

ORDINANCE NO. 2018-24

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS PROVIDING FOR THE ANNEXATION OF THE TRACT OF LAND HEREINAFTER MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS TO THE CITY OF TAYLOR, TEXAS FOR ALL MUNICIPAL PURPOSES; AND LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF TAYLOR, TEXAS; PROVIDING FOR EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF TAYLOR, TEXAS, TO INCLUDE THE ANNEXED TRACT; PROVIDING FOR PARTIAL INVALIDITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR FILING WITH THE WILLIAMSON COUNTY CLERK; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Taylor, Texas, is a Home Rule City as defined by the Texas Local Government Code (hereinafter referred to as "LGC"); and

WHEREAS, an area to be annexed more fully described in Exhibit "A", attached hereto and incorporated by reference herein for all purposes, is located within the extraterritorial jurisdiction of and is lying and is adjacent to the present corporate limits of the City of Taylor, Texas ("Area"); and

WHEREAS, under the LGC, the City Charter of Taylor, Texas, and other applicable provisions of Texas law, the City of Taylor, Texas, and the Taylor City Council, as the governing body of the municipality, is authorized to annex the Area; and

WHEREAS, institution of annexation proceedings and the presentation and introduction of this Ordinance in such form as it may be finally passed occurred within the periods of time and methods prescribed by law; and

WHEREAS, the Texas Local Government Code Section 43.028 allows authority of municipalities to annex sparsely occupied areas on petition of area landowners;

WHEREAS, the following described land is one-half mile or less in width, contiguous to the City, and is vacant and without residents or on which fewer than three qualified voters reside; and

WHEREAS, a petition describing the area for annexation by metes and bounds was presented by each person having an interest in the area to the Taylor City Council; and

WHEREAS, the City Council acted on the petition for annexation within the times prescribed by law approving the land for annexation; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAYLOR, TEXAS:

SECTION 1.

The above and foregoing preamble is true and correct and is incorporated herein and made a part hereof for all purposes.

SECTION 2.

That the hereinafter described tract of land ("Area") which lies within Williamson County, Texas, and is within the extraterritorial limits of, is adjacent to and is contiguous to the present corporate limits of the City of Taylor, Texas, is hereby annexed to the City of Taylor, Texas, for all municipal purposes and the corporate lines and limits of the City of Taylor, Texas, are hereby extended to include the Area, which is more particularly described by metes and bounds in Exhibit "A".

SECTION 3.

That the Area annexed herein shall bear its pro-rata part of the taxes assessed by the City of Taylor, Texas.

SECTION 4.

That the inhabitants of the Area hereby annexed to the City of Taylor, Texas, shall be entitled to all the rights and privileges of the citizens of the City of Taylor, Texas, and shall be bound by the acts, ordinances, codes, resolutions and regulations of the City of Taylor, Texas.

SECTION 5.

It is not the intention of the City of Taylor, Texas, to annex any territory or area not legally subject to annexation by the City, and should any portion of the Area not be subject to legal annexation by the City of Taylor, Texas, such fact shall not prevent the City from annexing such Area, which is subject to legal annexation by the City, and it is the intention of the City to annex only such territory or area that it may legally annex within the limits of the Area.

SECTION 6.

It is hereby declared to be the intention of the City Council of the City of Taylor, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 7.

All rights and remedies of the City of Taylor, Texas, are expressly saved as to any and all violations of the provisions of any Ordinances affecting annexations, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 8.

The City Clerk of the City of Taylor, Texas, is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the City Council of the City of Taylor, Texas, and by filing this Ordinance in the Ordinance records of the City.

SECTION 9.

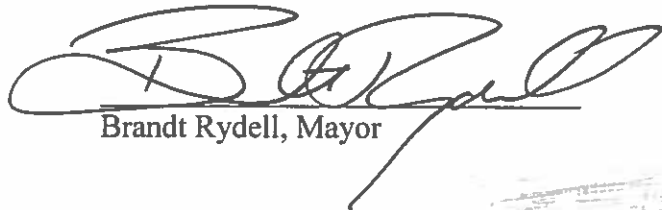
The City Clerk of the City of Taylor, Texas, is directed to file a certified copy of this Ordinance, together with a copy of the petition, in the office of the County Clerk of Williamson County, Texas.

SECTION 10.

This Ordinance shall be in full force and effect immediately upon passage.

In accordance with Article VIII, Section 1, of the City Charter, Ordinance No. 2018-24 was introduced before the Taylor City Council on the 13 day of Nov, 2018 at 5:30 P.m.

PASSED, APPROVED and ADOPTED this the 13 day of Nov, 2018.


Brandt Rydell, Mayor

ATTEST:


Dianna Barker, City Clerk

APPROVED AS TO FORM:



Ted W. Hejl
Ted W. Hejl, City Attorney

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF WILLIAMSON

I, Dianna Barker, being the current City Clerk of the City of Taylor, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 2018-24, passed and approved by the City Council of the City of Taylor, Texas, on the 13 day of Nov, 2018, and such Ordinance was duly introduced, passed, approved and adopted at meetings open to the public and notices of the meetings, giving the dates, places, and subject matter thereof, were posted as prescribed by Government Code Section 551.043.

Witness my hand and seal of office this the 13 day of Nov, 2018.

Dianna Barker
Dianna Barker, City Clerk

EXHIBIT "A"

DESCRIPTION OF A 183.84 ACRE TRACT OF LAND SITUATED IN THE WATKINS NOBLES SURVEY, ABSTRACT 484, WILLIAMSON COUNTY, TEXAS, BEING ALL OF THAT CALLED 185.994 ACRE TRACT OF LAND DESCRIBED IN A DEED FROM CONSTANCE SLOCOMB, AS THE INDEPENDENT EXECUTRIX OF THE ESTATE OF JOHN GUY SLOCOMB, DECEASED, TO CONSTANCE SLOCOMB, AS THE TRUSTEE OF THE JOHN GUY SLOCOMB FAMILY TRUST, AND RECORDED IN DOCUMENT NO. 2011033689, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS (O.P.R.W.C.TX.); SAID 183.84 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch iron rod with SAM cap set on the east right-of-way line of Farm to Market 3349 (FM 3349), a 100-foot width right-of-way, for a northwest corner of that certain called 186 acre tract of land, save and except 3.8806 acres, described in a deed to Irving J. Bentley and wife, Nancy Bunnell Bentley, and recorded in Volume 1974, Page 994, Official Records, Williamson County, Texas (O.R.W.C.TX.), from which a 1-inch iron pipe found disturbed bears S82°56'29"E, a distance of 4741.28 feet to a 1/2-inch iron rod with SAM cap set for the northeast corner of said 186 acre tract, and continuing S82°56'29"E, a distance of 0.74 feet;

THENCE S07°35'42"W, with the east right-of-way line of said FM 3349, a distance of 1689.66 feet to a 1/2-inch iron rod with SAM cap set for the northwest corner and POINT OF BEGINNING of the herein described tract, said point having grid coordinates of N:10173440.54, E:3193291.08, said point being in the north line of said 185.994 acre tract;

THENCE S82°56'27"E, with the north line of said 185.994 acre tract and the south line of said 186 acre tract, a distance of 4742.86 feet to a 1/2-inch iron rod with SAM cap set for the northeast corner of said 185.994 acre tract and the herein described tract, same being the southeast corner of said 186 acre tract, and also being on the west line of that certain called 164.685 acre tract of land described in a deed to Carl Brent Samuelson, and recorded in Document No. 2012107105, O.P.R.W.C.TX., from which a 3/4-inch iron pipe found bears S82°56'27"E, a distance of 1.34 feet;

THENCE S07°32'28"W, with an east line of said 185.994 acre tract and a west line of said 164.685 acre tract, a distance of 1139.88 feet to a 1/2-inch iron rod with SAM cap set at the base of a cross-tie fence post found as called for in deed, for the most easterly southeast corner of said 185.994 acre tract and the herein described tract, same being an interior ell corner of said 164.685 acre tract;

THENCE N83°33'29"W, with a south line of said 185.994 acre tract and said 164.685 acre tract, a distance of 231.81 feet to a 1/2-inch iron rod with SAM cap set at the base of a cross-tie fence post found as called for in deed, for an interior ell corner of said 185.994 acre tract and the herein described tract;

THENCE S07°23'02"W, with an east line of said 185.994 acre tract and a west line of said 164.685 acre tract, a distance of 574.06 feet to a 1/2-inch iron rod with SAM cap set for the most southerly southeast corner of said 185.994 acre tract and the herein described tract, same being the northeast corner of that certain called 195.435 acre tract of land described in a deed to David C. Blankenship, Sylvia Blankenship, and Carol Swager, and recorded in Document No. 9902621, O.R.W.C.TX., from which a 1/2-inch iron rod with plastic cap stamped "Bryan Tech Services" found for the southwest corner of said 164.685 acre tract bears S07°23'02"W, a distance of 386.22 feet;

THENCE N82°56'27"W, with the south line of said 185.994 acre tract and the north line of said 195.435 acre tract, a distance of 4512.40 feet to a 1/2-inch iron rod with SAM cap set on the east right-of-way line of said FM 3349, for the southwest corner of the herein described tract, same being the northwest corner of said 195.435 acre tract, from which a Texas Department of Transportation Type I concrete monument found bears S07°28'28"W, a distance of 1004.11 feet, and S07°39'33"W, a distance of 376.62 feet;

183.84 ACRES (3)
WATKINS NOBLES SURVEY, ABSTRACT 484
WILLIAMSON COUNTY, TEXAS

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THENCE with the east right-of-way line of said FM 3349 and the west line of this tract, the following two (2) courses and distances:

- 1) N07°28'28"E, a distance of 892.08 feet to a 1/2-inch iron rod with SAM cap set, and
- 2) N07°36'42"E, a distance of 824.39 feet to the POINT OF BEGINNING, containing 183.84 acres of land more or less.

Bearing Basis: Texas State Plane Coordinate System, NAD83, Central Zone (4203). All coordinates at grid values. All distances are surface values in U.S. Survey Feet. To compute grid values, multiply surface distances by a Combined Scale Factor of 0.99988651.

Reference is herein made to the Survey Plat accompanying this metes and bounds description of even date.

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

KNOW ALL MEN BY THESE PRESENTS:

That I, Gina Loftis-Franklin, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, on the date shown below.

SURVEYING AND MAPPING, LLC
4801 Southwest Parkway
Parkway Two, Suite 100
Texas 78735
TX. Firm Registration No. 10084300

 5-21-14
Gina Loftis-Franklin Date
Registered Professional Land Surveyor Austin,
Texas Registration No. 6087



