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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.

20 acres of land, more or less, out of the James D. Goode Survey No. 30, Abstract No. 307 and out of the James Tweed Survey No. 31, Abstract No. 775 in Travis

1 County, Texas; said 20 acres of land, more or less, being more particularly
2 described in Exhibit A.

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

5
6 **PART 4.** The City Council declares that its purpose is to annex to the City of Austin
7 each part of the area described in Exhibit A as provided in this ordinance, whether any
8 other part of the described area is effectively annexed to the City. If this ordinance is
9 held invalid as to any part of the area annexed to the City of Austin, that invalidity does
10 not affect the effectiveness of this ordinance as to the remainder of the area.

11
12 If any area or lands included within the description of the area set out in Exhibit A are:
13 (1) presently part of and included within the general limits of the City of Austin; (2)
14 presently part of and included within the limits of any other city, town, or village; or (3)
15 are not within the jurisdiction or power of the City of Austin to annex, then that area is
16 excluded and excepted from the area annexed.

17
18 **PART 5.** The requirements of City Code Section 3-2-14 (*Enclosure for Livestock*) shall
19 be waived for a period of ten years from the effective date of this ordinance for
20 enclosures in existence on October 22, 2009 and within the area annexed by this
21 ordinance, provided that noncomplying animal enclosures are not expanded or enlarged
22 during this time period and that livestock or other animals in such enclosures are
23 otherwise kept in compliance with City Code, including the requirements of Section 3-2-
24 11(*Enclosure Required*).

1
2 **PART 5.** This ordinance takes effect on December 31, 2009.
3

4 **PASSED AND APPROVED**
5

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

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