

**ORDINANCE NO. 980827-D**

**AN ORDINANCE ANNEXING, FOR LIMITED PURPOSES, TERRITORY KNOWN AS THE DEL VALLE AREA, CONSISTING OF APPROXIMATELY 1,200 ACRES, MORE OR LESS, LOCATED IN TRAVIS COUNTY, TEXAS; AND APPROVING A REGULATORY PLAN FOR THE ANNEXED TERRITORY.**

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

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

- (1) notice of three 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;
- (2) the public hearings were held on May 7, 1998 and on May 21, 1998 in Council Chambers, and on May 12, 1998 at the South Rural Community Center;
- (3) the public hearings were concluded after providing an opportunity for all persons present to be heard with respect to the proposed annexation;
- (4) the annexation, for the limited purposes of planning, zoning, health, and safety of the territory described in Exhibit A serves the interests of the current and future residents of the City of Austin;
- (5) the Regulatory Plan attached to this ordinance as Exhibit B was made available and explained at the public hearings; and
- (6) 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, located in Travis County, Texas, and which is annexed into the City for the limited purposes of applying its planning, zoning, health, and safety ordinances in the area.

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

**PART 4.** The City Council declares that its purpose is to annex, for limited purposes, to the City of Austin every part of the area described in Exhibit A as provided in this ordinance, regardless of 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 all of 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 as fully as if the excluded and excepted area were expressly described in Exhibit A.

**PART 5.** The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

**PART 6.** This ordinance takes effect on September 7, 1998.

**PASSED AND APPROVED**

\_\_\_\_\_ August 27 \_\_\_\_\_, 1998.      § \_\_\_\_\_  
   § *Kirk Watson*  
   § \_\_\_\_\_  
   Kirk Watson  
   Mayor

APPROVED: *Andrew Martin* ATTEST: *Betty G. Brown*  
                                 Andrew Martin                                     Betty G. Brown  
                                 City Attorney     Deputy City Clerk

EXHIBIT A

C71-98-001

Area to be Annexed for  
Limited Purposes

(1,192 acres of land  
out of the Santiago Del  
Valle Grant)

(Commerce Square,  
Commerce Square Sec .2  
Dalton Business Park,  
Bergstrom Arms Subd.,  
Bergstrom Village No. 1  
thru 4, Flow Add.,  
Gregg & Bryant Subd.,  
Ames Subd., Luke's  
Subd., Gerl Subd.,  
Glennbrook Add. Sec.'s  
1 & 2, A. L. Royster  
Add. Davidson City  
Add., Valle Del Rio  
Add., Joseph Addition,  
Morgan Subd., Browning-  
Ferris Corner II, and  
Unplatted Land)

(Portions of Highway 71  
East, F.M. 973, Dalton  
Lane, Thompson Lane)

LEGAL DESCRIPTION

LEGAL DESCRIPTION FOR TWO (2) TRACTS OF  
LAND, EACH OF THE SAID TWO (2) TRACTS OF  
LAND BEING OUT OF AND A PART THE  
SANTIAGO DEL VALLE GRANT IN TRAVIS  
COUNTY, TEXAS, THE TRACT OF LAND HEREIN  
AFTER DESCRIBED AS NUMBER ONE CONTAINING  
202 ACRES OF LAND, MORE OR LESS, AND THE  
TRACT OF LAND HEREINAFTER DESCRIBED AS  
NUMBER TWO AND CONTAINING 990 ACRES OF  
LAND, MORE OR LESS, WHICH TWO (2) TRACTS  
OF LAND ARE TO BE TAKEN INTO AND MADE A  
PART OF THE CITY OF AUSTIN, TRAVIS  
COUNTY, TEXAS, FOR THE LIMITED PURPOSES  
OF " PLANNING AND ZONING" AND " HEALTH  
AND SANITATION" SAID TWO TRACTS OF LAND  
BEING MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:

NUMBER ONE, BEGINNING at the intersection of the present corporate limit line of the City of Austin as adopted an ordinance dated December 20, 1951, which line is a line two-hundred (200.00) feet north or northeast of and parallel to the original centerline of State Highway 71, with another present corporate limit line as adopted by ordinance dated April 10, 1969, which line is the east or southeast line of that certain tract of land conveyed to Paul J. Willhoite by deed of record in Volume 486 at Page 380 of the Real Property Records of Travis County, Texas, which point of beginning the most westerly corner of the herein described tract of land;

THENCE, with the present corporate limit line of the City of Austin as adopted by an ordinance dated April 10, 1969, in an easterly and northerly directions to the northwest corner of that certain 23.04 acre tract of land conveyed to Arlene Bolm Fitzpatrick, et al, by deed dated August 01, 1974 of record in Volume 5000 at Page 2364 of the Real Property Records of Travis County, Texas, for the northwest corner of the herein described tract of land, same being a point in the proposed corporate limit line of the City of Austin;

THENCE, with the proposed corporate limit line of the City of Austin, same being the north line of said Fitzpatrick 23.04 acre tract of land, which line is the south bank of the Colorado River, in an easterly direction to the northeast corner of the herein described tract of land, same being a point in the northerly prolongation of the west right-of-way line of Thompson Lane;

THENCE, continuing with the proposed corporate limit line of the City of Austin, which line is the west and northwest right-of-way line of Thompson Lane, and its northerly prolongation, in a southerly and southwesterly direction to a point in the westerly prolongation of the south or southwest line of that certain 302.45 acre tract of land as described in said deed to Arlene Bolm Fitzpatrick, et al;

THENCE, continuing with the proposed corporate limit line of the City of Austin, which line is the south or southwest line of said Fitzpatrick 302.45 acre tract of land, and its westerly prolongation, in a southeasterly direction to the most northerly corner of Bergstrom Down No.1, a subdivision of record in Book 5 at Page 2 of the Plat Records of Travis County, Texas, for the most easterly corner of the herein described tract of land, same being a point in the present corporate limit line of the City of Austin as adopted by an ordinance dated June 21, 1973;

THENCE, with the present corporate limit line of the City of Austin as adopted by an ordinance dated June 21, 1973, and other ordinances dated April 26, 1956, and December 15, 1955, which line is the north or northwest line of said Bergstrom Down No.1, in a southwesterly direction to the most southerly corner of the herein described tract of land, same being a point in the present corporate limit line of the City of Austin as adopted by the aforesaid ordinance dated December 20, 1951;

THENCE, with the present corporate limit line of the City of Austin as adopted by said ordinance dated December 20, 1951, and another ordinances dated February 05, 1970, and December 04, 1998 (Case No.C7a-97-016) in a northwesterly direction to the point of beginning.

NUMBER TWO, BEGINNING at the intersection of the present corporate limit line of the City of Austin as adopted by an ordinance dated December 20, 1951, which line is a line two-hundred (200.00) feet north or northeast of and parallel to the original centerline of State Highway 71, with another present corporate limit line of the City of Austin as adopted by an ordinance dated December 15, 1955, which line is the south or southeast line of Bergstrom Down No.1, a subdivision of record in Book 5 at Page 2 of the Plat Records of Travis County, Texas, and which point of beginning is the most easterly corner of the herein described tract of land;

THENCE, with the present corporate limit line of the City of Austin as adopted by said ordinance dated December 15, 1955, which line is the south or southeast line of Bergstrom Down No.1, in a northeasterly direction to the most northerly corner of the herein described tract of land, same being a point in the in the south or southwest line of that certain 302.45 acre tract of land conveyed to Arlene Bolm Fitzpatrick, et al, by deed dated August 01, 1974 of record in Volume 5000 at Page 2364 of the Real Property Records of Travis County, Texas, which line is the proposed corporate limit line of the City of Austin;

THENCE, with the proposed corporate limit line of the City of Austin, which line is the south or southwest line of Fitzpatrick 302.45 acre tract of land, in an southeasterly direction to the most southerly corner of said Fitzpatrick 302.45 acre tract of land, same being a point in the west or northwest line of that certain 13.604 acre tract of land conveyed to Isaac A. Rabb, et ux, by warranty deed of record in Volume 11209 at Page 877 of the Real Property Records of Travis County, Texas;

THENCE, continuing with the proposed corporate limit line of the City of Austin, which line is the common line of said Fitzpatrick 302.45 acre tract of land and said Rabb 13.604 acre tract of land, in a northerly direction to the most northerly corner of said Rabb 13.604 acre tract of land;

THENCE, continuing with the proposed corporate limit line of the City of Austin, which line is the north or northeast line of said Rabb 13.604 acre tract of land, in a southeasterly direction to the most easterly corner of said Rabb 13.604 acre tract of land, same being the most northerly corner of that certain 4.90 acre tract of land conveyed to Dennis W. Kerwin, et al, by warranty deed of record in Volume 5875 at Page 1864 of the Real Property Records of Travis County, Texas;

THENCE, continuing with the proposed corporate limit line of the City of Austin, which line is the north or northeast line of said Kerwin 4.90 acre tract of land, in a southeasterly direction to the most easterly corner of said Kerwin 4.90 acre tract of land, same being a point in the west or northwest right-of-way line of Dalton Lane;

THENCE, continuing with the proposed corporate limit line of the City of Austin, which line is said west or northwest right-of-way line of Dalton Lane, in a southwesterly direction to a point in the westerly prolongation of the south right-of-way line of Sherman Road;

THENCE, continuing with the proposed corporate limit line of the City of Austin, which line is the south and east right-of-way line of Sherman Road, and its westerly prolongation, in an easterly and northerly direction to the northeast corner of Lot 1, Cleo's Corner, a subdivision of record in Book 76 at Page 212 of the Plat Records of Travis County, Texas;

THENCE, continuing with the proposed corporate limit line of the City of Austin, which line is the east line of said Lot 1, Cleo's Corner, in a southeasterly direction to the northwest corner of that certain 34.98 acre tract of land conveyed to CGM Investments Inc. by deed of record in Volume 12767 at Page 472 of the Real Property Records of Travis County, Texas;

THENCE, continuing with the proposed corporate limit line of the City of Austin, which line is the most westerly north line of said CGM Investments Inc. 34.98 acre tract of land, in an easterly direction to an interior ell corner of said CGM Investments Inc. 34.98 acre tract of land, for an interior ell corner of the herein described tract of land;



THENCE, with the proposed corporate limit line of the City of Austin, which line is the north or northeast line of said Travis County 129.35 acre tract of land, in a northwesterly direction to the most northerly corner of said Travis County 129.35 acre tract of land, same being an exterior ell corner of the herein described tract of land, and which point is in the present corporate limit line of the City of Austin as adopted by an ordinance dated December 19, 1985 (Case No.C7a-85-023), which line is the east or southeast line of Bergstrom Air Force Base;

THENCE, with the present corporate limit line of the City of Austin as adopted by an ordinance dated December 19, 1985 (Case No.C7a-85-023), which line is the east or southeast line of Bergstrom Air Force Base, in a northerly direction to an interior ell corner of the herein described tract of land, same being a point in the south right-of-way line of State Highway 71;

THENCE, continuing with the present corporate limit line of the City of Austin as adopted by an ordinance dated December 19, 1985 (Case No.C7a-85-023), which line is the south right-of-way line of State Highway 71, in a westerly direction to a point in the present corporate limit line of the City of Austin as adopted by the aforesaid ordinance dated December 20, 1951;

THENCE, continuing with the present corporate limit line of the City of Austin as adopted by an ordinance dated December 20, 1951 and another ordinance dated March 21, 1968, in a northerly direction to the most southerly corner of Lot 13, Block E, Carson Creek Section Four, a subdivision of record in Book 84 at Page 100D of the Plat Records of Travis County, Texas, same being a point in the present corporate limit line of the City of Austin as adopted by an ordinance dated December 04, 1997 (Case No.C7a-97-017);

THENCE, with the present corporate limit line of the City of Austin as adopted by an ordinance dated December 04, 1997 (Case No.C7a-97-017) in a northerly, easterly, northerly, westerly, and southerly, directions the most easterly corner of Lot 51, Richland Estates Section One, a

THENCE, continuing with the proposed corporate limit line of the City of Austin, which line is the most northerly west line of said CGM Investments Inc. 34.98 acre tract of land, in an northerly direction to a point in the present corporate limit line of the City of Austin as adopted by an ordinance dated July 18, 1985 (Case No.C7a-85-013), which line is line two-hundred (250.00) feet south of and parallel to the north bank of the Colorado River;

THENCE, with the present corporate limit line of the City of Austin as adopted by an ordinance dated July 18, 1985 (Case No.C7a-85-013), which line is line two-hundred (250.00) feet south of and parallel to the north bank of the Colorado River, in an easterly direction to the most easterly corner of the herein described tract of land, same being a point in the present corporate limit line of the City of Austin as adopted by an ordinance dated July 18, 1985 (Case No.C7a-85-019), same being a point in the northerly prolongation of the east right-of-way line of Fallwell Lane;

THENCE, continuing with the present corporate limit line of the City of Austin as adopted by an ordinance dated July 18, 1985 (Case No.C7a-85-019), in a southerly direction to the southeast corner of the herein described tract of land, same being the intersection of the east or southeast right-of-way line of Farm-to-Market Road 973 with the easterly prolongation of the north or northeast line of that certain 129.35 acre tract of land conveyed to Travis County by deed of record in Volume 5314 at Page 1064 of the Real Property Records of Travis County, Texas, same being the south or southwest line of Lot 1, Browning-Ferris Corner, a subdivision of record in Book 72 at Page 80 of the Plat Records of Travis County, Texas;


subdivision of record in Book 17 at Page 44 of the Plat Records of Travis County, Texas, same being a point in the present corporate limit line of the City of Austin as adopted by an ordinance dated December 20, 1962;

THENCE, with the present corporate limit line of the City of Austin as adopted by an ordinance dated December 20, 1962, in a westerly, southerly and easterly direction to a point in the aforesaid present corporate limit line of the City of Austin as adopted by an ordinance dated December 20, 1951, which line is a line two-hundred (200.00) feet north or northeast of and parallel to the original centerline of State Highway 71;

THENCE, with the present corporate limit line of the City of Austin as adopted by an ordinance dated December 20, 1951, which line is a line two-hundred (200.00) feet north or northeast of and parallel to the original centerline of State Highway 71, in a westerly direction to the point of beginning.

LEGAL DESCRIPTION: Al Martinez APPROVED:

05-04-98



Ansel Gary Glover, RPLS No.4783  
Engineering Support Section  
Infrastructure Support Services

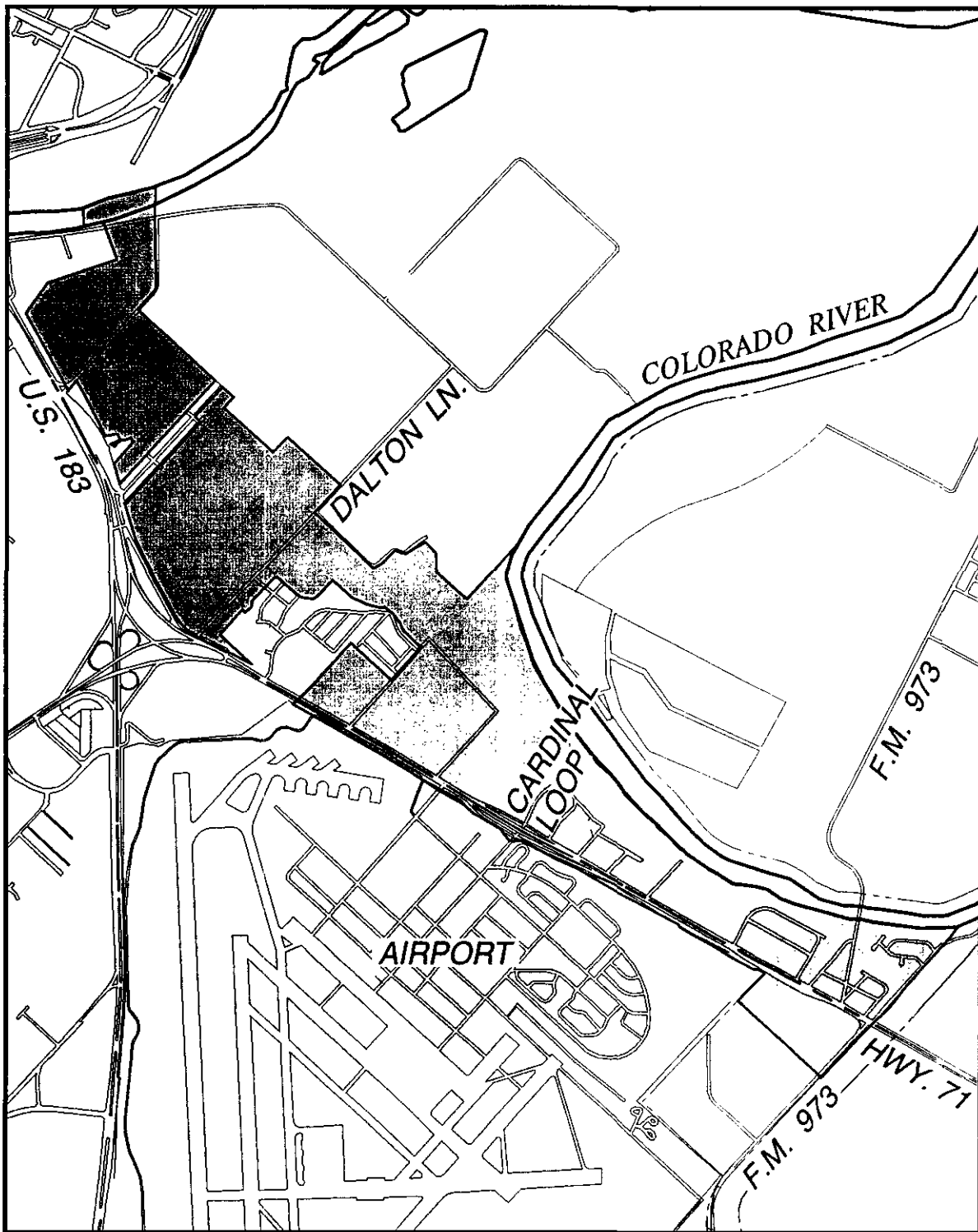
REFERENCES

3 1531, 3 1521, 3 2321, 3 2331, 3 0721, & 3 0731  
Austin Grid M18-20, N17-19, & P16 & 17

Alm  
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EXHIBIT B

# Del Valle Limited Purpose Annexation



Del Valle Limited Purpose Area



City of Austin - Full Purpose City Limit

C7L-98-001 Limited Purpose Annexation Area

## Regulatory Plan

### Development Regulations

Annexation of the area for the limited purposes of planning, zoning, health, and safety will extend the full range of City regulatory authority regarding development, construction, land use, and environmental quality to the area. This authority includes the application of all regulations pertaining to planning, zoning, health and safety, including but not limited to, regulations within the City's Land Development Code and Health Code and related technical manuals, and all rules adopted pursuant thereto.

### Future Full Purpose Annexation

The area will be included within the City's full purpose jurisdiction no sooner than five years after the effective date of its limited purpose annexation.

Exhibit B