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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 “WALNUT CREEK PARKLAND ANNEXATION AREA”, CONSISTING OF APPROXIMATELY 135 ACRES OF LAND OUT OF THE LUCAS MUNOS SURVEY NO. 55, THE HOWELL T. DAVIS SURVEY NO. 30 AND THE JAMES BURLESON SURVEY NO. 19; AND APPROVING A SERVICE PLAN.

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

PART 1. The Council finds that:

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- (A) Notice of the two public hearings concerning annexation of the territory described in Exhibit A was published in a newspaper of general circulation in the City of Austin and in the area to be annexed, and on the City of Austin internet website.
 - (B) The public hearings were held on October 11, 2007 and October 18, 2007 at the Austin City Hall, 301 West 2nd Street, Austin, Texas.
 - (C) The public hearings were concluded after providing an opportunity for all persons present to be heard with respect to the proposed annexation. A proposed Service Plan was made available and explained at the public hearings required by state law.
 - (D) The annexation, for full purposes, of the territory described in Exhibit A serves the interest of the current and future residents of the City of Austin.
 - (E) All procedural requirements imposed by state law for the full purpose annexation of the territory described in Exhibit A have been met.

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PART 2. The present boundary limits of the City are amended to include the following territory which is within the extraterritorial jurisdiction and adjacent to the city limits of the City of Austin in Travis County, Texas, and which is annexed into the City for the full purposes:

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Eight tracts of land, the tract of land hereinafter described as Tract One containing approximately 31.600 acres of land out of the Lucas Munos Survey No. 55 and the James Burleson Survey No. 19 in Travis County, Texas; the tract of land hereinafter described as Tract Two containing approximately 46.269 acres of land

1 out of the Howell T. Davis Survey No. 30 and the Lucas Munos Survey No. 55 in
2 Travis County, Texas; the tract of land hereinafter described as Tract Three
3 containing approximately 27.369 acres of land out of the Lucas Munos Survey No.
4 55 in Travis County, Texas; the tract of land hereinafter described as Tract Four
5 containing approximately 0.616 acres of land out of the Lucas Munos Survey No.
6 55 in Travis County, Texas; the tract of land hereinafter described as Tract Five
7 containing approximately 10.038 acres of land out of the Lucas Munos Survey No.
8 55 in Travis County, Texas; the tract of land hereinafter described as Tract Six
9 containing approximately 15.60 acres of land out of the Lucas Munos Survey No.
10 55 in Travis County, Texas; the tract of land hereinafter described as Tract Seven
11 containing approximately 2 acres of land out of the Lucas Munos Survey No. 55 in
12 Travis County, Texas; and the tract of land hereinafter described as Tract Eight
13 containing approximately 2 acres of land out of the H. T. Davis Survey No. 30 in
14 Travis County, Texas, of which 135 acres of land, more less, are to be taken into
15 and made a part of the City of Austin, Travis County, Texas; said 135 acres of
16 land, more or less, being more particularly described in Exhibit A.

17 **PART 3.** The Service Plan attached as Exhibit B is approved as the Service Plan for the
18 area.

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

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

PART 5. This ordinance takes effect on December 31, 2007.

PASSED AND APPROVED

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

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