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ORDINANCE NO.

AN ORDINANCE APPROVING A SERVICE PLAN AND ANNEXING FOR FULL PURPOSES APPROXIMATELY 1,087 ACRES OF LAND IN THE ANDERSON MILL MUNICIPALITY UTILITY DISTRICT, EFFECTIVE DECEMBER 31, 2008, IN ACCORDANCE WITH THE STRATEGIC PARTNERSHIP AGREEMENT BETWEEN THE CITY OF AUSTIN AND THE ANDERSON MILL MUNICIPAL UTILITY DISTRICT.

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

PART 1. The Council finds that:

- (A) The City entered into a Strategic Partnership Agreement with the Anderson Mill Municipal Utility District ("MUD") in 1998. In the Strategic Partnership Agreement, the City agreed to the MUD's request to delay the full-purpose annexation of the MUD until 2004. The Strategic Partnership Agreement was amended in 2004, in which the City agreed to the MUD's request for a further delay of annexation to 2008.
- (B) The Strategic Partnership Agreement provides that the City will prepare and deliver an annexation service plan to the MUD board at least 9 months prior to the date on which the City elects to annex the remaining unannexed land in the MUD. The City has conferred with the MUD and residents of the area regarding the attached service plan. The service plan is intended to provide full municipal services to the area.
- (C) The Strategic Partnership Agreement, as amended, allows full-purpose annexation on December 31, 2008, of the territory in the MUD which has not been previously annexed for full purposes.
- (D) The annexation 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 and the Strategic Partnership Agreement for the full purpose annexation of the territory described in Exhibit A have been met.

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:

1 1,087 acres of land, more or less, out of the William Frampton Survey No. 122 and
2 the Jesse Grimes Survey in Travis and Williamson Counties, Texas, and the Elisha
3 Allen Survey No. 2 in Travis County, Texas, said 1,087 acres of land, more or less,
4 being more particularly described in Exhibit A.

5 **PART 3.** The Service Plan attached as Exhibit B is approved as the Service Plan for the
6 area, and the City Manager is directed to deliver this Service Plan to the MUD board.
7

8 **PART 4.** The City Council declares that its purpose is to annex to the City of Austin
9 each part of the area described in Exhibit A as provided in this ordinance, whether any
10 other part of the described area is effectively annexed to the City. If this ordinance is
11 held invalid as to any part of the area annexed to the City of Austin, that invalidity does
12 not affect the effectiveness of this ordinance as to the remainder of the area.
13

14 If any area or lands included within the description of the area set out in Exhibit A are:
15 (1) presently part of and included within the full purpose limits of the City of Austin; (2)
16 presently part of and included within the limits of any other city, town, or village; or (3)
17 are not within the jurisdiction or power of the City of Austin to annex, then that area is
18 excluded and excepted from the area annexed.
19

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

PART 6. This ordinance takes effect on 12:01 a.m. on December 31, 2008.

PASSED AND APPROVED

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§

Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk