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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 "SH 130/US 290 RETAIL ANNEXATION AREA", CONSISTING OF APPROXIMATELY 88 ACRES OF LAND OUT OF THE WILLIAM H. SANDERS SURVEY NO. 54 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 January 10, 2008 and January 17, 2008 at the  
18 Austin City Hall, 301 West 2<sup>nd</sup> 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 Ten tracts of land, the tract hereinafter described as Tract One containing  
32 approximately 53.38 acres of land out of the William H. Sanders Survey No. 54 in  
33 Travis County, Texas; the tract hereinafter described as Tract Two containing  
34 approximately 12.927 acres of land out of the William H. Sanders Survey No. 54

1 in Travis County, Texas; the tract hereinafter described as Tract Three containing  
2 approximately 7.084 acres of land out of the William H. Sanders Survey No. 54 in  
3 Travis County, Texas; the tract hereinafter described as Tract Four containing  
4 approximately 3.561 acres of land out of the William H. Sanders Survey No. 54 in  
5 Travis County, Texas; the tract hereinafter described as Tract Five containing  
6 approximately 2.917 acres of land out of the William H. Sanders Survey No. 54 in  
7 Travis County, Texas; the tract hereinafter described as Tract Six containing  
8 approximately 2.371 acres of land out of the William H. Sanders Survey No. 54 in  
9 Travis County, Texas; the tract hereinafter described as Tract Seven containing  
10 approximately 1.430 acres of land out of the William H. Sanders Survey No. 54 in  
11 Travis County, Texas; the tract hereinafter described as Tract Eight containing  
12 approximately 1.226 acres of land out of the William H. Sanders Survey No. 54 in  
13 Travis County, Texas; the tract hereinafter described as Tract Nine containing  
14 approximately .872 acres of land out of the William H. Sanders Survey No. 54 in  
15 Travis County, Texas; the tract hereinafter described as Tract Ten containing  
16 approximately 2 acres of land out of the William H. Sanders Survey No. 54 in  
17 Travis County, Texas, of which 88 acres of land, more or less, are to be taken into  
18 and made a part of the city of Austin, Travis County, Texas; said 88 acres of land,  
19 more or less, being more particularly described in Exhibit A.

20 **PART 3.** The Service Plan attached as Exhibit B is approved as the Service Plan for the  
21 area.  
22

23 **PART 4.** The City Council declares that its purpose is to annex to the City of Austin  
24 each part of the area described in Exhibit A as provided in this ordinance, whether any  
25 other part of the described area is effectively annexed to the City. If this ordinance is  
26 held invalid as to any part of the area annexed to the City of Austin, that invalidity does  
27 not affect the effectiveness of this ordinance as to the remainder of the area.  
28

29 If any area or lands included within the description of the area set out in Exhibit A are:  
30 (1) presently part of and included within the general limits of the City of Austin; (2)  
31 presently part of and included within the limits of any other city, town, or village; or (3)  
32 are not within the jurisdiction or power of the City of Austin to annex, then that area is  
33 excluded and excepted from the area annexed.  
34

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

**PART 6.** This ordinance takes effect on \_\_\_\_\_, 2008.

**PASSED AND APPROVED**

\_\_\_\_\_, 2008      § \_\_\_\_\_  
   § \_\_\_\_\_

Will Wynn  
Mayor

**APPROVED:** \_\_\_\_\_  
David Allan Smith  
City Attorney

**ATTEST:** \_\_\_\_\_  
Shirley A. Gentry  
City Clerk