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

- (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 24, 2009 and October 1, 2009 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.

22 acres of land, more or less, the tract hereinafter described as Tract One containing approximately 5.3 acres of land out of the John Applegait Survey No. 58, Abstract No. 29 in Travis County, Texas; the tract hereinafter described as Tract Two containing approximately 5.373 acres of land out of the John Applegait

1 Survey No. 58, Abstract No. 29 in Travis County, Texas; the tract hereinafter
2 described as Tract Three containing approximately 8.997 acres of land out of the
3 John Applegait Survey No. 58, Abstract No. 29 in Travis County, Texas; the tract
4 hereinafter described as Tract Four containing approximately 0.949 acre of land
5 out of the John Applegait Survey No. 58, Abstract No. 29 in Travis County, Texas;
6 the tract hereinafter described as Tract Five containing approximately 0.674 acre of
7 land out of the John Applegait Survey No. 58, Abstract No. 29 in Travis County,
8 Texas; the tract hereinafter described as Tract Six containing approximately 0.4
9 acre of land out of the John Applegait Survey No. 58, Abstract No. 29 in Travis
10 County, Texas; and the tract hereinafter described as Tract Seven containing
11 approximately 0.4 acre of land out of the John Applegait Survey No. 58, Abstract
12 No. 29 in Travis County, Texas; said 22 acres of land, more or less, being more
13 particularly described in Exhibit A.

14 **PART 3.** The Service Plan attached as Exhibit B is approved as the Service Plan for the
15 area.

16
17 **PART 4.** The City Council declares that its purpose is to annex to the City of Austin
18 each part of the area described in Exhibit A as provided in this ordinance, whether any
19 other part of the described area is effectively annexed to the City. If this ordinance is
20 held invalid as to any part of the area annexed to the City of Austin, that invalidity does
21 not affect the effectiveness of this ordinance as to the remainder of the area.

22
23 If any area or lands included within the description of the area set out in Exhibit A are:
24 (1) presently part of and included within the general limits of the City of Austin; (2)
25 presently part of and included within the limits of any other city, town, or village; or (3)
26 are not within the jurisdiction or power of the City of Austin to annex, then that area is
27 excluded and excepted from the area annexed.

28
29 **PART 5.** Zoning application fees are waived for property within the annexed area for a
30 period of one year from the effective date of annexation.

1
2 **PART 6.** This ordinance takes effect on December 31, 2009.
3

4 **PASSED AND APPROVED**

5
6 §
7 §
8 _____, 2009 § _____
9 Lee Leffingwell
10 Mayor
11
12

13 **APPROVED:** _____ **ATTEST:** _____
14 David Allan Smith Shirley A. Gentry
15 City Attorney City Clerk