

ORDINANCE NO. 20100225-035

AN ORDINANCE ANNEXING FOR THE LIMITED PURPOSES OF PLANNING AND ZONING ADDITIONAL TERRITORY ADJACENT TO THE CITY LIMITS OF THE CITY OF AUSTIN, CONSISTING OF APPROXIMATELY 161 ACRES OF LAND OUT OF THE CHARLES TYDINGS SURVEY NO. 3, ABSTRACT NO. 774, THE JAMES SPILLMAN SURVEY NO. 2, ABSTRACT NO. 739, AND THE JAMES JETT SURVEY NO. 1, ABSTRACT NO. 437 LOCATED IN TRAVIS COUNTY, TEXAS, AND REFERRED TO AS THE "GREENSHORES GLA AND EC ANNEXATION AREA."

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

PART 1. The Council makes the following findings.

- (A) Notice of two public hearings concerning the limited purpose annexation of the territory described in Exhibit A, referred to as the Greenshores GLA and EC Annexation Area, was published in a newspaper of general circulation in the City of Austin; in the area to be annexed; and on the City of Austin internet website.
- (B) A report containing a planning study and regulatory plan for the territory to be annexed was prepared more than 10 days before the first public hearing.
- (C) Notice of the availability of the report was published twice in a newspaper of general circulation in the area to be annexed.
- (D) The public hearings were held during City Council meetings, and concluded after providing an opportunity for all persons present to be heard with respect to the proposed annexation.
- (E) The Regulatory Plan shall be approved by separate ordinance.
- (F) The limited purpose annexation of this territory serves the interests of the current and future residents of the City of Austin.
- (G) All procedural requirements imposed by state law for the limited 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 territory described in Exhibit A for limited purposes. The territory is within the extraterritorial

jurisdiction and adjacent to the city limits of the City of Austin in Travis County, Texas. The territory is annexed into the City for the limited purposes of planning and zoning.

PART 3. The City Council declares that its purpose is to annex to the City of Austin each part of the area described in Exhibit A as provided in this ordinance, whether any other part of the described area is effectively annexed to the City. If this ordinance is held invalid as to any part of the area annexed to the City of Austin, that invalidity does not affect the effectiveness of this ordinance as to the remainder of the area.

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

PART 4. This ordinance takes effect on March 8, 2010.

PASSED AND APPROVED

_____, February 25, 2010 §
 §
 §

 Lee Leffingwell
 Mayor

APPROVED: _____
 David Allan Smith
 City Attorney

ATTEST: _____
 Shirley A. Gentry
 City Clerk

EXHIBIT A

C7L-10-001

Area to be annexed for limited purposes.

(Approximately 161 acres of land out of the Charles Tydings Survey No. 3, Abstract No. 774, the James Spillman Survey No. 2, Abstract No. 739 and the James Jett Survey No. 1, Abstract No. 437 in Travis County, Texas)

(Greenshores on Lake Austin Phase 3, Amended Plat of Lots 32, 33, 34 & 39 Greenshores on Lake Austin Phase Two, Portion of Greenshores on Lake Austin Phase One, Portion of Greenshores on Lake Austin Phase Two, Portion of Penn Subdivision and Portion of Smoky Ridge Annex)

(Unplatted Land)

(Portions of Pearce Road and Oak Shore Drive)

LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR FOUR TRACTS OF LAND, THE TRACT HEREINAFTER DESCRIBED AS "TRACT 1" CONTAINING APPROXIMATELY 156 ACRES OUT OF THE CHARLES TYDINGS SURVEY NO. 3, ABSTRACT NO. 774, THE JAMES SPILLMAN SURVEY NO. 2, ABSTRACT NO. 739 AND THE JAMES JETT SURVEY NO. 1, ABSTRACT NO. 437 IN TRAVIS COUNTY, TEXAS, THE TRACT HEREINAFTER DESCRIBED AS "TRACT 2" CONTAINING APPROXIMATELY 0.666 ACRE OUT OF THE JAMES SPILLMAN SURVEY NO. 2, ABSTRACT NO. 739 AND THE JAMES JETT SURVEY NO. 1, ABSTRACT NO. 437 IN TRAVIS COUNTY, TEXAS, THE TRACT HEREINAFTER DESCRIBED AS "TRACT 3" CONTAINING APPROXIMATELY 2 ACRES OUT OF THE JAMES SPILLMAN SURVEY NO. 2, ABSTRACT NO. 739 AND THE JAMES JETT SURVEY

NO. 1, ABSTRACT NO. 437 IN TRAVIS COUNTY, TEXAS AND THE TRACT HEREINAFTER DESCRIBED AS "TRACT 4" CONTAINING APPROXIMATELY 1.92 ACRES OUT OF THE JAMES SPILLMAN SURVEY NO. 2, ABSTRACT NO. 739 IN TRAVIS COUNTY, TEXAS, OF WHICH APPROXIMATELY 161 ACRES OF LAND ARE TO BE MADE A PART OF THE CITY OF AUSTIN, SAID APPROXIMATELY 161 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

"TRACT 1"

BEGINNING at a point on the present corporate limit line of the City of Austin as adopted by Ordinance No. 411016-A, also being a past corporate limited purpose line of the City of Austin, portions of which were disannexed by Ordinance No. 890727-C (Case No. C7AD-89-098), same being the most southerly southeast line of a 1008 acre tract of land known as "Emma Long Metropolitan Park" conveyed to the City of Austin by deed recorded in 623, Page 477 of the Deed Records of Travis County, Texas, at the northwest corner of Lot 24, Block 5, Greenshores on Lake Austin Phase One, a subdivision of record in Document No. 200400036 of the Official Public Records of Travis County, Texas and the southwest corner of a 6.128 acre tract of land conveyed to Commerce National Bank by Trustee's Deed with Bill of Sale recorded in Document No. 2007128161 of the Official Public Records of Travis County, Texas, for the most westerly northwest corner of the tract herein described;

THENCE, in a southeasterly direction along the proposed corporate limited purpose line, same being the aforementioned disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), with the northeast line of said Lot 24, Block 5, Greenshores on Lake Austin Phase One and the northeast line of Lots 14, 15 and 23, Block 5, Greenshores on Lake Austin Phase 3, a subdivision of record in Document No. 200500034, common in part with the southwest line of said 6.128 acre tract to a point on the northerly right-of-way line of Pearce Road, at the east corner of said Lot 23, Block 5 and the southwest corner of said 6.128 acre tract, for an interior corner of the herein described tract;

THENCE, in an easterly direction along the proposed corporate limited purpose line, same being the aforementioned disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), with the northerly right-of-way line of Pearce Road, common in part with the south lines of said 6.128 acre tract and a 3.047 acre tract of land conveyed to E. H. Hoff by Warranty Deed recorded in Volume 6751, Page 2286 of the Deed Records of Travis County, Texas to a point at the most southerly southeast corner of said 3.047 acre tract, same being the southwest corner of Lot 14, Block 4, Greenshores on Lake Austin Phase 3, for an interior corner of the herein described tract;

THENCE, in a northerly and northeasterly direction along the proposed corporate limited purpose line, same being the aforementioned disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), with the west and north lines of said Lot 14, Block 4, the westerly lines of Lots 6 and 5, Block 4, Greenshores on Lake Austin Phase 3, common with the southeast and east lines of said 3.047 acre tract to a point on present corporate limit of the City of Austin as adopted by Ordinance No. 411016-A, same being the most easterly southwest line of said 1008 acre tract, at the northwest corner of said Lot 5, Block 4 and the northeast corner of said 3.047 acre tract, for an exterior corner of the herein described tract;

THENCE, in a southeasterly direction along the present corporate limit of the City of Austin as adopted by Ordinance No. 411016-A, with the northeast lines of Lot 5, Block 4, Greenshores on Lake Austin Phase 3 and Lot 13, Block 4, Greenshores on Lake Austin Phase One, common in part with the most easterly southwest lines of said 1008 acre tract and a 3.132 acre tract of land conveyed to George Blair Drenner and Julie RH Drenner by Warranty Deed recorded in Document No. 2007119774 of the Official Public Records of Travis County, Texas to a point on the westerly right-of-way line of Pearce Road, at the east corner of said Lot 13, Block 4 and the southeast corner of said 3.132 acre tract;

THENCE, continuing in a southeasterly direction along the proposed corporate limited purpose line, same being the aforementioned disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), crossing Pearce Road, with

the southeasterly prolongation of the southwest line of said 3.132 acre tract and the northeast line of said Lot 13, Block 4, Greenshores on Lake Austin Phase One to a point on the northwest line of Lot 47, Block 2, Greenshores on Lake Austin Phase One, for an interior corner of the herein described tract;

THENCE, in a northeasterly and northerly direction along the proposed corporate limited purpose line, same being said disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), with the northeasterly lines of Lots 47, 46 and 45, Block 2, Greenshores on Lake Austin Phase One, Lots 44 and 43, Greenshores on Lake Austin Phase Two, a subdivision of record in Document No. 200500019 of the Official Public Records of Travis County, Texas, the westerly lines of Greenshores Drive, Lot 40, Block 1, Greenshores on Lake Austin Phase Two, Lot 39, Amended Plat of Lots 32, 33, 34 & 39 Greenshores on Lake Austin Phase Two, a subdivision of record in Document No. 200800060 of the Official Public Records of Travis County, Texas, Lots 38, 37, 36 and 35, Block 1, Greenshores on Lake Austin Phase Two, common in part with the easterly right-of-way line of Pearce Road to a point at the northwest corner of said Lot 35, Block 1, same being the southwest corner of a 3.84 acre tract of land conveyed to Joseph Dudley Youman, III and Sandy E. Youman by Warranty Deed recorded in Volume 13237, Page 1251 of the Real Property Records of Travis County, Texas, for the most northerly northwest corner of the herein described tract;

THENCE, in a southeasterly direction along the proposed corporate limited purpose line, same being said disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), with the northeast lines of Lot 35, Block 1, Greenshores on Lake Austin Phase Two and Lot 34, Amended Plat of Lots 32, 33, 34 & 39 Greenshores on Lake Austin Phase Two, common in part with the southwest line of said 3.84 acre tract to a point at the east corner of said Lot 34, same being the northwest corner of a 4.551 acre tract of land conveyed to Chilmark Partnership, Limited by General Warranty Deed recorded in Document No. 2004216596 of the Official Public Records of Travis County, Texas, for the most northerly northeast corner of the herein described tract;

THENCE, in a southwesterly direction along the proposed corporate limited purpose line, same being said disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), with the southeast lines of Lots 34, 33 and 32, Amended Plat of Lots 32, 33, 34 & 39 Greenshores on Lake Austin Phase Two, common in part with the northwest lines of said 4.551 acre tract and Lots 26 and 27, Block 1, Greenshores on Lake Austin Phase Two to a point on the northeast line of Lot 31, Block 1, Greenshores on Lake Austin Phase Two, same being the southeast corner of said Lot 32 and the southwest corner of said Lot 26, Block 1, for an interior corner of the herein described tract;

THENCE, in a southeasterly direction along the proposed corporate limited purpose line, same being said disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), with a southwest line of Lot 26, Block 1, Greenshores on Lake Austin Phase Two, common in part with the northeast line of Lot 31, Block 1, Greenshores on Lake Austin Phase Two to a point at an interior corner of said Lot 26, Block 1, same being the northeast corner of said Lot 31, Block 1;

THENCE, continuing in a southeasterly direction along the proposed corporate limited purpose line, same being said disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), crossing Lots 26 and 27, Block 1, Greenshores on Lake Austin Phase Two, to a point at an interior corner of said Lot 27, Block 1, same being the northwest corner of Lot 30, Block 1, Greenshores on Lake Austin Phase Two;

THENCE, continuing in a southeasterly direction along the proposed corporate limited purpose line, same being said disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), with the southwest line of Lot 27, Block 1, Greenshores on Lake Austin Phase Two, common in part with the northeast lines of Lots 30, 29, 28 and 25, Block 1, Greenshores on Lake Austin Phase Two to a point in the present corporate limit line of the City of Austin, being the 504.9 (MSL) contour line, for the most easterly northeast corner of the herein described tract;

THENCE, in a southerly and westerly direction along the present corporate limit line of the City of Austin being the 504.9 (MSL) contour line, same being said disannexation

line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), crossing Lots 25, 24, 23, 22, 21, 20, 19 and 18, Block 1, to a point on the easterly line of Lot 84, Block 1, Greenshores on Lake Austin Phase One;

THENCE, in a southwesterly direction along the present corporate limit line of the City of Austin being the 504.9 (MSL) contour line, same being said disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), crossing said Lot 84, Block 1, Greenshores on Lake Austin Phase One, to a point on a northeasterly line of Lot 17, Block 1, Greenshores on Lake Austin Phase Two;

THENCE, in a southwesterly and easterly direction along the present corporate limit line of the City of Austin being the 504.9 (MSL) contour line, same being said disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), crossing said Lot 17, Block 1, Greenshores on the Lake Phase Two, to a point on the most westerly southwest line of a 1.439 acre tract of land conveyed to Thomas Penn Johnson by Warranty Deed recorded in Volume 12741, Page 294 of the Real Property Records of Travis County, Texas;

THENCE, continuing in an easterly direction along the present corporate limit line of the City of Austin being the 504.9 (MSL) contour line, same being said disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), crossing said 1.439 acre tract and into Lot 1, Penn Subdivision, a subdivision of record in Book 93, Pages 142 & 143 of the Plat Records of Travis County, Texas to a point for an exterior corner of the herein described tract;

THENCE, in a southwesterly direction along the proposed corporate limited purpose line, same being said disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), crossing said Lot 1, Penn Subdivision, said 1.439 acre tract and said Lot 17, Block 1, Greenshores on Lake Austin Phase Two to a point on the northerly right-of-way line of Oak Shore Drive for the most easterly southeast corner of the herein described tract;

THENCE, in a westerly direction along the proposed corporate limited purpose line, same being said disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), with the south lines of said Lot 17, Block 1, Greenshores on Lake Austin Phase Two, Lots 16, 15,

14, 13, Block 1, Greenshores on Lake Austin Phase One, common in part with the northerly right-of-way line of Oak Shore Drive, to a point at the southwest corner of said Lot 13, Block 1, same being the southeast corner of Lot 1, Penn Creek, a subdivision of record in Book 93, Page 336 of the Plat Records of Travis County, Texas, for an exterior corner of the herein described tract;

THENCE, in a northerly direction along the proposed corporate limited purpose line, same being the west line of said Lot 13, Block 1, Greenshores on Lake Austin Phase One and a westerly line of Lot 84, Block 1, Greenshores on Lake Austin Phase One, common in part with the east line of said Lot 1, Penn Creek, to a point at the northeast corner of said Lot 1, Penn Creek, same being an interior corner of said Lot 84, Block 1 and the herein described tract;

THENCE, in a westerly direction along the proposed corporate limited purpose line, same being the north line of said Lot 1, Penn Creek, common with a southerly line of said Lot 84, Block 1, Greenshores on Lake Austin Phase One to a point at the northwest corner of said Lot 1, Penn Creek, same being an interior corner of said Lot 84, Block 1 and the herein described tract;

THENCE, in a southerly direction along the proposed corporate limited purpose line, same being an easterly line of said Lot 84, Block 1, Greenshores on Lake Austin Phase One and the east line of Lots 11 and 12, Block 1, Greenshores on Lake Austin Phase One, common in part with the west line of Lot 1, Penn Creek to a point on the aforementioned disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), same being the northerly right-of-way line of Oak Shore Drive, at the southeast corner of said Lot 12, Block 1, same being the southwest corner of Lot 1, Penn Creek, for an exterior corner of the herein described tract;

THENCE, in a westerly and northwesterly direction along the proposed corporate limited purpose line, passing an angle point in said disannexation line adopted by Ordinance No. 890727-C (Case C7AD-89-098), with the south and southwesterly lines of Lots 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2 and 1, Block 1, Greenshores on Lake Austin Phase One, common in part with the northerly right-of-way line of Oak Shore Drive, to a point at the southwest corner of said Lot

1, Block 1, same being the intersection of the northerly right-of-way line of Oak Shore Drive and the easterly right-of-way line of Pearce Road;

THENCE, continuing in a northwesterly direction along the proposed corporate limited purpose line, crossing Pearce Road to a point at the most southerly southeast corner of Lot 1, Block 5, Greenshores on Lake Austin Phase 3, for an interior of the herein described tract;

THENCE, in a southerly direction along the proposed corporate limited purpose line, crossing Oak Shore Drive, to a point on the westerly right-of-way line of Pearce Road, same being the most easterly northeast corner of Lot 11, Block 3, Greenshores on Lake Austin Phase One;

THENCE, in a southwesterly and southeasterly direction along the proposed corporate limited purpose line with the east lines of Lots 11, 5, 4, 3, 2, 1, 11, 6, 7, 8, 9 and 10, Block 3, Greenshores on Lake Austin Phase One, common in part with the westerly right-of-way line of Pearce Road, to an angle point in the aforementioned disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098);

THENCE, in a southerly direction along the proposed corporate limited purpose line, same being said disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098) with the east lines of said Lot 10, Block 3, Greenshores on Lake Austin Phase One, Lot 12, Block 3, Greenshores on Lake Austin Phase Two, Lot 13, Block 3, Greenshores on Lake Austin Phase 3 and Lot 14, Block 3, Greenshores on Lake Austin Phase One, common in part with the westerly right-of-way line of Pearce Road to a point at the southeast corner of said Lot 14, Block 3, Greenshores on Lake Austin Phase One, same being the northeast corner of Lot 50, Block A, The Woods of Greenshores Section One, a subdivision of record in Document No. 200800019 of the Official Public Records of Travis County, Texas, for the most southerly southeast corner of the herein described tract;

THENCE, in a westerly direction along the proposed corporate limited purpose line with the south line of said Lot 14, Block 3, Greenshores on Lake Austin Phase One, same in part with the most easterly north line of Lot 50, Block A, The Woods of Greenshores Section One to a point on the

aforementioned disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), at the southwest corner of said Lot 14, Block 3, same being an interior corner of said Lot 50, Block A, for the most southerly southwest corner of the herein described tract;

THENCE, in a northwesterly direction along the proposed corporate limited purpose line, same being said disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), with the southwest lines of said Lot 14, Block 3, Greenshores on Lake Austin Phase One, Lot 13, Block 3, Greenshores on Lake Austin Phase 3, Lot 12, Block 3, Greenshores on Lake Austin Phase Two, common in part with the most northerly northeast line of Lot 50, Block A, The Woods of Greenshores Section One, to a point on the aforementioned present corporate limit line of the City of Austin as adopted by Ordinance No. 411016-A , same being the most southerly southeast line of the aforementioned 1008 acre tract of land known as "Emma Long Metropolitan Park".

THENCE, in a northeasterly direction along said present corporate limit line of the City of Austin as adopted by Ordinance No. 411016-A and said disannexation line adopted by Ordinance No. 890727-C (Case No. C7AD-89-098), same being the northwest lines of said Lots 12 and 11, Block 3, Greenshores on Lake Austin Phase Two, crossing Oak Shore Drive and continuing in a northeasterly direction along the northwest line of Lot 24, Block 5, Greenshores on Lake Austin Phase One to the Point of Beginning.

"TRACT 2"

Being all of that certain called 0.666 acre tract of land conveyed to Robert Penn Fowler, Bradley A. Fowler and Sally Pope Fowler and referred to as "Tract #1" in Quitclaim Deed recorded in Volume 6857, Page 1692 of the Deed Records of Travis County, Texas.

"TRACT 3"

Being a portion of that certain called 1.246 acre tract of land conveyed to Dudley Fowler, Carol McMurtry Fowler,

Bradley A. Fowler, Sally Pope Fowler and Robert Penn Fowler and referred to as (3) in Special Warranty Deed and Agreement for the Exchange of Certain Undivided Interests in Real Property recorded in Document No. 2001094191 of the Official Public Records of Travis County, Texas and being a portion of Lot C, Smoky Ridge Annex, a subdivision of record in Book 75, Page 396 of the Plat Records of Travis County, Texas. Said portions being all of said 1.246 acre tract and said Lot C, Smoky Ridge Annex that lie above the present corporate limit line of the City of Austin, being the 504.9 (MSL) contour line.

"TRACT 4"

Being all of that certain called 1.92 acre tract of land conveyed to Dudley Fowler, Carol McMurtry Fowler, Bradley A. Fowler, Sally Pope Fowler and Robert Penn Fowler and referred to as (3) in Special Warranty Deed and Agreement for the Exchange of Certain Undivided Interests in Real Property recorded in Document No. 2001094191 of the Official Public Records of Travis County, Texas and at least a 1/4 interest conveyed to Dudley Fowler by Special Warranty Deed recorded in Document No. 2006240564 of the Official Public Records of Travis County, Texas.

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared".

LEGAL DESCRIPTION: Mary P. Hawkins

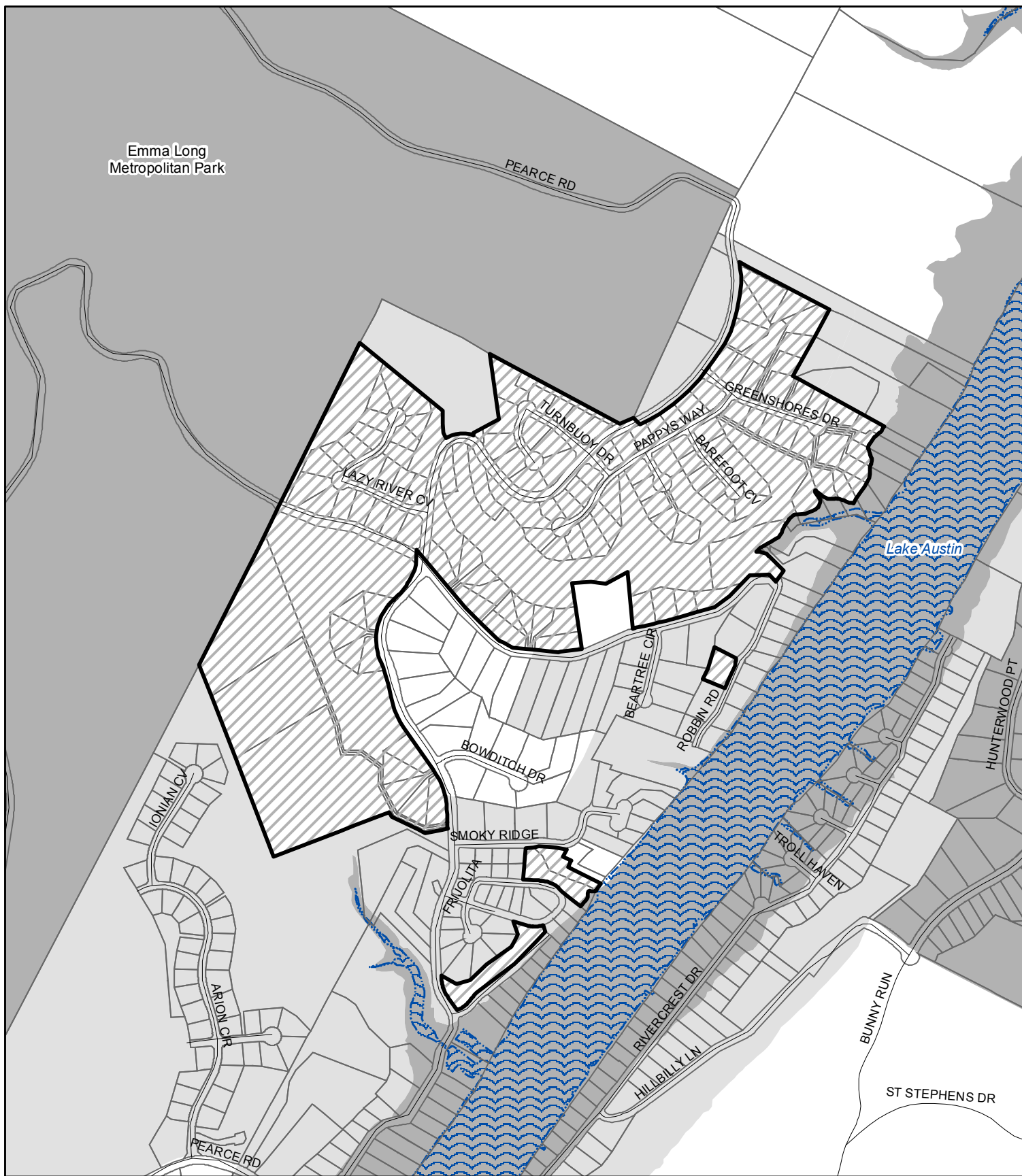
02-10-2010

Mary P. Hawkins 2/10/10

APPROVED: Mary P. Hawkins, RPLS NO. 4433
Engineering Services Division
Department of Public Works
City of Austin

REFERENCES

TCAD MAPS 1-2921, 1-3121, 1-3123, 1-3319, 1-3321, 1-3323,
1-3519 & 1-3521
Austin Grid E-28 & E-29



Greenshores GLA and EC Limited Purpose Annexation Area

In accordance with the 2005 Greenshores
Annexation and Development Agreement



City of Austin PDRD
J. Chuter
December 7, 2009



Legend



Annexation Area



Street



Lot Line



Lake

Current Jurisdiction



Austin Full Purpose



Austin Limited Purpose



Austin ETJ

