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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 "MORNINGSIDE ANNEXATION AREA", CONSISTING OF APPROXIMATELY 22.94 ACRES OF LAND OUT OF THE WALKER WILSON SURVEY NO. 2 IN TRAVIS COUNTY, TEXAS; ESTABLISHING INTERIM ZONING DESIGNATIONS; 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 **PART 2.** The present boundary limits of the City are amended to include the following
28 territory which is within the extraterritorial jurisdiction and adjacent to the city limits of
29 the City of Austin in Travis County, Texas, and which is annexed into the City for the
30 full purposes:

31 22.94 acres of land, more or less, situated in the Walker Wilson Survey No. 2 in
32 Travis County, Texas, of which 22.94 acres of land, more or less, are to be taken
33 into and made a part of the City of Austin, Travis County, Texas; said 22.94 acres
34 of land, more or less, being more particularly described in Exhibit A.

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

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

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

PART 5. Council waives the Interim Rural Residence ("I-RR") zoning classification requirement of Section 25-2-222 of the City Code, and classifies certain properties identified on Exhibit A as Interim Single Family Residence Small Lot ("I-SF-4A"). Remaining properties will retain the Interim Rural Residence ("I-RR") zoning designation.

PART 6. Zoning application fees are waived for property within the annexed area for a period of one year from the effective date of annexation.

PART 7. This ordinance takes effect on December 31, 2007.

PASSED AND APPROVED

_____, 2007 § _____
Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk