract no. 63, Hays County, Texas, being a portion of that tract described as 995.14 acres in a deed from Grace B. Lowman to Lowman Ranch, LTD. Dated June 3, 1967 and recorded in Volume 218, Page 594 of the Hays County Deeds Record, and being more particularly described by metes and bounds as follows:

COMMENCING at a found 1/2-inch iron with aluminium cap marked "Pro-Tech Eng 2219" at the east corner of Lot 1, Tanger Factory Outlet, a subdivision of record in Volume 5, Page 383 of the Hays county Plat Records, being the north corner of the called 53.83 acre tract, and also being the west corner of the right-of-way easement conveyed to the City of San Marcos by Lowman Ranch, LTD, by deed dated May 25, 1993 and recorded in Volume 995, Page 610 of the Hays County Deed Records;

THENCE: South 43° 35' 26" West, 1,291.97 feet, along the common line of the Tanger Factory Outlet Subdivision and the called 53.83 acre tract to the POINT OF BEGINNING and being the north corner of said 21.73 acre tract;

THENCE: South 45° 47' 23" East, 888.81 feet, leaving the northwesterly line of said 53.83 acre tract, to a point in the southeasterly line of said 53.83 acre tract;

THENCE: South 44° 58' 52" West, 251.58 feet, continuing along the south easterly line of said 53.83 acre tract to a set 5/8" iron rod with plastic cap stamped "LJA Survey";

THENCE: South 44° 27' 52" West, 242.12 feet, continuing along the south easterly line of said 53.83 acre tract to a set 5/8" iron rod with plastic cap stamped "LJA Survey";

THENCE: South 44° 46' 19" West, 238.38 feet, continuing along the south easterly line of said 53.83 acre tract to a set 5/8" iron rod with plastic cap stamped "LJA Survey";

THENCE: South 44° 33' 55" West, 396.80 feet, continuing along the south easterly line of said 53.83 acre tract to a set 5/8" iron rod with plastic cap stamped "LJA Survey";

THENCE: South 43° 39' 48" West, 162.56 feet, continuing along the south easterly line of said 53.83 acre tract to a set 5/8" iron rod with plastic cap stamped "LJA Survey", being the south corner of the 21.73 acre annexation area and the most easterly corner of a called 4.904

acre tract, described in a deed from Lowman Ranch, LTD to City of San Marcos, dated May 8, 2001 and recorded in Volume 1822, Page 188 of the Hays County Official Public Records;

THENCE: North 45° 57' 52" West, 201.44 feet, along the common line of said 4.904 Acre Tract and of the remainder of said 53.83 Acre tract to a set 5/8" iron rod with plastic cap stamped "LJA Survey",

THENCE: North 06° 05' 03" West, 873.12 feet, along the common line of said 4.904 Acre Tract and of the remainder of said 53.83 Acre tract to a set 5/8" iron rod with plastic cap stamped "LJA Survey", being in the common line of said 53.83 Acre tract and the Tanger Factory Outlet,

THENCE: North 43° 35' 22" East, 734.26 feet, with the common line of said 53.83 Acre tract and the Tanger Factory Outlet subdivision to the PLACE OF BEGINNING, containing 21.73 acres, more or less.

All bearings and coordinates are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203), North American Datum of 1983. All distances can be adjusted to surface using a combined scale factor of 1.00013.

LJA Surveying, Inc.  
Texas Surveying Firm Branch Registration No. 10194533  
7500 Rialto Blvd, Building II, Suite 100, Austin, Texas 78735  
Phone No.: 512.439.4700

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

Surveyor's Name: Jeremy J. Kowis  
Registered Professional Land Surveyor, Texas No. 6361  
Date: March 23, 2021

