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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 "ASHBROOK ANNEXATION AREA", CONSISTING OF APPROXIMATELY 39 ACRES OF LAND OUT OF THE STEPHEN F. SLAUGHTER SURVEY NO. 1, ABSTRACT NO. 20 AND THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS; 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 16, 2008 and October 23, 2008 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.
 - (F) The annexation of the territory described in Exhibit A will result in an unincorporated area that is surrounded by the full purpose territory of the City. In accordance with Texas Local Government Code Section 43.057, the Council finds that surrounding that unincorporated area is in the public interest. This unincorporated area is in the process of being annexed into the City.

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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

1 the City of Austin in Travis County, Texas, and which is annexed into the City for the
2 full purposes:

3 Three tracts of land containing 39 acres of land, more or less, the tract hereinafter
4 described as Tract One containing approximately 33.938 acres of land out of the
5 Stephen F. Slaughter Survey No. 1, Abstract No. 20 in Travis County, Texas; the
6 tract hereinafter described as Tract Two containing approximately 5 acres of land
7 out of the Stephen F. Slaughter Survey No. 1, Abstract No. 20 in Travis County,
8 Texas; and the tract described as Tract Three containing approximately 0.2 acre of
9 land out of the Stephen F. Slaughter Survey No. 1, Abstract No. 20 and the
10 Santiago Del Valle Grant in Travis County, Texas; said 39 acres of land, more or
11 less, being more particularly described in Exhibit A.

12 **PART 3.** The Service Plan attached as Exhibit B is approved as the Service Plan for the
13 area.
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15 **PART 4.** The City Council declares that its purpose is to annex to the City of Austin
16 each part of the area described in Exhibit A as provided in this ordinance, whether any
17 other part of the described area is effectively annexed to the City. If this ordinance is
18 held invalid as to any part of the area annexed to the City of Austin, that invalidity does
19 not affect the effectiveness of this ordinance as to the remainder of the area.
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21 If any area or lands included within the description of the area set out in Exhibit A are:
22 (1) presently part of and included within the general limits of the City of Austin; (2)
23 presently part of and included within the limits of any other city, town, or village; or (3)
24 are not within the jurisdiction or power of the City of Austin to annex, then that area is
25 excluded and excepted from the area annexed.
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27 **PART 5.** This ordinance takes effect on December 31, 2008.
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29 **PASSED AND APPROVED**
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31 §
32 §
33 _____, 2008 § _____
34 Will Wynn
35 Mayor
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38 **APPROVED:** _____ **ATTEST:** _____
39 David Allan Smith Shirley A. Gentry
40 City Attorney City Clerk