ORDINANCE NO.

AN ORDINANCE ANNEXING FOR THE LIMITED PURPOSES OF PLANNING AND ZONING ADDITIONAL TERRITORY ADJACENT TO THE CITY LIMITS OF THE CITY OF AUSTIN, CONSISTING OF APPROXIMATELY 13.678 ACRES OF LAND OUT OF THE MALCOLM M. HORNSBY SURVEY NO. 76, LOCATED IN WILLIAMSON AND TRAVIS COUNTIES, TEXAS, AND REFERRED TO AS THE "McCARTY TRACT ANNEXATION AREA."

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

PART 1. The Council makes the following findings.

(A) Notice of two public hearings concerning the limited purpose annexation of the territory described in Exhibit A, referred to as the McCarty Tract Annexation Area, was published in a newspaper of general circulation in the City of Austin; in the area to be annexed; and on the City of Austin internet website.

(B) A report containing a planning study and regulatory plan for the territory to be annexed was prepared more than 10 days before the first public hearing.

(C) Notice of the availability of the report was published twice in a newspaper of general circulation in the area to be annexed.

(D) The public hearings were held during City Council meetings, and concluded after providing an opportunity for all persons present to be heard with respect to the proposed annexation.

(E) The Regulatory Plan, as amended by City Council, shall be approved by separate ordinance.

(F) The limited purpose annexation of this territory serves the interests of the current and future residents of the City of Austin.

(G) All procedural requirements imposed by state law for the limited 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 territory described in Exhibit A for limited purposes. The territory is within the extraterritorial jurisdiction and adjacent to the city limits of the City of Austin in Williamson and Travis

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Counties, Texas. The territory is annexed into the City for the limited purposes of planning and zoning.

PART 3. 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 4. This ordinance takes effect on _____, 2008.

PASSED AND APPROVED

§
§
_____, 2008 § _____
Will Wynn
Mayor

APPROVED: _____ **ATTEST:** _____
David Allan Smith
City Attorney

Shirley A. Gentry
City Clerk

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