

## **ORDINANCE NO. 2021-86**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS ANNEXING INTO THE CITY 21.31 ACRES OF LAND GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE WEST CENTERPOINT ROAD AND FLINT RIDGE ROAD INTERSECTION IN CASE NO. AN-21-08; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.**

### **RECITALS:**

- 1.** In Case No. AN-21-08, the owner of approximately 21.31 acres of land generally located at the northwest corner of the West Centerpoint Road and Flint Ridge Road 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 pursuant to the terms of a development agreement approved by the City Council.
- 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**SECTION 7.** All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 October 19, 2021.

**PASSED, APPROVED AND ADOPTED** on second reading on November 3, 2021.

Jane Hughson  
Mayor

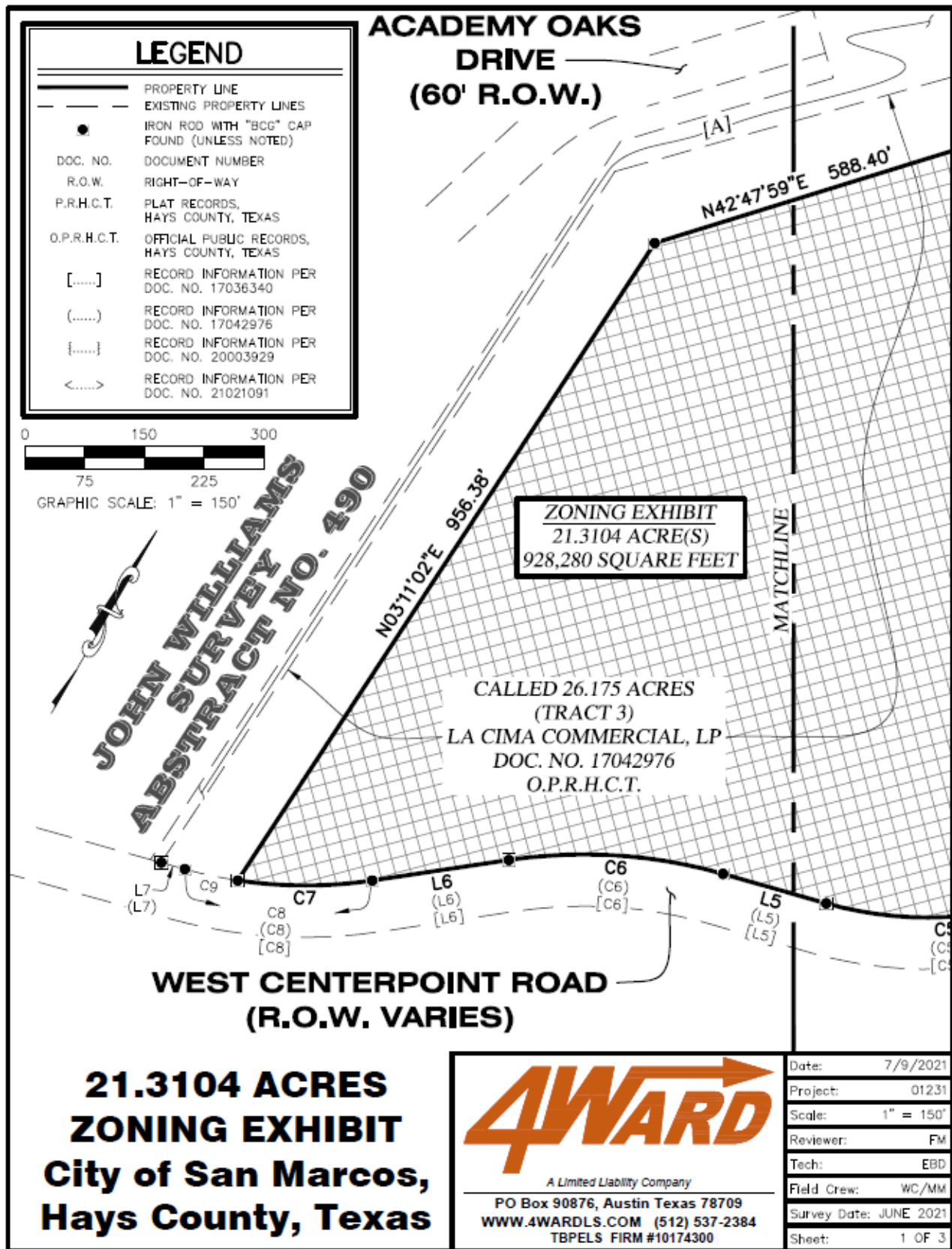
Attest:

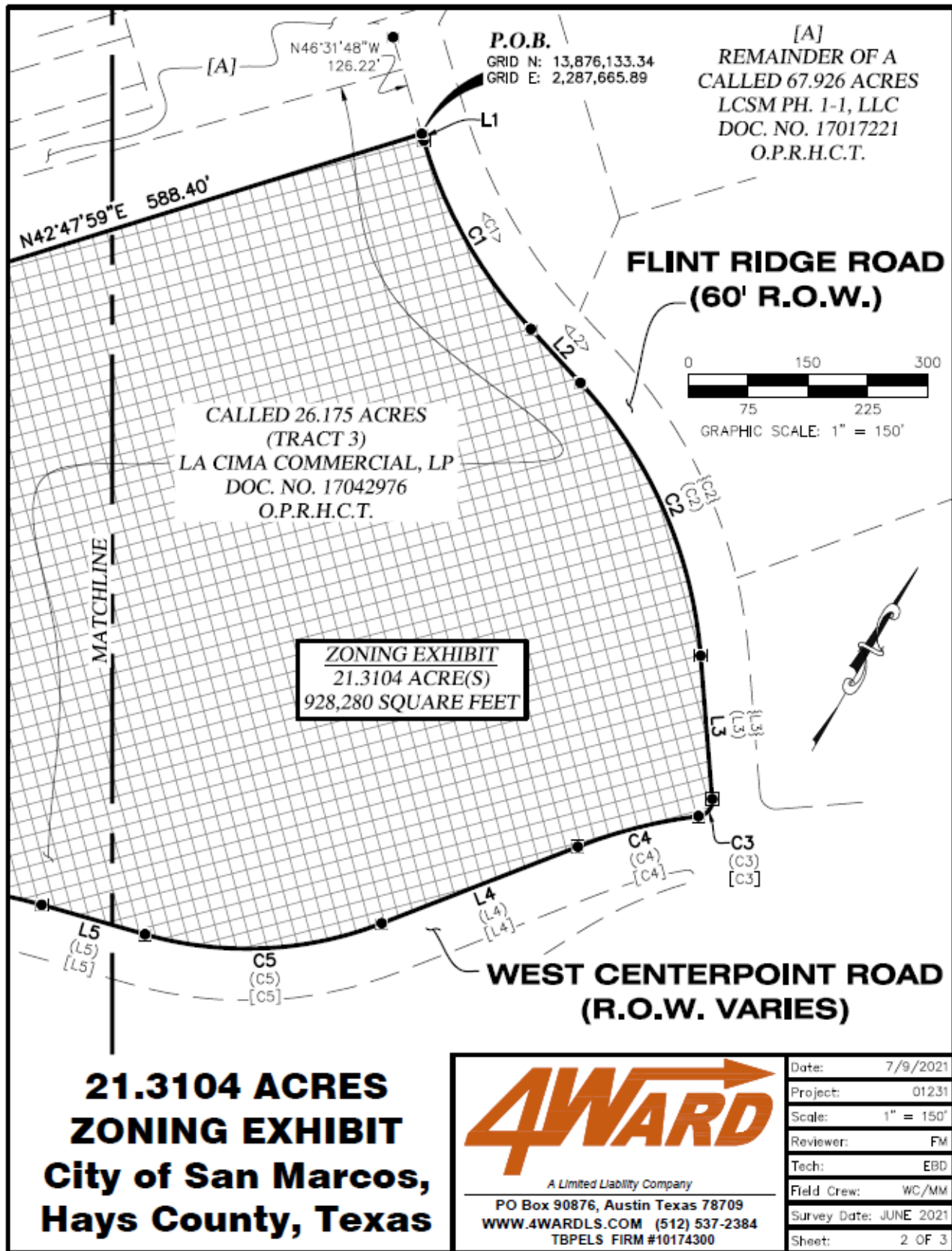
Approved:

Tammy K. Cook  
Interim City Clerk

Michael J. Cosentino  
City Attorney

# EXHIBIT A







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**Legal Description**

**BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 21.3104 ACRES (928,280 SQUARE FEET) OUT OF THE JOHN WILLIAMS SURVEY, ABSTRACT NO. 490, HAYS COUNTY, TEXAS, BEING A PORTION OF A CALLED 26.175 ACRE TRACT (DESCRIBED AS "TRACT NO. 3") CONVEYED TO LA CIMA COMMERCIAL, LP, RECORDED IN DOCUMENT NO. 17042976 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.T.), SAID 21.3104 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING**, at a 1/2-inch iron rod with "BCG" cap found in the southwest right-of-way line of Flint Ridge Road (60' Right-of-way), and being in the northeast line of said La Cima Commercial tract, for the northerly most corner and **POINT OF BEGINNING** hereof, from which a 1/2-inch iron rod with "BCG" cap found for a point of curvature in the southwest right-of-way line of said Flint Ridge Road, and being a point of curvature in the easterly line of the remainder of a called 67.926 acre tract conveyed to LCSM Ph. 1-1, LLC in Document No. 17017221 (O.P.R.H.C.T.) bears, N46°31'48"W, a distance of 126.22 feet;

**THENCE**, with the southwest right-of-way line of said Flint Ridge Road and the northeast line of said La Cima Commercial tract, the following five (5) courses and distances:

- 1) S46°31'48"E, a distance of 8.88 feet to a 1/2-inch iron rod with "BCG" cap found for a point of curvature hereof,
- 2) Along the arc of a curve to the left, whose radius is 600.00 feet, whose arc length is 273.98 feet and whose chord bears S59°36'17"E, a distance of 271.61 feet to a 1/2-inch iron rod with "BCG" cap found for a point of tangency hereof,
- 3) S72°40'27"E, a distance of 91.75 feet to a 1/2-inch iron rod with "BCG" cap found for a point of curvature hereof,
- 4) Along the arc of a curve to the right, whose radius is 570.00 feet, whose arc length is 380.67 feet and whose chord bears S53°46'47"E, a distance of 373.64 feet to a 1/2-inch iron rod with "BCG" cap found for a point of tangency hereof, and
- 5) S34°38'17"E, a distance of 180.05 feet to a 1/2-inch iron rod with "BCG" cap found for a point of curvature hereof, said point being the beginning of a right-of-way transition between the southwest right-of-way line of said Flint Ridge Road and the northwest right-of-way line of West Centerpoint Road (Right-of-way varies);

**THENCE**, with the right-of-way transition between said Flint Ridge Road and said West Centerpoint Road, and with the easterly line of said La Cima Commercial tract, along the arc of a curve to the right, whose radius is 20.00 feet, whose arc length is 30.49 feet and whose chord bears S09°04'39"W, a distance of 27.62 feet to a 1/2-inch iron rod with "BCG" cap found for a non-tangent point of compound curvature hereof, said point being the end of said right-of-way transition between said Flint Ridge Road and said West Centerpoint Road;

**THENCE**, with the northwest right-of-way line of said West Centerpoint Road and the southeast line of said La Cima Commercial tract, the following seven (7) courses and distances:



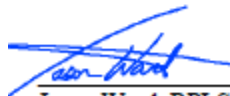
- 1) Along the arc of a curve to the left, whose radius is 635.00 feet, whose arc length is 156.21 feet and whose chord bears S45°45'11"W, a distance of 155.82 feet to a 1/2-inch iron rod with "BCG" cap found for an angle point hereof,
- 2) S38°40'52"W, a distance of 263.88 feet to a 1/2-inch iron rod with "BCG" cap found for a point of curvature hereof,
- 3) Along the arc of a curve to the right, whose radius is 465.00 feet, whose arc length is 302.38 feet and whose chord bears S57°19'09"W, a distance of 297.08 feet to a point of tangency hereof,
- 4) S75°56'36"W, a distance of 134.69 feet to a 1/2-inch iron rod with "BCG" cap found for a point of curvature hereof,
- 5) Along the arc of a curve to the left, whose radius is 635.00 feet, whose arc length is 271.43 feet and whose chord bears S63°41'39"W, a distance of 269.37 feet to a 1/2-inch iron rod with "BCG" cap found for a point of tangency hereof,
- 6) S51°26'58"W, a distance of 173.43 feet to a 1/2-inch iron rod with "BCG" cap found for a point of curvature hereof, and
- 7) Along the arc of a curve to the right, whose radius is 565.00 feet, whose arc length is 169.45 feet and whose chord bears S60°02'49"W, a distance of 168.81 feet to a 1/2-inch iron rod with "BCG" cap found for the southwest corner hereof,

**THENCE**, leaving the northwest right-of-way line of said West Centerpoint Road and the southeast line of said La Cima Commercial tract, over and across said La Cima Commercial tract, the following two (2) courses and distances:

- 1) N03°11'02"E, a distance of 956.38 feet to a 1/2-inch iron rod with "BCG" cap found for an angle point hereof, and
- 2) N42°47'59"E, a distance of 588.40 feet to the **POINT OF BEGINNING** and containing 21.3104 Acres (928,280 Square Feet) of land, more or less.

**NOTE:**

All bearings are based on the Texas State Plane Coordinate System, Grid North, South Central Zone (4204), all distances were adjusted to surface using a combined scale factor of 1.000129781029. See attached sketch (reference drawing: 01231\_Zoning.dwg)



7/9/2021

Jason Ward, RPLS #5811  
4Ward Land Surveying, LLC

