

ORDINANCE NO.

AN ORDINANCE ANNEXING FOR FULL PURPOSES ADDITIONAL TERRITORY ADJACENT TO THE CITY LIMITS OF THE CITY OF AUSTIN, CONSISTING OF APPROXIMATELY 468 ACRES OF LAND OUT OF THE HENRY RHODES SURVEY, ABSTRACT NO. 522, THE MALCOLM M. HORNSBY SURVEY NO. 4, ABSTRACT NO. 280 AND THE ELISHA ALLEN SURVEY NO. 2, ABSTRACT NO. 18 LOCATED IN WILLIAMSON COUNTY, TEXAS AND REFERRED TO AS THE “SPRINGWOODS MUNICIPAL UTILITY DISTRICT ANNEXATION AREA”; AND APPROVING A REGULATORY AND SERVICE PLAN FOR THE ANNEXED TERRITORY, IN ACCORDANCE WITH THE STRATEGIC PARTNERSHIP AGREEMENT BETWEEN THE CITY OF AUSTIN AND THE SPRINGWOODS MUNICIPAL UTILITY DISTRICT.

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

PART 1. The City Council finds that:

- (A) The City and the Springwoods Municipal Utility District (“MUD”) entered into a Strategic Partnership Agreement (“SPA”) effective December 16, 2002, that provides for the limited purpose annexation and for the conversion to full purpose annexation of the territory described in Exhibit A. In 2006 the City and the MUD agreed to amend the annexation dates set forth in the SPA. The SPA, as amended, allows limited purpose annexation of the territory in the MUD no sooner than November 30, 2010 and conversion to full purpose no sooner than December 31, 2010.
- (B) The area referred to as the Springwoods MUD has been annexed by Ordinance No. 20100923-xxx, for the limited purposes of planning, zoning, health, and safety.
- (C) A report containing a planning study and regulatory plan for the territory to be annexed was prepared in accordance with the terms of the SPA and Section 43.123 of the Texas Local Government Code and is attached in Exhibit B.
- (D) The SPA provides that the City will prepare and deliver a Service Plan describing services to be provided to the area upon full purpose annexation. The City has conferred with the MUD and residents of the area regarding the service plan which is attached in Exhibit C.

1 (E) Notice of the availability of the report and the service plan and of a public
2 hearing concerning the limited purpose and full purpose annexation of the
3 territory described in Exhibit A, referred to as the Springwoods MUD Area,
4 was published in a newspaper of general circulation in the City of Austin, in
5 the area to be annexed, and on the City of Austin internet website.

6 (F) The public hearing was held on September 23, 2010 at 4:00 p.m. in Council
7 Chambers and was concluded after providing an opportunity for all persons
8 present to be heard with respect to the proposed annexation.

9 (G) The limited purpose annexation and conversion to full purpose annexation of
10 the territory described in Exhibit A serves the interests of the current and
11 future residents of the City of Austin.

12 (H) All procedural requirements imposed by state law and the SPA for the limited
13 purpose annexation and conversion to full purpose annexation of territory
14 described in Exhibit A, and the adoption of the Regulatory and Service Plan
15 for this area have been met.

16 **PART 2.** The territory described in Exhibit A is automatically converted to full purpose
17 annexation as provided by the SPA and authorized by Section 43.0751 of the Texas Local
18 Government Code effective December 31, 2010.

19 **PART 3.** The Regulatory Plan attached as Exhibit B is approved as the Regulatory Plan
20 for the period of limited purpose annexation.

21 **PART 4.** The Service Plan attached as Exhibit C is approved as the Service Plan for the
22 full purpose annexed area.

23 **PART 5.** As provided by the SPA, the MUD is converted to the Springwoods Limited
24 District on December 31, 2010. In accordance with state law, the City shall assume
25 ownership of property and other assets and shall assume debts, liabilities, and obligations
26 of the MUD as described in the Agreement.

27 **PART 6.** The City Council declares that its purpose is to include within the City of
28 Austin each part of the area described in Exhibit A as provided in this ordinance,
29 regardless of whether any other part of the described area is effectively annexed to the
30 City. If this ordinance is held invalid as to any part of the area annexed to the City of
31 Austin, that invalidity does not affect the effectiveness of this ordinance as to the
32 remainder of the area.

33 If any area or lands included within the description of the area set out in Exhibit A are:
34 (1) presently part of and included within the general limits of the City of Austin; (2)
35 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 include within the City, then that area is excluded and excepted from the area covered by this ordinance.

PART 7. This ordinance takes effect on _____, 2010.

PASSED AND APPROVED

_____, 2010

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§ _____

Lee Leffingwell
Mayor

APPROVED: _____
Karen M. Kennard
Acting City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk