

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34

**ORDINANCE NO.**

**AN ORDINANCE ANNEXING, FOR FULL PURPOSES, ADDITIONAL TERRITORY ADJACENT TO THE CITY LIMITS OF THE CITY OF AUSTIN REFERRED TO AS THE "LAS CIMAS ANNEXATION AREA", CONSISTING OF APPROXIMATELY 83 ACRES OF LAND OUT OF THE JOHN SWESEY SURVEY NO. 506 IN TRAVIS COUNTY, TEXAS; AND APPROVING A SERVICE PLAN.**

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

**PART 1.** The Council finds that:

- (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 September 25, 2008 and October 2, 2008 at the Austin City Hall, 301 West 2<sup>nd</sup> 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.

**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:

83 acres of land, more or less, comprised of seven tracts, the tract described as Tract One containing approximately 1 acre of land; the tract described as Tract Two containing approximately 14.495 acres of land; the tract described as Tract Three containing approximately 2.877 acres of land; the tract described as Tract Four containing approximately 15.888 acres of land; the tract described as Tract

1 Five containing approximately 9.651 acres of land; the tract described as Tract Six  
2 containing approximately 37.25 acres of land; and the tract described as Tract  
3 Seven containing approximately 2.50 acres of land, all tracts out of the John  
4 Swesey Survey No. 506 in Travis County, Texas; said 83 acres of land, more or  
5 less, being more particularly described in Exhibit A.

6 **PART 3.** The Service Plan attached as Exhibit B is approved as the Service Plan for the  
7 area.  
8

9 **PART 4.** The City Council declares that its purpose is to annex to the City of Austin  
10 each part of the area described in Exhibit A as provided in this ordinance, whether any  
11 other part of the described area is effectively annexed to the City. If this ordinance is  
12 held invalid as to any part of the area annexed to the City of Austin, that invalidity does  
13 not affect the effectiveness of this ordinance as to the remainder of the area.  
14

15 If any area or lands included within the description of the area set out in Exhibit A are:  
16 (1) presently part of and included within the general limits of the City of Austin; (2)  
17 presently part of and included within the limits of any other city, town, or village; or (3)  
18 are not within the jurisdiction or power of the City of Austin to annex, then that area is  
19 excluded and excepted from the area annexed.  
20

21 **PART 5.** This ordinance takes effect at 12:02 a.m. on December 31, 2008.  
22

23 **PASSED AND APPROVED**

24  
25 §  
26 §  
27 \_\_\_\_\_, 2008 § \_\_\_\_\_  
28 Will Wynn  
29 Mayor  
30

31  
32 **APPROVED:** \_\_\_\_\_  
33 David Allan Smith  
34 City Attorney

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