

**ORDINANCE NO.**

**AN ORDINANCE ANNEXING FOR THE LIMITED PURPOSES OF PLANNING, ZONING, HEALTH, AND SAFETY 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, 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 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.
- (B) 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 shall be approved by separate ordinance.
- (C) Notice of the availability of the report and of a public hearing concerning the limited purpose annexation of the territory described in Exhibit A, referred to as the Springwoods MUD Area, was published twice 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.
- (D) The public hearing was held on September 23, 2010 at 4:00 p.m. in Council Chambers and was concluded after providing an opportunity for all persons present to be heard with respect to the proposed annexation.
- (E) The limited purpose annexation of the territory described in Exhibit A serves the interests of the current and future residents of the City of Austin.

(F) All procedural requirements imposed by state law and the SPA for the limited purpose annexation of territory described in Exhibit A have been met.

**PART 2.** The territory described in Exhibit A is annexed for the limited purposes of planning, zoning, health, and safety effective December 30, 2010 as provided by the SPA and authorized by Section 43.0751 of the Texas Local Government Code.

**PART 3.** The City Council declares that its purpose is to include within the City of Austin each part of the area described in Exhibit A as provided in this ordinance, regardless of 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 include within the City, then that area is excluded and excepted from the area covered by this ordinance.

**PART 4.** This ordinance takes effect on \_\_\_\_\_, 2010.

**PASSED AND APPROVED**

_____	§	_____
	§	
_____, 2010	§	
		Lee Leffingwell
		Mayor

**APPROVED:** \_\_\_\_\_  
Karen M. Kennard  
Acting City Attorney

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