

**ORDINANCE NO. 20101118-031**

**AN ORDINANCE ANNEXING, FOR FULL PURPOSES, ADDITIONAL TERRITORY ADJACENT TO THE CITY LIMITS OF THE CITY OF AUSTIN REFERRED TO AS THE "SPRINGWOODS NON-MUD MUNICIPAL ANNEXATION PLAN AREA" CONSISTING OF APPROXIMATELY 354 ACRES OF LAND OUT OF THE HENRY RHODES SURVEY, ABSTRACT NO. 522 AND THE MALCOM M. HORNSBY SURVEY NO. 4, ABSTRACT NO. 280, IN WILLIAMSON COUNTY, TEXAS; AND APPROVING A SERVICE PLAN.**

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

**PART 1.** The Council finds that:

- (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 October 20, 2008, and October 23, 2008, at the Austin City Hall, 301 West 2<sup>nd</sup> 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.

**PART 2.** The present boundary limits of the City are amended to include the following territory which is within the extraterritorial jurisdiction and adjacent to the city limits of the City of Austin in Williamson County, Texas, and which is annexed into the City for the full purposes:

354 acres of land, more or less, the tract hereinafter described as Tract One containing approximately 328 acres of land out of the Henry Rhodes Survey, Abstract No. 522 and the Malcolm M. Hornsby Survey No. 4, Abstract No. 280 in Williamson County, Texas; and the tract hereinafter described as Tract Two containing approximately 26 acres of land out of the Henry Rhodes Survey,

Abstract No. 522 in Williamson County, Texas; said 354 acres of land, more or less, being more particularly described in Exhibit A.

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

**PART 4.** 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 5.** This ordinance takes effect on December 31, 2010.

**PASSED AND APPROVED**

\_\_\_\_\_, November 18, 2010      §  
   §  
   §      Lee Leffingwell  
   Lee Leffingwell  
   Mayor

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

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

## Exhibit A

C7a-10-001

Area to be annexed.

Approximately 354 acres of land out of the Henry Rhodes Survey, Abstract No. 522 and the Malcolm M. Hornsby Survey No. 4, Abstract No. 280 in Williamson County, Texas.

(Ganzert Park I, Wayne Smith Estates, Jolly Oaks Phase 2, Portion of Clear Creek Addition Section Two, Bailey Oaks Subdivision, Portion of Town and Country Park Addition, Heritage Oaks, Northwest Woods, Vance Naumann Subdivision, Stanzel Brothers Subdivision, Estates at Hunter's Chase Section One, Estates at Hunter's Chase Section Two, Amended Plat of Lots 4 and 5 Block A The Estates of Hunter's Chase Section One, Amended Plat of Lots 17 and 18 Block B of The Estates of Hunter's Chase Section One, Puett Addition, The Carlson Addition, Springwoods Park II Subdivision, Portion of Turtle Rock Estates, Replat of Deer Park/Live Oak/Dominique Section Two, Deer Park/Live Oak/Dominique Section One Street Dedication and Deer Park/Live Oak/Dominique Section Two)

(Unplatted Land)

(Portions of Anderson Mill Road, Water Oak Lane, Black Oak Street, Morris Road, Hazelhurst Drive, Stanzel Drive, Partridge Band Drive and Turtle Rock Road)

### LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR TWO TRACTS OF LAND, THE TRACT HEREINAFTER DESCRIBED AS TRACT ONE CONTAINING APPROXIMATELY 328 ACRES OF LAND OUT OF THE HENRY RHODES SURVEY, ABSTRACT NO. 522 AND THE MALCOLM M. HORNSBY SURVEY NO. 4, ABSTRACT NO. 280 IN WILLIAMSON COUNTY, TEXAS AND THE TRACT HEREINAFTER DESCRIBED AS TRACT TWO CONTAINING APPROXIMATELY 26 ACRES OF LAND OUT OF THE HENRY RHODES SURVEY, ABSTRACT NO. 522 IN WILLIAMSON COUNTY, TEXAS; OF WHICH APPROXIMATELY 354 ACRES OF LAND ARE TO BE TAKEN INTO AND MADE A PART OF THE CITY OF AUSTIN.

### TRACT ONE

BEGINNING at a point on the old northwesterly right-of-way line of Anderson Mill Road, at the southeast corner of a called 98.93 acre tract of land annexed by Springwoods Municipal Utility District and described in Exhibit "B-2" by Resolution No. 81-0403-1, recorded in Volume 839, Page 250 and Volume 854, Page 433 of the Deed Records of Williamson County, Texas, same being the southeast corner of a strip of land dedicated for right-of-way by plat for Springwoods II-A Revised 1991, a subdivision of record in Cabinet E, Slides 59-60 of the Plat Records of Williamson County, Texas and the southwest corner of a strip of land dedicated for right-of-way by plat for Northwest Woods, a subdivision of record in Cabinet C, Slides 137-138 of the Plat Records of Williamson County, Texas, for an inside ell corner of the tract herein described;

THENCE, in a northwesterly direction along the proposed corporate limit line of the City of Austin, being the northeasterly line of said 98.93 acre M.U.D. tract and the northeasterly line of said Springwoods II-A Revised 1991, Springwoods II-C, a subdivision of record in Cabinet E, Slides 97-98 of the Plat Records of Williamson County, Texas, Springwoods II-E, a subdivision of record in Cabinet E, Slides 100-101 of the Plat Records of Williamson County, Texas, Springwoods II-G, a subdivision of record in Cabinet E, Slides 196-198 of the Plat Records of Williamson County, Texas, The Amended Plat of Lots 13 and 14, Block Q, Springwoods II-G, a subdivision of record in Cabinet J, Slide 365 of the Plat Records of Williamson County, Texas, common in part with the southwesterly line of said Northwest Woods

to the northeast corner of said 98.93 acre M.U.D. tract, same being the northeast corner of Lot 13 of said The Amended Plat of Lots 13 and 14, Block Q, Springwoods II-G and the southeast corner of Lot 178, Forest North Estates, Phase Two, a subdivision of record in Cabinet B, Slides 278-281 of the Plat Records of Williamson County, Texas;

THENCE, continuing in a northwesterly direction along the proposed corporate limit line of the City of Austin, being the northeasterly line of said Forest North Estates, Phase Two, common in part with the southwesterly line of said Northwest Woods and Town and Country Park Addition, a subdivision of record in Cabinet Y, Slides 158-163 of the Plat Records of Williamson County, Texas to a point at the northeast corner of Lot 282 of said Forest North Estates, Phase Two, the northwest corner of Lot 1, Block A of said Town and Country Park Addition, the southeast corner of a called 13.7 acre tract of land conveyed to Williamson County, Texas by deed recorded in Document No. 2004079875 of the Official Public Records of Williamson County, Texas and the southwest corner of a called 0.6099 acre tract of land conveyed to Williamson County by deed recorded in Document No. 2003118651 of the Official Public Records of Williamson County, Texas, for the most northwesterly corner of the tract herein described;

THENCE, in an northeasterly direction along the proposed corporate limit line of the City of Austin, being the northwesterly line of said Town and Country Park Addition, common in part with the southeasterly line of said 0.6099 acre tract, State Farm Section Five, a subdivision of record in Cabinet EE, Slides 342-344 of the Plat Records of Williamson County, Texas and State Farm Subdivision Section One, a subdivision of record in Cabinet E, Slides 83-87 of the Plat Records of Williamson County, Texas to a point at the northwest corner of a called 66.42 acre tract of land annexed by Springwoods Municipal Utility District and described in Exhibit "B-3" by Resolution No. 81-0403-1, recorded in Volume 839, Page 250 and Volume 854, Page 433 of the Deed Records of Williamson County, Texas, for the most northerly northeast corner of the tract herein described;

THENCE, in a southeasterly direction along the proposed corporate limit line of the City of Austin, being the southwesterly line of said 66.42 acre M.U.D. tract, crossing said Lot 1, Block A, Town and Country Park Addition, passing the northeast corner of a roadway easement described in Volume 990, Page 500 of the Official Records of Williamson County, Texas and continuing along the northeasterly line of said roadway easement to a point at a southerly corner of said Lot 1, Block A, Town and Country Park Addition, being on the westerly right-of-way of Morris Road, same being an angle point in the westerly line of Clear Creek Addition, a subdivision of record in Cabinet E, Slides 291-292 of the

Plat Records of Williamson County, Texas, for an angle point of the tract described herein;

THENCE, continuing in a southeasterly direction along the proposed corporate limit line of the City of Austin, being the southwesterly line of said 66.42 acre M.U.D. tract, crossing said Morris Road, with the northeasterly line of said roadway easement, common in part with the westerly line of said Clear Creek Addition to a point at the southwest corner of said 66.42 acre M.U.D. tract, same being the southwest corner of said Clear Creek Addition for an inside ell corner of the tract herein described;

THENCE, in an easterly direction along the proposed corporate limit line of the City of Austin, being the southerly line of said 66.42 acre M.U.D. tract, continuing across said Morris Road to a point in the easterly right-of-way line of Morris Road, at the southwest corner of Lot 1, Block B of said Clear Creek Addition, same being the northwest corner of Lot 11, Block B, Clear Creek Addition, Section Two, a subdivision of record in Cabinet O, Slides 117-118 of the Plat Records of Williamson County, Texas;

THENCE, in an easterly and northerly direction along the proposed corporate limit line of the City of Austin, being the southerly line of said 66.42 acre M.U.D. tract and the southerly line of said Clear Creek Addition, common in part with the northerly line of said Clear Creek Addition, Section Two to a point at an interior corner of said 66.42 acre M.U.D. tract, also being an angle point in the easterly line of Lot 3, Block B of said Clear Creek Addition, same being an angle point in the westerly line of Lot 1, Block B of said Clear Creek Addition, Section Two, for an inside ell corner of the tract herein described;

THENCE, in an easterly direction along the proposed corporate limit line of the City of Austin, being the southerly line of said 66.42 acre M.U.D. tract, crossing Lots 10, 9, 8, 7 and 6, Block B of said Clear Creek Addition, Section Two to a point on the southerly right-of-way line of Water Oak Lane;

THENCE, continuing in an easterly direction along the proposed corporate limit line of the City of Austin, being the southerly line of said 66.42 acre M.U.D. tract and the southerly line of Clear Creek Addition, common in part with the northerly line of Clear Creek Addition, Section Two to a point at an interior corner of said 66.42 acre M.U.D. tract, for an outside ell corner of the tract herein described;

THENCE, in a southerly direction along the proposed corporate limit line of the City of Austin, being a southwesterly line of said 66.42 acre M.U.D. tract, crossing Lots 4, 3, 2 and 1, Block B of said Clear Creek Addition, Section Two to a point in the present northerly right-of-way of Lyndon Lane, same

being the northwest corner of a called 0.206 acre strip of land dedicated for right-of-way by plat for said Clear Creek and the northeast corner of a called 1,560 square foot strip of land dedicated for right-of-way by said plat for Clear Creek Addition, Section Two, for an angle point of the tract herein described;

THENCE, continuing in a southerly direction along the proposed corporate limit line of the City of Austin, into the present right-of-way of Lyndon Lane, along a southerly line of said 66.42 acre M.U.D. tract, being the easterly line of said 1,560 square foot strip, common in part with the westerly line of said 0.206 acre strip to a point on the old northerly right-of-way of Lyndon Lane, at the southeast corner of said 1,560 square foot strip and the southwest corner of said 0.206 acre strip, same being an outside ell corner of said 66.42 acre M.U.D. tract, for an inside ell corner of the tract herein described;

THENCE, in an easterly direction along the proposed corporate limit line of the City of Austin, being the southerly line of said 66.42 acre and the southerly line of said 0.206 acre strip of land and the old northerly right-of-way line of Lyndon Road to a point at the southeast corner of said 0.206 acre strip of land and said 66.42 acre M.U.D. tract, same being the southwest corner of Lot 4, Block C, Ganzert Park 1, a subdivision of record in Cabinet F, Slides 47-48 of the Plat Records of Williamson County, Texas, for an inside ell corner of the tract herein described;

THENCE, in a northerly direction the proposed corporate limit line of the City of Austin, being the easterly line of said 66.42 acre M.U.D. tract and the easterly line of said 0.206 acre strip and Lot 1, Block A of said Clear Creek Addition, common in part with the westerly line of said Lot 4, Block C, Ganzert Park 1 to a point on the southerly line of Lot 5, Block A, Jefferson Center Subdivision, a subdivision of record in Cabinet T, Slides 107-109 of the Plat Records of Williamson County, Texas, same being the northeast corner of said Lot 1, Block A, Clear Creek Addition, same being the northwest corner of said Lot 4, Block C, Ganzert Park 1, for an outside ell corner of the tract herein described;

THENCE, in a southeasterly, southerly, northerly, southeasterly, southerly and southeasterly direction along the proposed corporate limit line of the City of Austin, being the southerly line of said Lot 5, Block A, Jefferson Center Subdivision, common in part with the northerly line of said Ganzert Park 1, to a point on the westerly line of a called 21.271 acre tract of land conveyed to Williamson County, Texas by deed recorded in Document No. 2004027021 of the Official Public Records of Williamson County, Texas, same being the most southerly southeast corner of said Lot 5, Block A, Jefferson Center Subdivision and the northeast

corner of Lot 11, Block B of said Ganzert Park 1 for the most easterly northeast corner of the tract herein described;

THENCE, in a southerly direction along the proposed corporate limit line of the City of Austin, being the easterly line of said Ganzert Park 1, common in part with the westerly line of said 21.271 acre tract and Lot 92, Block A, Milwood Section Forty-A, a subdivision of record in Cabinet P, Slides 167-170 of the Plat Records of Williamson County, Texas to a point on the present northwesterly right-of-way line of Anderson Mill Road, at the southeast corner of Lot 1, Block B of said Ganzert Park 1, same being the southwest corner of said Lot 92, Block A, Milwood Section Forty-A, for the most northerly southeast corner of the tract herein described;

THENCE, in a southwesterly direction along the proposed corporate limit line of the City of Austin, being the present northwesterly right-of-way line of Anderson Mill Road, common in part with the southeasterly line of said Ganzert Park 1, the remaining portion of a called 2 acre tract of land conveyed to E. G. and Cliffie Fredrickson by deed recorded in Volume 446, Page 120 of the Deed Records of Williamson County, Texas and the remaining portion of a called 3.004 acre tract of land conveyed to Foss M. and Paula B. Featherston by deed recorded in Document No. 9647618 of the Official Records of Williamson County, Texas to a point at the intersection of the northwesterly right-of-way line of Anderson Mill Road and the northwesterly prolongation of the northeasterly line of Vance Naumann Subdivision, a subdivision of record in Cabinet D, Slide 154 of the Plat Records of Williamson County, Texas and the southwesterly line of Robinson Park Subdivision, a subdivision of record in Cabinet Q, Slides 234-236 of the Plat Records of Williamson County, Texas, for an inside ell corner of the tract herein described;

THENCE, in a southeasterly direction along the proposed corporate limit line of the City of Austin, crossing Anderson Mill Road with said prolonged line to a point on the present southeasterly right-of-way line of Anderson Mill Road, same being the north corner of the remaining portion of Tract 1 of said Vance Naumann Subdivision and the northwest corner of Lot 1, Block A of said Robinson Park Subdivision;

THENCE, continuing in a southeasterly direction along the proposed corporate limit line of the City of Austin, being the northeasterly line of the remaining portion of said Tract 1 of said Vance Naumann Subdivision, Lot 1, Stanzel Brothers Subdivision, a subdivision of record in Cabinet R, Slides 135-137 of the Plat Records of Williamson County, Texas, The Estates at Hunter's Chase Section One, a subdivision of record in Document No. 2000023215 of the Plat Records of Williamson County, Texas and The Estates at Hunter's Chase Section Two, a subdivision of record in Document No.



2000023216 of the Plat Records of Williamson County, Texas, common in part with the southwesterly line of said 0.489 acre strip, said Robinson Park Subdivision, Milwood Section Thirty-Eight B, a subdivision of record in Cabinet K, Slides 168-170 of the Plat Records of Williamson County, Texas and Milwood Section Thirty-Eight A, a subdivision of record in Cabinet K, Slides 129-131 of the Plat Records of Williamson County, Texas, to a point at the north corner of a called 188.138 acre tract of land annexed by Springwoods Municipal Utility District and described in Exhibit "A" and Exhibit "B-4" by Resolution No. 81-0403-1, recorded in Volume 839, Page 250 and Volume 854, Page 433 of the Deed Records of Williamson County, Texas, same being the northeast corner of Lot 2, Block P, Hunter's Chase Section Seven, Amended, a subdivision of record in Cabinet I, Slides 120-122 of the Plat Records of Williamson County, Texas, for the most southerly southeast corner of the tract herein described;

THENCE, in a southwesterly direction along the proposed corporate limit line of the City of Austin, being the northwesterly line of said 188.138 acre M.U.D. tract and the northwesterly line of said Hunter's Chase Section Seven, Amended, Hunter's Chase Section Five, Amended, a subdivision of record in Cabinet I, Slides 123-126 of the Plat Records of Williamson County, Texas, Hunter's Chase Section Four, a subdivision of record in Cabinet F, Slides 11-12 of the Plat Records of Williamson County, Texas and Hunter's Chase Section Two, a subdivision of record in Cabinet E, Slides 76-77 of the Plat Records of Williamson County, Texas, common in part with the southeasterly line of said The Estates at Hunter's Chase Section Two, Amended Plat of Lots 17 and 18, Block B, The Estates of Hunter's Chase Section One, a subdivision of record in Cabinet T, Slide 340 of the Plat Records of Williamson County, Texas, said The Estates at Hunter's Chase Section One, a called 11.10 acre tract of land conveyed to the Round Rock Independent School District by deed recorded in Volume 1303, Page 279 of the Official Records of Williamson County, Texas, a called 28.213 acre tract of land referred to as "Tract 2", conveyed to the Round Rock Independent School District by deed recorded in Volume 1222, Page 796 of the Official Records of Williamson County, Texas, a called 12.551 acre tract of land referred to as "Tract 1", conveyed to the Round Rock Independent School District by deed recorded in Volume 1222, Page 796 of the Official Records of Williamson County, Texas and a called 4.998 acre tract of land conveyed to the Round Rock Independent School District by deed recorded in Volume 2087, Page 231 of the Official Records of Williamson County, Texas, to a point at the easterly corner of a called 70.41 acre tract of land annexed by Springwoods Municipal Utility District and described in Exhibit "B-1" by Resolution No. 81-0403-1, recorded in Volume 839, Page 250 and Volume 854, Page 433 of the Deed Records of Williamson County, Texas, same being the southwest corner of said 4.998 acre tract, the

northwest corner of Lot 32, Block F of said Hunter's Chase Section Two and the northerly common corner of Lots 30 and 31, Block F, Hunter's Chase Section Six, a subdivision of record in Cabinet L, Slides 93-96 of the Plat Records of Williamson County, Texas, for the southwest corner of the tract herein described;

THENCE, in a northwesterly direction along the proposed corporate limit line of the City of Austin, being the northeasterly line of said 70.41 acre M.U.D. tract and the northeasterly line of said Lot 30, Block F, Hunter's Chase Section Six, the remaining portion of a called 5.243 acre tract of land conveyed to Emile Jamail by deed recorded in Volume 921, Page 933 of the Deed Records of Williamson County, Texas, Lot 1, Block K, Springwoods I-B, a subdivision of record in Cabinet E, Slide 226 of the Plat Records of Williamson County, Texas, Springwoods Sec. I-A Amended 1981, a subdivision of record in Cabinet E, Slides 31-32 of the Plat Records of Williamson County, Texas and Springwoods Sec. One, a subdivision of record in Cabinet D, Slides 39-40 of the Plat Records of Williamson County, Texas, common in part with the southwesterly line of said 4.998 acre tract and Lot 1, Block A, Replat of Deer Park/Live Oak/Dominique Section Two, a subdivision of record in Cabinet EE, Slides 111-113 of the Plat Records of Williamson County, Texas, to a point on the present southeasterly right-of-way line of Anderson Mill Road, at the northeast corner of said 70.41 acre M.U.D. tract, same being the northwest corner of said Lot 1, Block A, Replat of Deer Park/Live Oak/Dominique Section Two and the northeast corner of Lot 176, Block F of said Springwoods Sec. One, for an inside ell corner of the tract herein described;

THENCE, in a southwesterly direction along the proposed corporate limit line of the City of Austin, being the present southeasterly right-of-way line of Anderson Mill Road and the most northerly northwest line of said 70.41 acre M.U.D. tract, common in part with the most northerly northwest line of said Springwoods Sec. One to a point on the northeasterly line of a called 0.3251 acre strip of land dedicated for right-of-way by plat for Springwoods Park II Subdivision, a subdivision of record in Cabinet N, Slides 155-156 of the Plat Records of Williamson County, Texas at the northwest corner of Lot 186, Block E of said Springwoods Sec. One, same being an outside ell corner of said 70.41 acre M.U.D. tract, for an inside ell corner of the tract herein described;

THENCE, in a southeasterly direction along the proposed corporate limit line of the City of Austin, being a westerly line of said 70.41 acre M.U.D. tract and an easterly line of said Springwoods Sec. One, common in part with the northeasterly line of said 0.3251 acre strip and Lot 1, Block A of said Springwoods Park II Subdivision to a point on the northwesterly line of Lot 100, Block C of said Springwoods

Sec. One, same being the southeast corner of said Lot 1, Block A, Springwoods Park II Subdivision and the southwest corner of Lot 98, Block C of said Springwoods Sec. One, for an outside ell corner of the tract herein described;

THENCE, in a southwesterly direction along the proposed corporate limit line of the City of Austin, being a northerly line of said 70.41 acre M.U.D. tract and the most westerly northwest line of said Springwoods Sec. One, common in part with the southeasterly line of said Lot 1, Block A, Springwoods Park II Subdivision to a point at the southeast corner of a called 8.178 acre tract of land annexed by Springwoods Municipal Utility District and described in Exhibit "A" by Order No. 91-0403-1, recorded in Volume 2010, Page 971 of the Official Records of Williamson County, Texas, same being the southeast corner of Lot 1, Block A, Springwoods Park, a subdivision of record in Cabinet J, Slides 357-358 of the Plat Records of Williamson County, Texas and the southwest corner of said Lot 1, Block A, Springwoods Park II Subdivision, for and outside ell corner of the tract herein described;

THENCE, in a northwesterly direction along the proposed corporate limit line of the City of Austin, being an easterly line of said 8.178 acre M.U.D. tract and the northeasterly line of said Lot 1, Block A, Springwoods Park, common in part with the southwesterly line of said Lot 1, Block A, Springwoods Park II Subdivision to a point on the present southeasterly right-of-way line of Anderson Mill Road, at the southwest corner of said 0.3251 acre strip and the northeast corner of a called 0.425 acre strip of land dedicated for right-of-way by plat for said Springwoods Park;

THENCE, continuing in a northwesterly direction along the proposed corporate limit line of the City of Austin, into the present right-of-way of Anderson Mill Road, being the northeasterly line of said 8.178 acre M.U.D. tract and the northeasterly line of said 0.425 acre strip, common in part with the southwesterly line of said 0.3251 acre strip to a point on the old southeasterly right-of-way line of Anderson Mill Road, at the northeast corner of said 0.425 acre strip and the west corner of said 0.3251 acre strip, same being the northwest corner of said 8.178 acre M.U.D. tract, for an inside ell corner of the tract herein described;

THENCE, in a southwesterly direction along the proposed corporate limit line of the City of Austin, being the northwesterly line of said 8.178 acre M.U.D. tract and said 0.425 acre strip, common in part with the old southeasterly right-of-way line of Anderson Mill Road to a point at the northwest corner of said 8.178 acre M.U.D. tract, same being the northwest corner of said 0.425 acre strip and the original northwest corner of a called 4.358 acre tract of land conveyed to Merner Land Company by deed recorded in Volume 2312, Page 953 of the Official Records of Williamson

County, Texas, for an inside ell corner of the tract herein described;

THENCE, in a southeasterly direction along the proposed corporate limit line of the City of Austin, being the southwesterly line of said 8.178 acre M.U.D. tract and the southwesterly line of said 0.425 acre strip, common in part with the northeasterly line of said 4.358 acre tract to a point on the present southeasterly right-of-way of Anderson Mill Road and at an angle point in the present corporate limit line of the City of Austin as adopted by Ordinance No. 20051201-022 (Case No. C7a-05-014), same being the northwest corner of the remaining portion of said 4.358 acre tract, for an outside ell of the tract herein described;

THENCE, in a southwesterly direction along the present corporate limit line of the City of Austin as adopted by Ordinance No. 20051201-022 (Case No. C7a-05-014), being the southeasterly present right-of-way of Anderson Mill Road, common in part with the northwesterly line of the remaining portion of said 4.358 acre tract to an angle point in said corporate limit line for an outside ell corner of the tract herein described;

THENCE, in a northwesterly direction along the present corporate limit line of the City of Austin as adopted by Ordinance No. 20051201-022 (Case No. C7a-05-014), crossing Anderson Mill Road, to a point on the northwesterly present right-of-way line of Anderson Mill Road, same being the southwest corner of Lot 1, Block A, Williamson County Fire District No. 1 Subdivision, a subdivision of record in Cabinet K, Slides 33-34 of the Plat Records of Williamson County, Texas, for the most westerly corner of the tract herein described;

THENCE, in a northeasterly direction along the proposed corporate limit line of the City of Austin, being the present northwesterly right-of-way line of Anderson Mill Road, common in part with the southeast line of said Williamson County Fire District No. 1 Subdivision, the remaining portion of a called 2.31 acre tract conveyed to Winn Auto Parts, Inc. by deed recorded in Volume 1583, Page 836 of the Official Records of Williamson County, Texas, the remaining portions of a called 1.123 acre tract of land described in Exhibit "A", a called 0.514 acre tract of land described in Exhibit "B" and a called 0.5 acre tract of land conveyed to The Pryor Living Trust by deed recorded in Document No. 2001069657 of the Official Public Records of Williamson County, Texas, Saba Center, a subdivision of record in Cabinet BB, Slides 377-378 of the Plat Records of Williamson County, Texas, Timberwood Subdivision, a subdivision of record in Cabinet L, Slides 173-175 of the Plat Records of Williamson County, Texas, Michael D. Long Subdivision, a subdivision of record in Cabinet EE, Slides 60-61 of the Plat

Records of Williamson County, Texas, a called 0.87 acre tract of land conveyed to ERSR Properties, LLC by deed recorded in Document No. 2006113331 of the Official Public Records of Williamson County, Texas to a point on the westerly line of Lot F, Forest North Estates, Phase One, a subdivision of record in Cabinet B, Slides 240-241 of the Plat Records of Williamson County, Texas;

THENCE, continuing in a northeasterly direction along the proposed corporate limit line of the City of Austin, being the northwesterly present right-of-way line of Anderson Mill Road, crossing through said Forest North Estates, Phase One, to a point on the northeasterly line of Lot 9 of said Forest North Estates, Phase One, same being the southwesterly line of the aforementioned 98.93 acre M.U.D. tract and Lot 1, Block A, Springwoods II-C, a subdivision of record in Cabinet E, Slides 97-98 of the Plat Records of Williamson County, Texas, for an outside ell corner of the tract herein described;

THENCE, in a southeasterly direction along the proposed corporate limit line of the City of Austin, being the northeasterly line of said Forest North Estates, common in part with the southwesterly line of said 98.93 acre M.U.D. tract and said Springwoods II-C, to a point on the old northwesterly right-of-way of Anderson Mill Road, being the southwest corner of said 98.93 acre M.U.D. tract, same being southeast corner of a strip of land dedicated for right-of-way by plat for said Forest North Estates and the southwest corner of a strip of land dedicated for right-of-way by plat for Springwoods II-C, for an inside ell corner of the tract herein described;

THENCE, in a northeasterly direction along the proposed corporate limit line of the City of Austin, being the northwesterly old right-of-way line of Anderson Mill Road and the southeasterly line of said 98.93 acre M.U.D. tract and strips of land dedicated for right-of-way by said Springwoods II-C, Springwoods II-D, a subdivision of record in Cabinet E, Slide 99 of the Plat Records of Williamson County, Texas, Springwoods II-F, a subdivision of record in Cabinet E, Slide 127 of the Plat Records of Williamson County, Texas and Springwoods II-A Revised 1981, a subdivision of record in Cabinet E, Slides 59-60 of the Plat Records of Williamson County, Texas, to the POINT OF BEGINNING.

#### TRACT TWO

BEGINNING at a point on the present corporate limit line of the City of Austin as adopted by Ordinance No. 20051201-022

(Case No. C7a-05-014), being the present northeasterly right-of-way line of Pond Springs Road, at the west corner of Lot 37, Turtle Rock Estates, a subdivision of record in Cabinet E, Slides 347-348 of the Plat Records of Williamson County, Texas, same being the south corner of a cemetery tract called 1/4 acres and referred to as "excepted" from the conveyance of a 135 acre tract of land to D. J. Green by deed recorded in Volume 140, Page 316 of the Deed Records of Williamson County, Texas, for the northwest corner of the tract herein described;

THENCE, in a northeasterly direction along the along the proposed corporate limit line of the City of Austin, being the northwesterly line of said Turtle Rock Estates, common in part with the southeast line of said cemetery tract, to a point at an outside ell corner of a called 70.41 acre tract of land annexed by Springwoods Municipal Utility District and described in Exhibit "B-1" by Resolution No. 81-0403-1, recorded in Volume 839, Page 250 and Volume 854, Page 433 of the Deed Records of Williamson County, Texas, same being the southeast corner of said cemetery tract;

THENCE, continuing in a northeasterly direction along the proposed corporate limit line of the City of Austin, being a southerly line of said 70.41 acre M.U.D. tract and the southeast line of Springwoods Sec. One, a subdivision of record in Cabinet D, Slides 39-40 of the Plat Records of Williamson County, Texas, common in part with the northwest line of said Turtle Rock Estates, to a point at an inside ell corner of said 70.41 acre M.U.D. tract, same being the southeast corner of Lot 10, Block A of said Springwoods Sec. One, the north common corner of Lots 23 and 24 of said Turtle Rock Estates and the west corner of Lot 12, Block A, Springwoods Sec. I-A Amended 1981, a subdivision of record in Cabinet E, Slides 31-32 of the Plat Records of Williamson County, Texas, for the northeast corner of the tract herein described;

THENCE, in a southeasterly direction along the proposed corporate limit line of the City of Austin, being a westerly line of said 70.41 acre M.U.D. tract and the a southwesterly line of said Springwoods Sec. I-A Amended 1981, the remaining portion of a called 5.243 acre tract of land conveyed to Emile Jamail by deed recorded in Volume 921, Page 933 of the Deed Records of Williamson County, Texas and Hunter's Chase Section Six, a subdivision of record in Cabinet L, Slides 93-96 of the Plat Records of Williamson County, Texas common in part with the northeast line of said Turtle Rock Estates, to a point on the most westerly northwest line of a called 188.138 acre tract of land annexed by Springwoods Municipal Utility District and described in Exhibit "A" and Exhibit "B-4" by Resolution No. 81-0403-1, recorded in Volume 839, Page 250 and Volume 854, Page 433 of the Deed Records of Williamson County, Texas, at the most southerly corner of

said 70.41 acre M.U.D. tract, same being the common corner of Lots 11, 13 and 14, Block F of said Hunter's Chase Section Six and the most easterly corner of Lot 16 of said Turtle Rock Estates, for the southeasterly corner of the tract herein described;

THENCE, in a southwesterly direction along the proposed corporate limit line of the City of Austin, being the most westerly northwest line of said 188.138 acre M.U.D. tract and the most westerly northwest line of said Hunter's Chase Section Six, common in part with the southeast line of said Turtle Rock Estates, to a point on present corporate limit line of the City of Austin as adopted by Ordinance No. 20051201-022 (Case No. C7a-05-014), at the northwest corner of said 188.138 acre M.U.D. tract, same being the north corner of a 20.28 acre tract of land annexed by Springwoods Municipal Utility District and described in Exhibit 'A' by Resolution No. 83-0831-2, recorded in Volume 938, Page 441 of the Deed Records of Williamson County, Texas and the north corner of Lot 1, Block A, Hunter's Point, a subdivision of record in Cabinet G, Slides 209-210 of the Plat Records of Williamson County, Texas;

THENCE, continuing in a southwesterly direction along the present corporate limit line of the City of Austin as adopted by Ordinance No. 20051201-022 (Case No. C7a-05-014), being the northwesterly line of said Lot 1, Block A, Hunter's Point and a called 1.84 acre tract of land conveyed to 13125 Pond Springs, Inc. by deed recorded in Document No. 9919338 of the Official Records of Williamson County, Texas, common in part with the southeast line of said Turtle Rock Estates, to a point at the easterly common corner of Lots 5 and 6 of said Turtle Rock Estates, for the southwest corner of the tract herein described;

THENCE, in a northwesterly direction along the present corporate limit line of the City of Austin as adopted by Ordinance No. 20051201-022 (Case No. C7a-05-014), being the common line of Lots 5 and 6, to a point on the southeast right-of-way line of Turtle Rock Road, at the westerly common corner of Lots 5 and 6 of said Turtle Rock Estates;

THENCE, continuing in a northwesterly direction along the present corporate limit line of the City of Austin as adopted by Ordinance No. 20051201-022 (Case No. C7a-05-014), crossing Turtle Rock Road to a point on the northwest right-of-way line of Turtle Rock Road, at the common corner of Lots 4 and 51 of said Turtle Rock Estates;

THENCE, continuing in a northwesterly direction along the present corporate limit line of the City of Austin as adopted by Ordinance No. 20051201-022 (Case No. C7a-05-014), being the southwesterly lines of Lots 51, 50, 49, 48, 47, 46, 45 and 44 of said Turtle Rock Estates, common in part with the

northeast line of Lots 4, 3, 2 and 1 of said Turtle Rock Estates, to a point at the northeast corner of said Lot 1, same being the southeast corner of Lot 42 of said Turtle Rock Estates, for an inside ell corner of the tract herein described;

THENCE, in a southwesterly direction along the present corporate limit line of the City of Austin as adopted by Ordinance No. 20051201-022 (Case No. C7a-05-014), being the northwest line of said Lot 1, common in part with the southeast line of Lots 42, 41, 40, 39 and 38 of said Turtle Rock Estates, to a point on the northeasterly right-of-way line of Pond Springs Road, at the southwest corner of said Lot 38, same being the northwest corner of said Lot 1, for an outside ell corner of the tract herein described;

THENCE, in a northwesterly direction along the present corporate limit line of the City of Austin as adopted by Ordinance No. 20051201-022 (Case No. C7a-05-014), being the northeasterly right-of-way of Pond Springs Road, common in part with the most westerly southwest line of said Turtle Rock Estates to the POINT OF BEGINNING.

"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  
08/20/2010

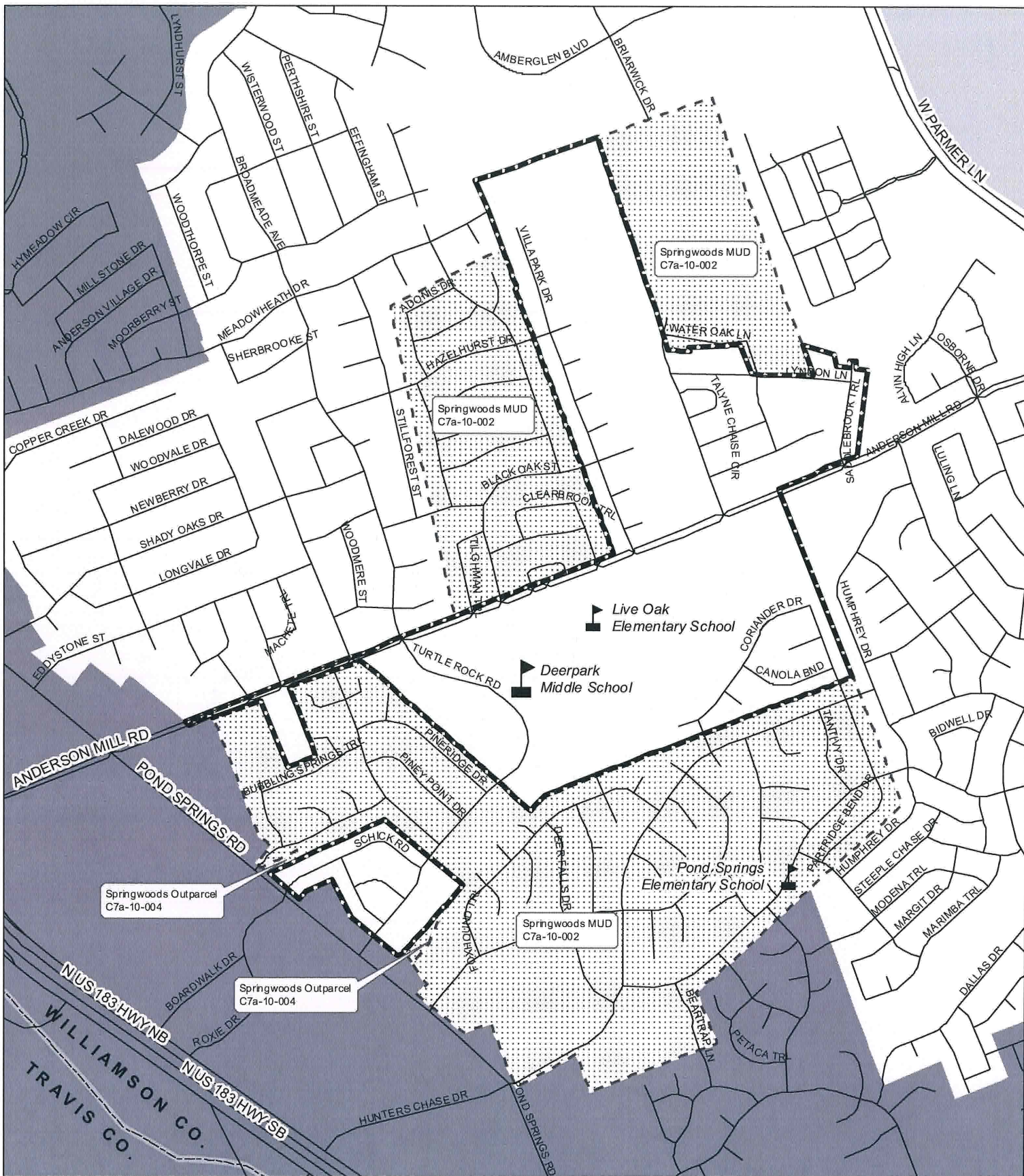
*Mary P. Hawkins 8/23/10*

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

REFERENCES

WCAD MAP 4-7408, 4-7418, 4-8208 & 4-8218  
Austin Grid G-37, G-38, G-39, H-37, H-38 & H-39





# **Springwoods Non-MUD Municipal Annexation Plan Area C7a-10-001**

0 500 1,000 2,000 Feet

## **Legend**

- Springwoods Municipal Annexation Plan Area
- Other Planned Annexation

## **Current Jurisdiction**

- Austin Full Purpose
- Austin Limited Purpose
- Austin ETJ

- Street
- County Line



City of Austin PDRD  
J. Chuter  
September 1, 2010



## **EXHIBIT B**



### **CITY OF AUSTIN ANNEXATION SERVICE PLAN**

**Case Name:** Springwoods Non-MUD

**Case Number:** C7a-10-001

**Date:** May 29, 2009

#### **INTRODUCTION**

This Service Plan ("Plan") is made by the City of Austin, Texas ("City") pursuant to Chapter 43 of the Texas Local Government Code. This Plan relates to the annexation to the City of land ("annexation area") known as the Springwoods Non-MUD Area. The annexation area includes approximately 354 acres located in Williamson County between Pond Springs Road and Parmer Lane on the north and south sides of Anderson Mill Road. This area currently located in the city's extraterritorial jurisdiction ("ETJ") and is adjacent to the full purpose city limits to the west along Pond Springs Road and Springwoods Municipal Utility District ("MUD") to the north, south, east, and west.

The Springwoods MUD will be annexed effective 12/31/10 in accordance with a Strategic Partnership Agreement. Due to its geographic interconnection with this Non-MUD area, the two should be annexed at the same time. Land uses in this area include both single-family and multi-family residential, commercial, open space, and civic. The annexation area is described by metes and bounds in Exhibit A, which is attached to this Plan and to the annexation ordinance of which this Plan is a part. The annexation area is also shown on the map in Exhibit A.

#### **EFFECTIVE TERM**

This Plan shall be in effect for a ten-year period commencing on the effective date of the annexation, unless otherwise stated in this Plan. Renewal of the Plan shall be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council, which refers to this Plan and specifically renews this Plan for a stated period of time.

#### **INTENT**

It is the intent of the City of Austin that services under this Plan shall provide full municipal services as required and defined by the Texas Local Government Code.

The City reserves the right guaranteed to it by the Texas Local Government Code, to amend this Plan if the City Council determines that changed conditions or subsequent occurrence or any other legally sufficient circumstances exist under the Local Government Code, or other Texas laws to make this Plan unworkable or obsolete or unlawful.

## SERVICE COMPONENTS

In General. This Plan includes three service components: (1) the Early Action Program, (2) Additional Services, and (3) a Capital Improvement Program.

As used in this Plan, providing services includes having services provided by any method or means by which the City extends municipal services to any other area of the City. This may include causing or allowing private utilities, governmental entities and other public service organizations to provide such services by contract, in whole or in part. It may also include separate agreements with associations or similar entities.

### 1. EARLY ACTION PROGRAM

The following services will be provided in the annexation area commencing on the effective date of the annexation, unless otherwise noted.

- a. Police Protection. The Austin Police Department (“APD”) will provide protection and law enforcement services in the annexation area. These services include:
- normal patrols and responses;
  - handling of complaints and incident reports;
  - special units, such as, traffic enforcement, criminal investigations, narcotics, gang suppression, and special weapons and tactics team.

County boundaries are unaffected by annexation and cooperation between APD and the Williamson County Sheriff’s Office will continue after annexation.

- b. Fire Protection. The Austin Fire Department (“AFD”) will provide emergency and fire prevention services in the annexation area. These services include:
- Fire suppression and rescue;
  - Emergency medical services first response for Austin Emergency Medical Services Department on life threatening medical emergencies;
  - Hazardous materials mitigation and regulation;
  - Emergency prevention and public education efforts;
  - Dive rescue;
  - Technical rescue;
  - Aircraft/rescue/firefighting;
  - Construction plan review;
  - Inspections; and
  - Rescue/hazardous materials unit.

AFD serves as the first responder on life threatening emergencies for Austin EMS. All AFD personnel are certified at an Emergency Medical Technician (“EMT”) level or higher. All engines (pumpers), ladder trucks, and rescue units carry Automatic External Defibrillators for use with heart attack victims.

- c. Emergency Medical Service The City of Austin/Travis County Emergency Medical Services (“EMS”) Department will provide emergency medical services in the annexation area.

Austin/Travis County EMS will provide the following emergency and safety services to the annexation area:

- Emergency dispatch, pre-arrival First Aid instructions and coordination of other public safety support agencies;
- Emergency paramedic ambulance response; and
- Medical rescue services.

Austin/Travis County EMS is a mobile service provider, with units constantly moving throughout the system area. An ambulance is frequently dispatched from a location outside the station.

The Austin Fire Department will provide emergency medical first response to all patients in a life-threatening situation. All Austin Fire Department personnel are certified at the Emergency Medical Technician (EMT) level or higher and assist EMS personnel providing patient care.

- d. Solid Waste Collection. The Austin Solid Waste Services Department will provide services in the area unless private service is used in accordance with the requirements set forth below. Services will be provided by City personnel or by solid waste service providers under contract with the City. Services currently provided in the City for single family residences, including duplex, triplex and fourplex dwelling units, include:

- garbage collection – scheduled cart collection in accordance with City Pay-As-You-Throw guidelines;
- recycling collection – scheduled curbside collection , materials collected include newspaper, magazines, catalogs, junk mail, corrugated cardboard, boxboard, aerosol, tin, steel and aluminum cans, glass bottles and jars, plastic bottles (#1 through #7); and
- yard trimmings collection – scheduled residential collection in paper bags or reusable containers.

Commercial garbage collection service for businesses is available on a subscription basis from the City or private service providers.

For the first two years following annexation, residents who lived in the area prior to the effective date of the annexation may continue to utilize the services of privately owned solid waste providers in accordance with provisions of the Texas Local Government Code.

For up to but no longer than 5 years after the effective date of annexation, residential garbage and recycling collection within the platted areas north of Anderson Mill Road within the annexation area, including Northwest Woods, Clear Creek Addition Section Two, Bailey Oaks, Jolly Oaks Phase 2, Wayne Smith Estates, and Ganzert Park I subdivisions, may be provided to individuals through a contract with a private service provider if a contract is approved by the Director of the City’s Solid Waste Services Department prior to 12/01/2010. The contract must include the following:

- (1) Clear identification of the neighborhood group or representatives entering into the contract – the neighborhood entity (e.g., homeowners' association, neighborhood association, or addresses within the boundaries of a map) must be clearly defined in the contract. All residents within the identified boundaries must agree to utilize the contracted hauler service for the length of the contract. The neighborhood representative(s) signing the contract must have signature/representation authority for all of the identified households. The Director may require the representative(s) to submit information necessary to demonstrate that the contract meets these requirements.
- (2) Services to be performed by the private hauler – The City requires garbage be collected a minimum of once per week within the full purpose jurisdiction. The group can contract for more frequent collection if they wish. Collection of single stream recycling as described in this service plan is also required. Single stream recycling is defined as curbside collection of all recyclable containers and fiber products from a single cart, emptied into a non-compartmentalized truck and processed at a Material Recovery Facility. Additional services (e.g., waste oil collection, bulky item collection, Christmas tree pick-up etc.) may be included in the contract, but are not required.
- (3) Term – the length of the contract, its effective date and termination requirements should be included in the document.

The City will not impose a fee for solid waste and recycling collection services as long as the contract with the private service provider remains in effect. Any property owner who withdraws from the contract may be subject to City solid waste and recycling fees. The City may collect anti-litter fees throughout the annexation area consistent with City policy.

- e. Maintenance of Water and Wastewater Facilities. Water and wastewater service will be provided to areas that are not within the certificated service area of another utility through existing facilities located within or adjacent to the area. The facilities will be maintained and operated by the City's Austin Water Utility as governed by standard policies and procedures, and under the provisions of the attached City service extension policy.

The Austin Water Utility has asbestos cement water lines currently in use throughout the system. Although the Utility is no longer installing this type of line, there is no program to systematically remove them. If asbestos cement water lines are in need of repair, the leaking section will be removed as an intact section (joint), without cutting the pipe. This prevents or minimizes release of any asbestos in a friable state. The length of the joint removed is replaced using either PVC or DI pipe.

- f. Maintenance of Roads and Streets, Including Street Lighting. The Street and Bridge Division of the Transportation and Public Works Department will maintain public streets over which the City has jurisdiction. These services include:
- Emergency pavement repair;
  - Ice and snow monitoring of major thoroughfares;
  - Street maintenance. Maintenance activities include crack seal, sealcoat, slurry seal, and PM overlay.



- Repair maintenance of public streets on an as-needed basis. Repair maintenance operations include pothole repair, filling depressions (level up), spot surface replacement, spot full-depth repair, and utility cut repairs.

The area is fully developed with existing residential streets. Any necessary street or bridge rehabilitation or reconstruction will be considered on a City-wide priority basis. The existing streets are performing adequately to serve the area at a comparable level of service to other City of Austin residential areas. Streets that have been dedicated and accepted for maintenance will be included in the city's preventative maintenance program. Preventative maintenance projects are prioritized on a City-wide basis and scheduled based on a variety of factors, including surface condition (distresses), rideability (smoothness), age, traffic volume, functional classification, and available funding.

If necessary, the Transportation Division of the Transportation and Public Works Department will also provide regulatory signage services in the annexation area. Traffic signal, stop, and all other regulatory studies are conducted in conjunction with growth of traffic volumes. All regulatory signs and signals are installed when warranted following an engineering study. Faded, vandalized, or missing signs are replaced as needed. "CALL BACK" service provided 24 hours a day, 365 days a year for emergency repair of critical regulatory signs.

Following annexation, Villa Park Drive, Morris Road, and Saddlebrook Trail will be added to the traffic calming request database.

Street lighting will be maintained in accordance with state law.

- g. Maintenance of Parks, Playgrounds, and Swimming Pools. At this time there are no public recreation facilities in the area.

Recreational facilities and area amenities, including parks, pools, and medians, that are privately owned, maintained, or operated will be unaffected by the annexation.

- h. Maintenance of Any Other Publicly-Owned Facility, Building, or Service. Should the City acquire any other facilities, buildings, or services necessary for municipal services located within the annexation area, an appropriate City department will provide maintenance services for them.

## **2. ADDITIONAL SERVICES**

Certain services, in addition to the above services, will be provided within the annexation area. They are as follows:

- a. Watershed Protection and Development Review Department. The City of Austin's Watershed Protection and Development Review Department will provide drainage maintenance services in the Annexation area. Drainage planning and maintenance are fee-based services. Services currently provided by the department, in accordance with and as limited by applicable codes, laws, ordinances and special agreements, include:

- Water Quality Protection: Environmental Impact Assessments; Aquatic Endangered Species Protection; City Compliance with State and Federal Water Quality Regulations; Pollution Detection, Tracking and Forecasting; Stormwater Quality Education; Stormwater Treatment; Water Quality Education; Pollution Prevention and Reduction.
- Watershed Protection Master Planning for Flood Hazard Mitigation, Streambank Restoration and Erosion Control, and Water Quality Protection
- Land Development Review and Inspection: Land Development Review and Assistance; Environmental Inspection.
- Building Development Regulations: Commercial Building Plan Review; Permit Center; Permit Inspections.
- Flood Hazard Mitigation: Voluntary Floodplain Home Buyout Program; Regional Stormwater Management Evaluation; Creek Flood Hazard Mitigation; Localized Flood Hazard Mitigation; Flood Early Warning System; Floodplain Management.
- Streambank Restoration and Erosion Management: Streambank Restoration and Erosion Management Services.
- Infrastructure and Waterway Maintenance: Creek Vegetation Control; Erosion Repair; Open Waterway Maintenance; Pond Inspection and Maintenance; Storm Drain Cleaning; Storm Drain Rehabilitation; Town Lake Cleanup.

No immediate improvements were identified during service plan negotiations. Within one year following the effective date of annexation, the Watershed Protection and Development Review Department (Watershed Engineering Division) will initiate a study and coordinate with affected property owners to determine possible solutions to pre-existing drainage conditions in two areas (1) Villa Park Drive and adjacent residential streets and (2) Jolly Oaks including Slant Oak Drive, Water Oak Lane, and Lyndon Lane.

- b. Library. Upon annexation residents may utilize all Austin Public Library facilities.
- c. Austin Health and Human Services Department/Travis County Health Department. Upon annexation, the following services will be available from the Department.
- investigation of public health related complaints including foodborne illness, recreational water quality and public swimming pools and spas;
  - enforcement of the City's smoking in public places ordinance and the minor's access to tobacco ordinance;
  - inspection of food establishments, child care facilities;
  - investigation of reported elevated blood lead levels in children;
  - animal services including leash law, pet licensing and rabies control; and
  - rodent and vector control consultation.

Upon annexation, this area will be added to the Health Department's service area for on-going monitoring of mosquitoes for West Nile Virus. By assisting individual property owners, the City will attempt to identify the source of any mosquito problems and remedy with both short-term and long-term solutions.

- d. Austin Energy. Austin Energy will continue to provide electric utility service to all areas which the City is authorized to serve by the Public Utility Commission of Texas.

- e. Anti-litter Services. The Austin Solid Waste Services Department will provide anti-litter services in the annexed area. Anti-litter is a fee-based service. Services currently provided in the City include:
- bulky item collection – twice per year; a notice to customers is provided in advance of the pickup date;
  - large brush collection – twice per year; a notice to customers is provided in advance of the pickup date;
  - street sweeping service – approximately six (6) times per year for streets with curb and gutter;
  - dead animal collection – dead animals are removed from roadways upon request;
  - household hazardous waste drop-off facility – use of facility on regularly scheduled days of operation; and
  - tall weed and grass and litter abatement programs.
- f. Other Services. All other City Departments with jurisdiction in the area will provide services according to City policy and procedure.

City codes protect health, safety, and quality of life of Austin residents. The City will enforce zoning, subdivision, site plan, and building code regulations in the area after annexation in accordance with City ordinances and regulations. Code enforcement is a complaint driven function - residents may report suspected code violations and the matter will be investigated.

Legal, non-conforming land uses as defined in Section 25-2-941 of the City Code and non-complying structures in existence on the date of annexation may continue as provided for by City Code. In accordance with standard policies and procedures, buildings that are under construction with a completed foundation prior to the annexation effective date will not require a building permit.

### **3. CAPITAL IMPROVEMENTS PROGRAM**

The City will initiate the construction of capital improvements necessary for providing municipal services for the annexation area as necessary.

Each component of the Capital Improvement Program is subject to the City providing the related service directly. In the event that the related service is provided through a contract service provider, the capital improvement may not be constructed or acquired by the City but may be provided by the contract provider. The City may also lease buildings in lieu of construction of any necessary buildings.

- a. Police Protection. No capital improvements are necessary at this time to provide police services.
- b. Fire Protection. No capital improvements are necessary at this time to provide fire services.
- c. Emergency Medical Service. No capital improvements are necessary at this time to provide EMS services.



- d. Solid Waste Collection. No capital improvements are necessary at this time to provide solid waste collection services.
- e. Water and Wastewater Facilities. No capital improvements are necessary at this time to provide water service. Capital improvements are necessary to provide wastewater service, which will be designed and constructed in accordance with City standards. The following schedule for the improvements is proposed: on or before the effective date of annexation, the City will commence preliminary engineering leading to construction of wastewater facilities to serve legally subdivided and occupied lots that are using on-site septic tanks. The construction bid phase will begin within one year of the effective date of annexation and construction will be substantially complete within two years of the effective date of annexation.

Water and wastewater services to any new development and subdivisions will be provided according to the standard policies and procedures of the Austin Water Utility, which may require the developer of a new subdivision to install water and wastewater lines. The extension of water and sewer service will be provided in accordance with the attached water and wastewater service extension policy.
- f. Roads and Streets. No road or street related capital improvements are necessary at this time.
- g. Parks, Playgrounds and Swimming Pools. No capital improvements are necessary at this time to provide services.
- h. Watershed Protection and Development Review Department. No capital improvements are necessary at this time to provide services.
- i. Street Lighting. No capital improvements are necessary at this time to provide services. Street lighting in new and existing subdivisions will be installed and maintained in accordance with the applicable standard policies and procedures.
- j. Other Publicly Owned Facilities, Building or Services: Additional Services. In general, other City functions and services, and the additional services described above can be provided for the annexation area by using existing capital improvements. Additional capital improvements are not necessary to provide City services.
- k. Capital Improvements Planning. The annexation area will be included with other territory in connection with planning for new or expanded facilities, functions, and services.

#### **AMENDMENT: GOVERNING LAW**

This Plan may not be amended or repealed except as provided by the Texas Local Government Code or other controlling law. Neither changes in the methods or means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City shall constitute amendments to this Plan, and the City reserves the right to make such changes. This Plan is subject to and shall be interpreted in accordance with the Constitution and laws of the

United States of America and the State of Texas, the Texas Local Government Code, and the orders, rules and regulations of governmental bodies and officers having jurisdiction.

## **FORCE MAJEURE**

In case of an emergency, such as force majeure as that term is defined in this Plan, in which the City is forced to temporarily divert its personnel and resources away from the annexation area for humanitarian purposes or protection of the general public, the City obligates itself to take all reasonable measures to restore services to the annexation area of the level described in this Plan as soon as possible. Force Majeure shall include, but not be limited to, acts of God, acts of the public enemy, war, blockages, insurrection, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrest and restraint of government, explosions, collisions and other inability of the City, whether similar to those enumerated or otherwise, which is not within the control of the City. Unavailability or shortage of funds shall not constitute Force Majeure for purposes of this Plan.

## **SUMMARY OF THE WATER AND WASTEWATER UTILITY SERVICE EXTENSION POLICY**

The following information is a summary of the Austin Water Utility Service Extension Policy, Chapters 25-1 through 25-5 and 25-9 of the 2006 Austin Code of Ordinances, in conformance with the Texas Local Government Code requirement that the Plan have a summary of the service extension policy.

Water and wastewater service is only provided to lots that have been properly subdivided and platted or are a legal lot. For property that is required by subdivision regulations to construct water or wastewater facilities connecting to the City system, funding and construction of those facilities will remain the responsibility of the developer. If the specific undeveloped property does not have City water or wastewater service fronting the property, the owner may make an application for an extension of service to the Director of the Austin Water Utility for review. If the Director determines that adequate capacity is available, or will be, and if the project does not include City cost participation or reimbursement, and if the proposed facilities are a logical extension of the City's water and wastewater system and the requested extension otherwise meets the requirements of Chapter 25-9, the extension size, capacity, and routing may be approved by the Director for funding and construction by the developer.

Depending on the size of the new facilities and other conditions, with City Council approval, the City may reimburse the developer for part of the cost of constructing certain facilities. With City Council approval, the City may cost participate by reimbursing costs associated with the oversize capacity of wastewater mains larger than 8 inches but less than 18 inches in diameter, and of water mains greater than 12 inches but less than 24 inches in diameter. With City Council approval, the City may reimburse to the developer the construction cost of the full capacity of wastewater facilities 18 inches in diameter or larger, and water facilities 24 inches in diameter or larger, as well as other facilities such as reservoirs or pumps. The actual calculation of the cost participation and reimbursement amounts, including limits and the schedules for the payments, are included in the Land Development Code.

For lots that have water or wastewater lines in the street fronting the lot, the owner may receive water or wastewater service by applying for a tap permit and paying any required fees. The new customers will be required to pay the impact fees and all connection fees. However, if the tap is purchased within two years of the completion of the line by the City, the impact fee will be waived.

As long as a property is using a septic system, the property owner remains responsible for the operation and maintenance of the septic system. If the septic system fails before the City sewer service is extended to the property, the property owner must repair the system. Under certain circumstances the Austin/Travis County Health and Human Services Department may require connection to the City sewer facilities. Chapter 366 of the Texas Health and Safety Code, TCEQ Chapter 285, and Chapter 15-5 of the City Code govern proper operation and maintenance of septic systems.

This policy is set by the City Council and can be amended in the future by ordinance.