

ORDINANCE NO. 2019-34

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS ANNEXING INTO THE CITY APPROXIMATELY 102.434 ACRES OF LAND OUT OF THE BARNETTE O. KANE SURVEY, ABSTRACT NO. 281, GENERALLY LOCATED 2357 REDWOOD ROAD; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. The owner of approximately 102.434 acres of land out of the Barnette O. Kane Survey, Abstract No. 281, generally located at 2357 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.
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 on September 30, 2019 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 All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.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 15, 2019.

PASSED, APPROVED AND ADOPTED on second reading on November 6, 2019.


Jane Hughson
Mayor

Attest:


Jamie Lee Case
City Clerk

Approved:



Michael Cosentino
City Attorney

EXHIBIT "A"
Property Description



METES AND BOUNDS DESCRIPTION
FOR A
102.434 ACRE TRACT OF LAND
"ANNEXATION"

Being an 102.434 acre tract of land out of the Barnette O. Kane Survey, Abstract No. 281, in Hays County, Texas, and being out of the remaining portion of a called 99.36 acre tract of land, as conveyed to Two Rivers Interests, LP, and recorded in Document No. 18017502, of the Official Public Records of Hays County, Texas, and said 102.434 acre tract of land being more particularly described as follows:

BEGINNING at a ½" iron pin with cap stamped "Eagle Surveying" found in the Northeasterly Right-of-Way (R.O.W.) line of Redwood Road (also known as C.R. 232) (a variable width R.O.W.), being the most Westerly corner of said remainder of 99.36 acre tract of land, the most Southerly corner of the remaining portion of a called 156.35 acre tract of land, as conveyed to Two Rivers Interests, LP, and recorded in Volume 4514, Page 304, of the Official Public Records of Hays County, Texas, and being the most Westerly corner of this herein described tract of land;

THENCE departing the Northeasterly R.O.W. line of said Redwood Road, with the Southeast line of the remaining portion of said 156.35 acre tract of land, and with the Northwest line of the remaining portion of said 99.36 acre tract of land, N 60° 43' 54" E, a distance of 2,732.09 feet to a point for the most Easterly corner of the remaining portion of said 156.35 acre tract of land, being in the Southwest line of the remaining portion of a called 195.677 acre tract of land, as conveyed to Two Rivers Interests, LP, and recorded in Document No. 12036811, of the Official Public Records of Hays County, Texas, and being the most Northerly corner of the remaining portion of said 99.36 acre tract of land and this herein described tract of land;

THENCE with the Northeasterly line of the remaining portion of said 99.36 acre tract of land, the Southwest line of the remaining portion of said 195.677 acre tract of land, and the Southwest 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, S 41° 15' 44" E, at a distance of 85.37 feet passing the most Southerly corner of the remaining portion of said 195.677 acre tract of land, same being the most Westerly corner of said 125.0 acre tract of land, and continuing for a total distance of 1,615.62 feet to a point in the Southwesterly line of said 125.0 acre tract of land, being the most Northerly corner of a called 99.56 acre tract of land, as conveyed to Two Rivers Interests, LP, and recorded in Document No. 12036811, of the Official Public Records of Hays County, Texas, and being the most Easterly

corner of the remaining portion of said 99.36 acre tract of land and this herein described tract of land;

THENCE departing the Southwesterly line of said 125.0 acre tract of land, and with the common line between the remaining portion of said 99.36 acre tract of land and said 99.56 acre tract of land, S 60° 21' 36" W, a distance of 2,714.98 feet to a point in the Northeasterly R.O.W. line of said Redwood Road, being the most Westerly corner of said 99.56 acre tract of land, being the most Southerly corner of the remaining portion of said 99.36 acre tract of land, and being a Southerly corner of this herein described tract of land;

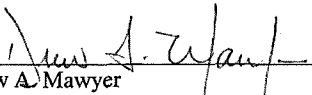
THENCE departing the Northeasterly R.O.W. line of said Redwood Road, and across and through said Redwood Road, S 60° 21' 36" W, a distance of 81.81 feet to a point in the Southwesterly R.O.W. line of said Redwood Road, and being the most Southerly corner of this herein described tract of land;

THENCE with the Southwesterly R.O.W. line of said Redwood Road, N 41° 43' 20" W, a distance of 1,637.01 feet to a point in the Southwesterly R.O.W. line of said Redwood Road, and being the most Westerly corner of this herein described tract of land;

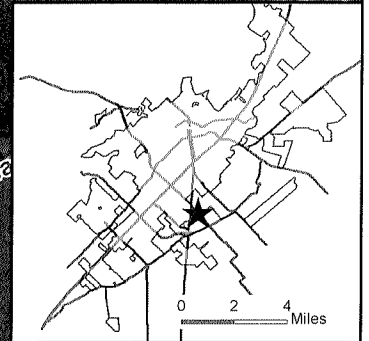
THENCE departing the Southwesterly R.O.W. line of said Redwood Road, and across and through said Redwood Road, N 60° 43' 54" E, a distance of 81.93 feet to the POINT OF BEGINNING, and containing 102.434 acres of land, more or less.

Bearings based on the Texas State Plane Coordinate System, South Central Zone (4204), North American Datum 1983.


"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."


Drew A. Mawyer
Registered Professional Land Surveyor No. 5348
TBPLS Firm Registration #10191500
5151 W SH 46, New Braunfels, Texas, 78132
MOE307- REDWOOD- SOUTH- ANNEX- 032619

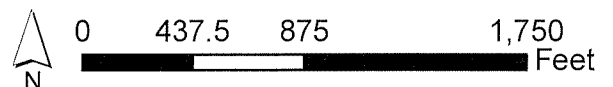




★ **Site Location**
Subject Property

 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: 4/22/2019