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ORDINANCE NO.

AN ORDINANCE ANNEXING, FOR FULL PURPOSES, ADDITIONAL TERRITORY ADJACENT TO THE CITY LIMITS OF THE CITY OF AUSTIN REFERRED TO AS THE “VAUGHT RANCH ANNEXATION AREA”, CONSISTING OF APPROXIMATELY 99 ACRES OF LAND OUT OF THE OSBORNE DALTON SURVEY NO. 467 IN TRAVIS COUNTY, TEXAS; WAIVING ZONING APPLICATION FEES; AND APPROVING A SERVICE PLAN.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Council finds that:

- 13 (A) Notice of the two public hearings concerning annexation of the territory
14 described in Exhibit A was published in a newspaper of general circulation in
15 the City of Austin and in the area to be annexed, and on the City of Austin
16 internet website.
- 17 (B) The public hearings were held on October 11, 2007 and October 18, 2007 at the
18 Austin City Hall, 301 West 2nd Street, Austin, Texas.
- 19 (C) The public hearings were concluded after providing an opportunity for all
20 persons present to be heard with respect to the proposed annexation. A
21 proposed Service Plan was made available and explained at the public hearings
22 required by state law.
- 23 (D) The annexation, for full purposes, of the territory described in Exhibit A serves
24 the interest of the current and future residents of the City of Austin.
- 25 (E) All procedural requirements imposed by state law for the full purpose
26 annexation of the territory described in Exhibit A have been met.
- 27 (F) The annexation of the territory described in Exhibit A will result in an
28 unincorporated area that is surrounded by the full purpose territory of the City.
29 In accordance with Texas Local Government Code Section 43.057, the Council
30 finds that surrounding that unincorporated area is in the public interest. This
31 unincorporated area is in the process of being annexed into the City.

32 **PART 2.** The present boundary limits of the City are amended to include the following
33 territory which is within the extraterritorial jurisdiction and adjacent to the city limits of

1 the City of Austin in Travis County, Texas, and which is annexed into the City for the
2 full purposes:

3 Three tracts of land, the tract hereinafter described as Tract One containing
4 approximately 94.69 acres of land situated in the Osborne Dalton Survey No. 467
5 in Travis County, Texas; the tract hereinafter described as Tract Two containing
6 approximately 2 acres of land situated in the Osborne Dalton Survey No. 467 in
7 Travis County, Texas; and the tract of land hereinafter described as Tract Three
8 containing approximately 3 acres of land situated in the Osborne Dalton Survey
9 No. 467 in Travis County, Texas, of which 99 acres of land, more less, are to be
10 taken into and made a part of the City of Austin, Travis County, Texas; said 99
11 acres of land, more or less, being more particularly described in Exhibit A.

12 **PART 3.** The Service Plan attached as Exhibit B is approved as the Service Plan for the
13 area.
14

15 **PART 4.** The City Council declares that its purpose is to annex to the City of Austin
16 each part of the area described in Exhibit A as provided in this ordinance, whether any
17 other part of the described area is effectively annexed to the City. If this ordinance is
18 held invalid as to any part of the area annexed to the City of Austin, that invalidity does
19 not affect the effectiveness of this ordinance as to the remainder of the area.
20

21 If any area or lands included within the description of the area set out in Exhibit A are:
22 (1) presently part of and included within the general limits of the City of Austin; (2)
23 presently part of and included within the limits of any other city, town, or village; or (3)
24 are not within the jurisdiction or power of the City of Austin to annex, then that area is
25 excluded and excepted from the area annexed.
26

27 **PART 5.** Zoning application fees are waived for property within the annexed area for a
28 period of one year from the effective date of annexation.
29

PART 6. This ordinance takes effect on _____, 2007.

PASSED AND APPROVED

_____, 2007 § _____
 § _____
 § _____
Will Wynn
Mayor

APPROVED: _____ **ATTEST:** _____
David Allan Smith Shirley A. Gentry
City Attorney City Clerk