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ORDINANCE NO.

AN ORDINANCE ANNEXING, FOR FULL PURPOSES, ADDITIONAL TERRITORY ADJACENT TO THE CITY LIMITS OF THE CITY OF AUSTIN REFERRED TO AS THE “PEARSON PLACE AT AVERY RANCH ANNEXATION AREA”, CONSISTING OF APPROXIMATELY 196 ACRES OF LAND OUT OF THE RACHAEL SAUL SURVEY, ABSTRACT NO. 551, IN WILLIAMSON COUNTY, TEXAS; APPROVING A SERVICE PLAN; AND ESTABLISHING AN INTERIM ZONING CLASSIFICATION.

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

PART 1. The Council finds that:

- 14 (A) Notice of the two public hearings concerning annexation of the territory
15 described in Exhibit A was published in a newspaper of general circulation in
16 the City of Austin and in the area to be annexed, and on the City of Austin
17 internet website.
- 18 (B) The public hearings were held on September 23, 2010 at the Austin City Hall,
19 301 West 2nd Street, Austin, Texas and September 30, 2010 at the George
20 Washington Carver Museum & Cultural Center, 1165 Angelina Street, Austin,
21 Texas.
- 22 (C) The public hearings were concluded after providing an opportunity for all
23 persons present to be heard with respect to the proposed annexation. A
24 proposed Service Plan was made available and explained at the public hearings
25 required by state law.
- 26 (D) The annexation, for full purposes, of the territory described in Exhibit A serves
27 the interest of the current and future residents of the City of Austin.
- 28 (E) All procedural requirements imposed by state law for the full purpose
29 annexation of the territory described in Exhibit A have been met.

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

1 196 acres of land, more or less out of the Rachael Saul Survey, Abstract No. 551 in
2 Williamson County, Texas, said 196 acres of land, more or less, being more
3 particularly described in Exhibit A.

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

6
7 **PART 4.** The City Council declares that its purpose is to annex to the City of Austin
8 each part of the area described in Exhibit A as provided in this ordinance, whether any
9 other part of the described area is effectively annexed to the City. If this ordinance is
10 held invalid as to any part of the area annexed to the City of Austin, that invalidity does
11 not affect the effectiveness of this ordinance as to the remainder of the area.

12
13 If any area or lands included within the description of the area set out in Exhibit A are:
14 (1) presently part of and included within the general limits of the City of Austin; (2)
15 presently part of and included within the limits of any other city, town, or village; or (3)
16 are not within the jurisdiction or power of the City of Austin to annex, then that area is
17 excluded and excepted from the area annexed.

18
19 **PART 5.** Council waives the classification requirement of Code Section 25-2-222 for
20 Block R, Lot 1 and Lot 2 of the Pearson Place Preliminary Plan (C8J-2008-0056) and
21 classifies it as Interim Multi-Family Residence Low Density ("I-MF-2"), instead of
22 Interim Rural Residence ("I-RR").

23
24 **PART 6.** This ordinance takes effect on December 31, 2010.

25
26 **PASSED AND APPROVED**

27
28 §
29 §
30 _____, 2010 § _____
31 Lee Leffingwell
32 Mayor

33
34
35 **APPROVED:** _____
36 Karen M. Kennard
37 Acting City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk