



**Annexation - Conduct and Approve
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

AGENDA ITEM NO.: 22
AGENDA DATE: Thu 05/06/2004
PAGE: 1 of 1

SUBJECT: Approve a resolution consenting to the annexation of approximately 1 acre into River Place MUD (the area adjacent to the 504.9 contour extending eastward to the existing MUD boundary at the end of Big View Drive).

AMOUNT & SOURCE OF FUNDING: N/A

FISCAL NOTE: N/A

REQUESTING Transportation, Planning **DIRECTOR'S**
DEPARTMENT:and Sustainability **AUTHORIZATION:** Austan Librach

FOR MORE INFORMATION CONTACT: Ben Luckens, 974-2695; Sylvia Arzola, 974-6448

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: N/A

River Place MUD has submitted an application requesting the City's consent to the annexation of approximately one acre into River Place MUD.

The one acre tract is part of the proposed two acre two lot Watersedge subdivision (C8J-02-0172.0A) located at the end of Big Valley Drive. The balance of the proposed subdivision (the other acre) is inside the City limits and not proposed for annexation into the MUD.

Due to geographic constraints, the area proposed for annexation into the MUD cannot be annexed by the City independent of the MUD. The MUD has already reached its maximum bonding authorization and no additional bonding authority is being requested.

The area is outside the City's water and wastewater service area.

Staff recommends consent of the annexation subject to the following conditions:

- Update of the MUD land plan in accordance with Art. V of the consent agreement
- Development under current subdivision regulations as opposed to any older regulations authorized in the consent agreement
- Compliance with all other conditions the consent agreement
- No district bond reimbursement for subdivision infrastructure

RESOLUTION NO. 04

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

The City Council hereby consents to the annexation by River Place Municipal Utility District ("MUD") of that certain tract of approximately one acre located in the proposed Watersedge Subdivision at the end of Big Valley Drive as more particularly shown on **EXHIBIT A** attached hereto, subject to the following conditions:

1. all development within the annexed tract will comply with current City of Austin regulations;
2. save and except for Item No. 1 above, all development within the annexed tract will comply with all requirements of the Agreement Concerning Creation and Operation of River Place MUD, as amended;
3. the property owner must agree not to pursue district bond reimbursement for off-site or internal subdivision water, sewer or drainage infrastructure required to develop the annexed tract;
4. the property owner must submit to the MUD and the City for review and approval a proposed revision of the MUD Land Plan to incorporate the annexed tract within the MUD Land Plan in accordance with Article V of the

Consent Agreement;

5. prior to annexation by the MUD, the property owner must file a restrictive covenant acceptable in form and content to the Director of the City's Department of Transportation Planning and Sustainability incorporating the requirements described in Item Numbers 1 through 3 above and indicating that no building permit shall issue for construction on the annexed tract unless and until the property owner is in compliance with Items 1 through 3 above;

6. the City's consent to the proposed annexation shall be effective upon completion of the amendment to the MUD Land Plan described in Item No. 4 above.

ADOPTED: _____, **2004** **ATTEST:** _____
Shirley A. Brown
City Clerk

No. 040704-E
WATER AND WASTEWATER COMMISSION RESOLUTION
THE ANNEXATION OF APPROXIMATELY 1 ACRE INTO RIVER PLACE MUD
April 7, 2004
REGULAR MEETING
VOTE: 8-0-0-1

Motion made by: Warner
Commissioners Consenting: Coleman, Raun, Miller, Lee, Chan, Friese, Pool
Commissioners Dissenting:
Commissioners Abstaining:
Commissioners Absent: Kirfman

The Water and Wastewater Commission recommends the Council authorize execution of a resolution consenting to the annexation of approximately 1 acre into River Place MUD (the area adjacent to the 504.9 contour extending eastward to the existing MUD boundary at the end of Big View Dr.)


Michael Warner, Chairperson
Water and Wastewater Commission


Date