



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

**AGENDA ITEM NO.: 18
AGENDA DATE: Thu 01/26/2006
PAGE: 1 of 1**

SUBJECT: Approve second/third readings of an ordinance to annex the Scarbrough Subdivision Area for the limited purposes of planning and zoning (Approximately 46 acres in Travis County west of the intersection of North IH-35 and Three Points Drive between Bratton Lane and North IH-35.)

AMOUNT & SOURCE OF FUNDING: Limited purpose annexation does not have a significant impact on the general fund.

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

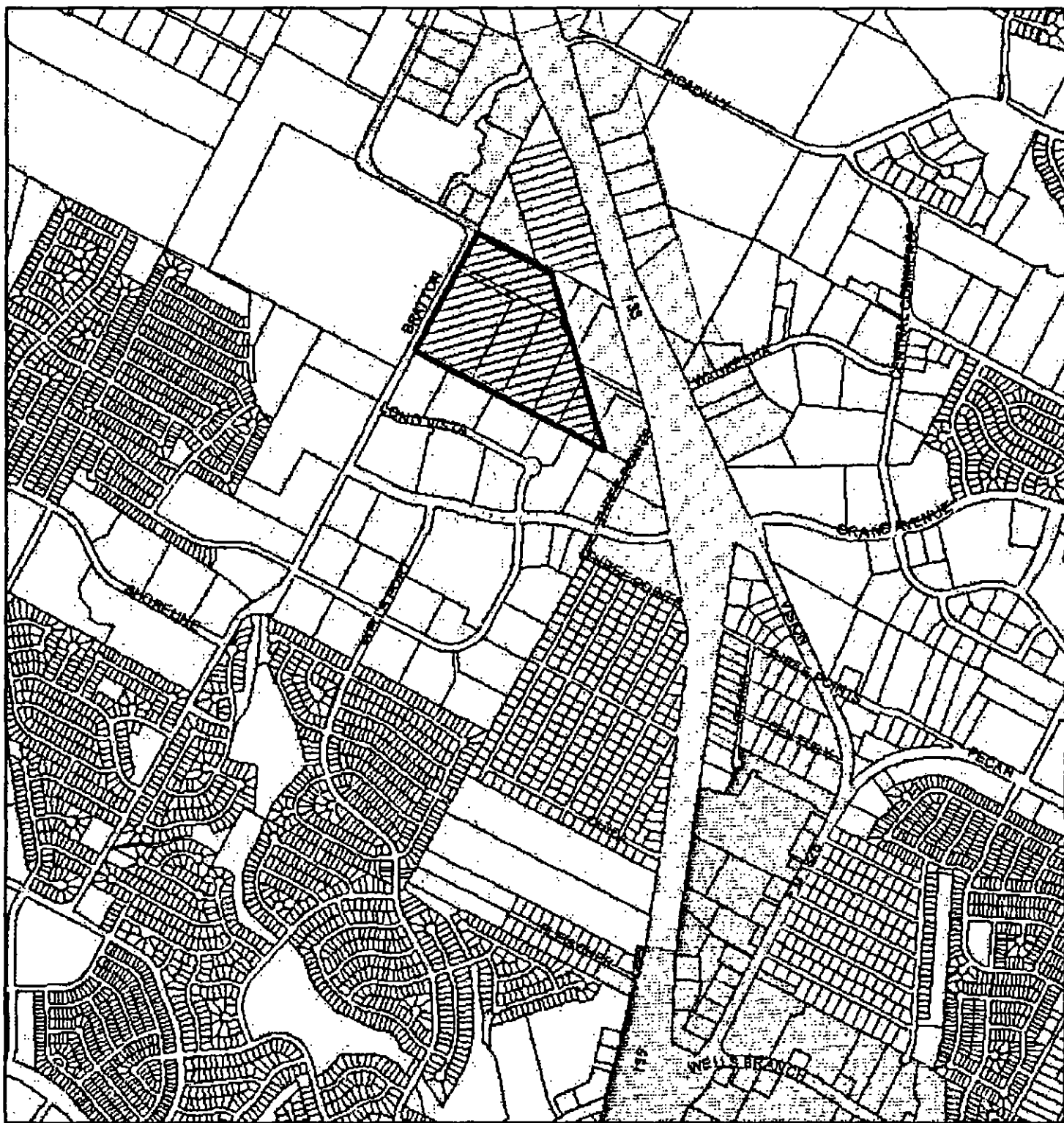
REQUESTING Neighborhood Planning **DIRECTOR'S**
DEPARTMENT:and Zoning **AUTHORIZATION:** Greg Guernsey

FOR MORE INFORMATION CONTACT: Virginia Collier, 974-2022; Jackie Chuter, 974-2613; Sylvia Arzola, 974-6448

PRIOR COUNCIL ACTION: Public hearings held on 10/20/05 and 10/27/05; First reading approved on November 17, 2005.





BOARD AND COMMISSION ACTION: N/A

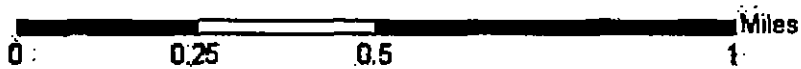
The Scarbrough Subdivision (approximately 46 acres) is located in Travis County west of the intersection of North IH-35 and Three Points Drive between Bratton Lane and North IH-35. It is the site of an approved subdivision (C8-00-2052.0A) that is partially in the city's limited purpose jurisdiction and partially in the city's ETJ. The Scarbrough Subdivision area is being proposed for consensual limited purpose annexation and future conversion to full purpose annexation in accordance with the developer's request for annexation.



**Scarbrough Subdivision Area
Proposed Limited Purpose
Annexation Area
C7L-05-004**

City of Austin
Neighborhood Planning & Zoning Department
September 8, 2005

-  Proposed 2005 Annexation Area
-  Austin Full Purpose
-  Austin Limited Purpose
-  Austin ETJ



ORDINANCE NO.

AN ORDINANCE ANNEXING FOR THE LIMITED PURPOSES OF PLANNING AND ZONING ADDITIONAL TERRITORY ADJACENT TO THE CITY LIMITS OF THE CITY OF AUSTIN, CONSISTING OF APPROXIMATELY 46 ACRES OF LAND OUT OF THE WESLEY DRUMMOND SURVEY NO. 109, LOCATED IN TRAVIS COUNTY, TEXAS, AND REFERRED TO AS THE "SCARBROUGH SUBDIVISION" AREA.

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

PART 1. The Council makes the following findings.

- (A) Notice of two public hearings concerning the limited purpose annexation of the territory described in Exhibit A, referred to as the Scarbrough Subdivision Area, was published 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.
- (B) A report containing a planning study and regulatory plan for the territory to be annexed was prepared more than 10 days before the first public hearing.
- (C) Notice of the availability of the report was published twice in a newspaper of general circulation in the area to be annexed.
- (D) The public hearings were held during City Council meetings, and concluded after providing an opportunity for all persons present to be heard with respect to the proposed annexation.
- (E) The Regulatory Plan, as amended by City Council, shall be approved by separate ordinance.
- (F) The limited purpose annexation of this territory serves the interests of the current and future residents of the City of Austin.
- (G) All procedural requirements imposed by state law for the limited 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 territory described in Exhibit A for limited purposes. The territory is within the extraterritorial

jurisdiction and adjacent to the city limits of the City of Austin in Travis County, Texas. The territory is annexed into the City for the limited purposes of planning and zoning.

PART 3. 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 4. This ordinance takes effect on _____, 2006.

PASSED AND APPROVED

_____, 2006

§
§
§

Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk

C71-05-004

Area to be Annexed for
Limited Purposes.

Approximately 46 acres of
land out of the Wesley
Drummond Survey No. 109
in Travis County, Texas.
(Portion of Scarbrough
Subdivision)

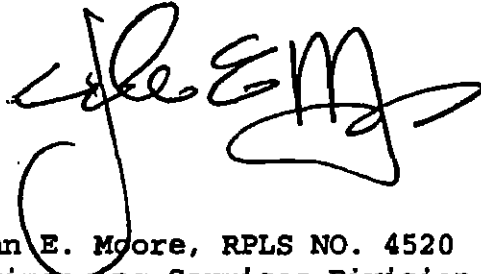
LEGAL DESCRIPTION

**LEGAL DESCRIPTION FOR APPROXIMATELY 46
ACRES OF LAND OUT OF THE WESLEY DRUMMOND
SURVEY NO 109 IN TRAVIS COUNTY, TEXAS,
OF WHICH APPROXIMATELY 46 ACRES OF LAND
ARE TO BE TAKEN INTO AND MADE A PART OF
THE CITY OF AUSTIN FOR LIMITED PURPOSES
AND BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS:**

BEING approximately 46 acres of land out of the Wesley Drummond Survey No. 109 in Travis County, Texas, being all of that portion of Scarbrough Subdivision, a subdivision of record found in Document No. 200000267 of the Official Public Records of Travis County, Texas lying southwest of the present corporate limit line of the City of Austin as adopted by Ordinance 840913-E (Case C7a-83-011); being a line 500.00 feet west of and parallel to the west right-of-way line of Interstate Highway No. 35.

"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: John E. Moore
10-06-2005

A handwritten signature in black ink, appearing to read 'J E Moore', with a large, stylized initial 'J' and 'E'.

APPROVED: John E. Moore, RPLS NO. 4520
Engineering Services Division
Department of Public Works
City of Austin

REFERENCES

TCAD Maps 02-7823 & 02-8023
Austin Grid M-38 & M-39