ORDINANCE NO.

AN ORDINANCE CONSENTING TO ANNEXATION OF LAND INTO THE SENNA HILLS MUNICIPAL UTILITY DISTRICT, APPROVING NEGOTIATION AND EXECUTION OF THE THIRD AMENDMENT TO THE FIRST AMENDED AND RESTATED AGREEMENT CONCERNING CREATION AND OPERATION OF SENNA HILLS MUD, AND PROVIDING A SITE SPECIFIC AMENDMENT TO CITY CODE CHAPTER 25-8, SUBCHAPTER A, ARTICLE 12 (SAVE OUR SPRINGS INITIATIVE).

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

PART 1. The City Council finds that:

(A) Senna Hills Municipal Utility District (the "District") submitted an application requesting the City's consent to the annexation into the District of approximately 0.7 acres of land located at 10324 FM 2244 more particularly described in attached **Exhibit 1**.

(B) All procedural requirements imposed by state law for annexation of the territory described in **Exhibit 1** have been met.

PART 2. The City Council consents to the annexation by Senna Hills Municipal Utility District (the "District") of approximately 0.7 acres of land located at 10324 FM 2244, more particularly described in attached **Exhibit 1**, subject to the conditions in this Ordinance. The 0.7 acres is part of a 1.2 acre tract, the balance of which is currently within the District. The 1.2 acre tract is referred to in its entirety as "the Property".

PART 3. The City Council authorizes the City Manager to negotiate and execute a Third Amendment to the First Amended and Restated Agreement Concerning Creation and Operation of Senna Hills Municipal Utility District to achieve the following:

(A) Amend the description of the property comprising the District to include the 0.7 acres described in **Exhibit 1**.

(B) Require the Declaration of Covenants and Restrictions, attached hereto as **Exhibit 2,** be executed by the owner of the Property and filed in the Official Records of Travis County, Texas.

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(C) Require the Declaration of Restrictive Covenant Regarding Development of Property, attached hereto as **Exhibit 3,** be executed by the owner of the 0.7 acres and filed in the Official Records of Travis County, Texas.

(D) Amend the Land Plan for the District to include the 0.7 acres and include reference to limitations on use, construction, and development of the Property as specified in **Exhibits 2 and 3**.

PART 4. City Code Chapter 25-8, Subchapter A, Article 12 (*Save Our Springs Initiative*) is amended to allow the 0.7 acres described in **Exhibit "1"** to be annexed into the Senna Hills Municipal Utility District and once annexed to comply with the Comprehensive Watersheds Ordinance (Ord. No. 860508-V) as required under the First Amended and Restated Agreement Concerning Creation and Operation of Senna Hills Municipal Utility District plus adhere to the terms of the Restrictive Covenants attached as **Exhibits 2 and 3**.

PART 5. This ordinance takes effect only after the Restrictive Covenants attached as **Exhibits 2 and 3** are executed by the owner of the Property and filed in the Official Records of Travis County, Texas.

PASSED AND APPROVED

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_____, 2008 §

Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk

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