

3-4-04
#15

ORDINANCE NO.

1 **AN ORDINANCE ANNEXING, FOR FULL PURPOSES, ADDITIONAL**
2 **TERRITORY ADJACENT TO THE CITY LIMITS OF THE CITY OF AUSTIN**
3 **REFERRED TO AS THE "PROSSER ESTATE" AREA, CONSISTING OF**
4 **APPROXIMATELY 22 ACRES OF LAND OUT OF THE SANTIAGO DEL**
5 **VALLE GRANT IN TRAVIS COUNTY, TEXAS; WAIVING ZONING**
6 **APPLICATION FEES; AND APPROVING A SERVICE PLAN.**

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

8
9 **PART 1.** The Council finds that:

- 10 (A) Notice of two public hearings concerning annexation of the territory
11 described in Exhibit A was published in a newspaper of general circulation in
12 the City of Austin and in the area to be annexed; and on the City of Austin
13 internet website.
- 14 (B) The public hearings were held on Thursday, February 5, 2004 at 6:00 p.m.
15 and Thursday, February 12, 2004 at 6:00 p.m. at the Lower Colorado River
16 Authority, Hancock Building, 3700 Lake Austin Boulevard, Austin, Texas.
- 17 (C) The public hearings were concluded after providing an opportunity for all
18 persons present to be heard with respect to the proposed annexation. A
19 proposed Service Plan was made available and explained at the public
20 hearings as required by state law.
- 21 (D) The annexation, for full purposes, of the territory described in Exhibit A
22 serves the interest of the current and future residents of the City of Austin.
- 23 (E) All procedural requirements imposed by state law for the full purpose
24 annexation of the territory described in Exhibit A have been met.

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

29 Two tracts of land, the tract hereinafter described as Tract One containing
30 approximately 21 acres of land out of the Santiago Del Valle Grant in Travis
31 County, Texas, and the tract of land hereinafter described as Tract Two containing

1 approximately 1 acre of land out of the Santiago Del Valle Grant in Travis County,
2 Texas; of which said 22 acres of land, more or less, are more particularly described
3 in Exhibit A.
4

5 **PART 3.** The Service Plan attached as Exhibit B is approved as the Service Plan for the
6 area.
7

8 **PART 4.** The City Council declares that its purpose is to annex to the City of Austin
9 each part of the area described in Exhibit A as provided in this ordinance, whether any
10 other part of the described area is effectively annexed to the City. If this ordinance is
11 held invalid as to any part of the area annexed to the City of Austin, that invalidity does
12 not affect the effectiveness of this ordinance as to the remainder of the area.
13

14 If any area or lands included within the description of the area set out in Exhibit A are:
15 (1) presently part of and included within the general limits of the City of Austin; (2)
16 presently part of and included within the limits of any other city, town, or village; or (3)
17 are not within the jurisdiction or power of the City of Austin to annex, then that area is
18 excluded and excepted from the area annexed.
19

20 **PART 5.** Zoning application fees are waived for property within the annexed area for a
21 period of one year from the effective date of annexation.
22

23 **PART 6.** This ordinance takes effect on _____, 2004.
24

25
26 **PASSED AND APPROVED**
27

28 §
29 §
30 _____, 2004 § _____
31

32 Will Wynn
33 Mayor

34
35 **APPROVED:** _____
36 David Allan Smith
37 City Attorney

ATTEST: _____
Shirley A. Brown
City Clerk