

City of Burnet City Council



Item Brief

Meeting Date

April 22, 2025

Agenda Item

Public hearing and action: Ordinance No. 2025-18: L. Kimbler

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS, PROVIDING FOR THE VOLUNTARY EXTENSION OF THE CITY LIMITS OF THE CITY OF BURNET, TEXAS BY THE ANNEXATION OF CERTAIN CITY OWNED LAND LOCATED NEAR THE EASTERN TERMINUS OF WOFFORD DRIVE; AMENDING THE OFFICIAL CITY LIMITS MAP OF THE CITY OF BURNET TO REFLECT THE VOLUNTARY ANNEXATION OF THE AREA DESCRIBED HEREIN; AND PRESCRIBING AN EFFECTIVE DATE

1. Staff Presentation
2. Public Hearing
3. Discuss and consider action

Information

The subject property is located east of the East Side Water Tank, at the termination of Wofford Drive. The land was acquired by the City in 2006, and this annexation is in accordance with City policy.

Publication of notice of public hearing, and all other pre-annexation initiation procedures have been fulfilled in accordance with the requirements of Texas Local Government Code Chapter 42, Subchapter C-3.

Fiscal Impact

The annexation of this property will have no fiscal impact.

Recommendation

Staff recommends approval of Ordinance No. 2025-18 as presented.

ORDINANCE NO. 2025-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS PROVIDING FOR THE VOLUNTARY EXTENSION OF THE CITY LIMITS THE CITY OF BURNET, TEXAS BY THE ANNEXATION OF CERTAIN CITY OWNED LAND LOCATED NEAR THE EASTERN TERMINUS OF WOFFORD DRIVE; AMENDING THE OFFICIAL CITY LIMITS MAP OF THE CITY OF BURNET TO REFLECT THE VOLUNTARY ANNEXATION OF THE AREA DESCRIBED HEREIN; AND PRESCRIBING AN EFFECTIVE DATE.

WHEREAS, Texas Local Government Code Chapter 43, Subchapter C-1, authorizes the City of Burnet, Texas, to extend its city limit boundaries through the voluntary annexation of an area adjacent to those boundaries; and

WHEREAS, the City of Burnet is the owner of the land that is the subject of this annexation ordinance; and

WHEREAS, the land to be annexed is uninhabited and consists of an unplatted 2.42-acre parcel of land (the "Land"); and

WHEREAS, in accordance with Texas Local Government Code § 43.0672, the City has prepared a written service plan; and

WHEREAS, in accordance with Texas Local Government Code § 43.0673, on April 22, 2025, City Council conducted a public hearing where members of the public could give testimony and comment on the proposed annexation; and

WHEREAS, notice of the public hearing was published in the Burnet newspaper of general circulation and posted on the City's website in accordance with Texas Local Government Code § 43.0673, on April 9, 2025, a date which was on or after the 20th day, but before the 10th day, before the public hearing.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS:

Section One. Annexed land. The land and territory being a 2.42-acre parcel, more particularly described in survey attached hereto as **Exhibit "A;"** and the map attached hereto as **Exhibits "B;"** owned by the City of Burnet, Texas, lying outside of, but adjacent to, and adjoining the City of Burnet, Texas, is hereby added and annexed to the City of Burnet, Texas, and said land and territory shall hereafter be included within the boundary limits of said City, and the present boundary limits of said City.

Section Two. Service plan. The service plan attached hereto as **Exhibit "C"** is hereby approved and adopted.

Section Three. Inhabitants' citizenship. The inhabitants of the annexed land shall be entitled to all of the rights and privileges as citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Burnet, Texas.

Section Four. City Map. The official City Limits of the City of Burnet shall be amended to reflect the annexation of the subject land and territory.

Section Five. Post annexation procedures. Within 30 days of the effective date of this Ordinance, the City Secretary is hereby authorized and directed to do the following:

- Provide a certified copy of this ordinance to the Texas Secretary of State so that the legal validity of the annexation may be certified to the United States Census Bureau;
- Provide certified copies of this ordinance to the Texas Comptroller and Burnet County Appraisal District in accordance with Texas Tax Code §321.102; and
- Provide a certified copy of this ordinance to the Burnet County Clerk pursuant to Texas Local Government Code §41.001.

Section Six. Effective Date. This Ordinance shall be effective upon the date of final adoption hereof.

PASSED, APPROVED, AND ADOPTED on this 22nd day of April 2025

CITY OF BURNET, TEXAS

Gary Wideman, Mayor

ATTEST:

Maria Gonzales, City Secretary

The remainder of this page intentionally blank and Exhibits "A," "B" and "C" are attached.

Exhibit "A"
SURVEY



K.C. ENGINEERING, INC.

705 N Hwy 281 Plaza 1, Suite 203 • Marble Falls, TX 78654 • Telephone: 830.693.5635 • Fax: 830.693.9664 • www.kcengineering.com

Exhibit "A"

STATE OF TEXAS:
COUNTY OF BURNET:
CITY OF BURNET:

Field notes to describe a **2.42 acre** tract of land, out of the Eugene Jamison Survey No. 1354, Abstract No. 1313, situated in Burnet County, Texas, and being a portion of that certain 49.857 acre tract of land, described in a deed to Jessie B. Crow, et ux, as recorded in Volume 977, Pg. 876 of the Official Public Records of Burnet County, Texas (O.P.R.B.C.T.), said **2.42 acres** being more particularly described as follows:

Beginning, at a ½" iron rod found, lying in a cul-de-sac, being the east line of Wofford Drive, a 60' right-of-way, being the northeast corner of that certain tract of land, described in a deed Robert D. Quisenberry, et ux, as recorded in Volume 645, Page 543 of the Real Property Records of Burnet County, Texas (R.P.R.B.C.T.), lying at the west line of said 49.857 acre tract, and being the northwest corner of that certain 3.50 acre tract of land, described in a deed to John E. Whitman, et ux, as recorded in Volume 593, Page 455 R.P.R.B.C.T., from which an iron rod found, being the northeast corner of said 3.50 acre tract, same being an angle point in the west line of said 49.857 acre tract, bears **N68°34'57"E** [N71°36'55"E], a distance of 627.00 feet (627.02 feet);

Thence, along the west line of the said Eugene Jamison Survey and the west line of said 49.857 acre tract, for the west line hereof, the following four (4) calls, numbered 1-4:

1. **N14°15'33"W** [N26°15'W], with the east line of said Wofford Drive, a distance of **54.71 feet**, to a ½" iron rod found, being the northeast corner of said Wofford Drive, same being the southeast corner of that certain 25 Ft. Access Easement, as shown in Volume 371, Page 591 of the Deed Records of Burnet County, Texas (D.R.B.C.T.), for an angle hereof, from which a ½" iron rod found, lying in the north line of said Wofford Drive, being the southwest corner of said 25 Ft. Access Easement, same being the southeast corner of that certain 1.752 acre tract, described in a deed to Louis A. Holste, et ux, as recorded in Volume 1307, Page 325 O.P.R.B.C.T., bears **S57°53'38"W**, a distance of **25.75 feet**,
2. **N14°27'23"W** [N26°15'W], with the east line of said 25 Ft. Access Easement, a distance of **333.60 feet**, to a ½" iron rod set, with plastic cap stamped KCE&S, being the northeast corner of said 25 Ft. Access Easement, same being the southeast corner of that certain 0.461 acre tract, described in a deed to the City of Burnet, as recorded in Volume 188, Page 577 D.R.B.C.T., for an angle hereof,
3. **N13°52'33"W** [N26°15'W], with the east line of said 0.461 acre tract, a distance of **302.70 feet**, to a ½" iron rod set, with plastic cap stamped KCE&S, being the northeast corner of said 0.461 acre tract, for an interior elJ corner hereof, and
4. **S75°54'00"W** [N26°15'W], with the north line of said 0.461 acre tract, a distance

of **3.45 feet**, to a ½" iron rod found, being a south corner of that certain 121.246 acre tract, described in a deed to Herbert R. Stehling, et ux, as recorded in Volume 1057, Page 001 O.P.R.B.C.T., for an exterior ell corner hereof, from which a ½" iron rod found, lying in the south line of said 121.246 acre tract, being the northwest corner of said 0.461 acre tract, bears **S76°07'04"W**, a distance of **146.55 feet**;

Thence N13°39'13"W [N26°15'W], with the east line of said 121.246 acre tract, the west line of said Eugene Jamison Survey and 49.857 acre tract, for the west line hereof, as established in the recorded deed to said 121.246 acre tract as called in said Volume 644, Page 196 D.R.B.C.T., a distance of 317.96 feet, to a ½" iron rod set, with plastic cap stamped KCE&S, at the base of a 6 inch cedar post, being the southwest corner of the H. R. Carr Survey No. 1020, Abstract No. 233, same being the northwest corner of said Eugene Jamison Survey and 49.857 acre tract, and being the southwest corner of that certain 51.2 acre tract of land, described in a deed to Tom Henry, as recorded in Volume 205, Page 323 D.R.B.C.T., for the northwest corner hereof;

Thence N75°27'32"E [N63°45'E], with the south line of said 51.2 acre tract and said H. R. Carr Survey, and the north line of said Eugene Jamison Survey and 49.857 acre tract, for the north line hereof, a distance of 295.00 feet, to a ½" iron rod set, with plastic cap stamped KCE&S, for the northeast corner hereof, from which a 6 inch cedar post found, lying in the south line of said H. R. Carr Survey, being the northeast corner of said Eugene Jamison Survey, bears **N75°27'32"E**, a distance of 1693.38 feet;

Thence, over and across said 49.857 acre tract, for the east line hereof, the following three (3) calls, numbered 5-7:

- 5. S13°39'13"E**, a distance of **295.04 feet**, to a ½" iron rod set, with plastic cap stamped KCE&S, for an exterior ell corner hereof,
- 6. S75°27'32"W**, a distance of **266.64 feet**, to a ½" iron rod set, with plastic cap stamped KCE&S, for an interior ell corner hereof, and
- 7. S14°09'37"E**, a distance of **710.97 feet**, to a ½" iron rod set, with plastic cap stamped KCE&S, lying in the north line of said 3.50 acre tract and the west line of said 49.857 acre tract, for an angle hereof, from which said ½" iron rod found, bears **N68°34'57"E**, a distance of **602.00 feet**;

Thence S68°34'57"W [S71°36'55'W], with the north line of said 3.50 acre tract and the west line of said 49.857 acre tract, for the south line hereof, a distance of 25.00 feet, to the Point of Beginning, and containing 2.42 acres of land, more or less.

The Basis of Bearings for this survey is Lambert Grid - Texas Central Zone NAD83/93 HARN. Control monumentation provided by L.C.R.A..

The field notes and plat attached hereto are an accurate representation of a survey made and monumented on the ground under my supervision in the month of April, 2006




TODD HOLLAND
REGISTERED PROFESSIONAL
LAND SURVEYOR No. 5421
Attachments: 40-06-0029.dwg

5506
DATE

PROPERTY MAP

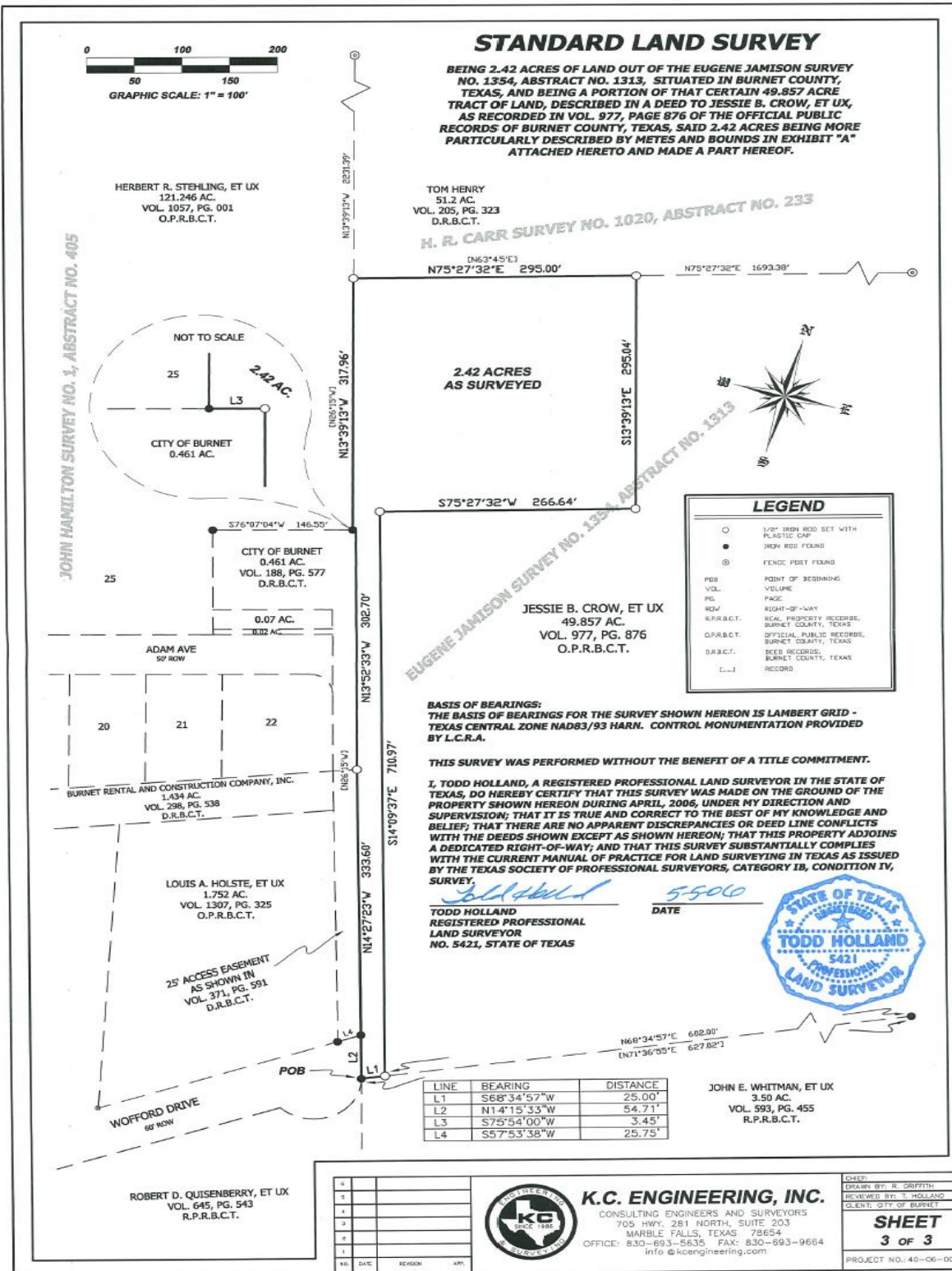


Exhibit "C"
MUNICIPAL SERVICE PLAN

FIRE

Existing Services: Emergency Service District

Services to be Provided: Fire suppression will be available to the area upon annexation. Primary fire response will be provided by the City of Burnet Fire Department. Adequate fire suppression activities can be afforded to the annexed area within current budget appropriation. Fire prevention activities will be provided by the Fire Marshall's office as needed.

POLICE

Existing Services: County Sheriff

Services to be Provided: Currently, the area is under the jurisdiction of the Burnet County Sheriff's Office. However, upon annexation, the City of Burnet Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

BUILDING INSPECTION

Existing Services: None

Services to be Provided: The Building Inspection Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling and enforcing all other applicable codes which regulated building construction within the City of Burnet.

PLANNING AND ZONING

Existing Services: None

Services to be Provided: The Planning and Zoning Department's responsibility for regulating development and land use through the administration of the City of Burnet Zoning Ordinance will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Burnet Subdivision Ordinance. These services can be provided within the department's current budget.

STREET

No existing streets will be annexed. Newly constructed streets shall be built in accordance with the City Code of Ordinances.

STORM WATER MANAGEMENT

Existing Services: None

Services to be Provided: Developers will provide storm water drainage at their own expense, which will be inspected by the City Engineers at time of completion. Storm water drainage systems shall be maintained in accordance with the requirements of the City Code of Ordinance.

STREET LIGHTING

Existing Services: None

Services to be Provided: The City of Burnet will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy.

TRAFFIC ENGINEERING

Existing Services: None

Services to be Provided: As the property develops, Traffic Control Devices shall be installed and maintained in accordance with the requirements of the City Code of Ordinances.

WATER SERVICE

Existing Services: None

Services to be Provided: Water service to the area will be provided in accordance with the applicable codes and departmental policy. When other property develops in the adjacent area, water service shall be provided in accordance with extension ordinances. Extension of service shall comply with applicable codes and ordinances.

SANITARY SEWER SERVICE

Existing Services: None

Services to be Provided: Sanitary sewer service to the area of proposed annexation will be provided in accordance with applicable codes and departmental policy. When property develops in the adjacent areas, sanitary sewer service shall be provided in accordance

with the present extension ordinance. Extension of service shall comply with applicable codes and ordinances.

SOLID WASTE SERVICES

Existing Services: None

Services to be Provided: Solid Waste Collection shall be provided to the area of annexation in accordance with the present ordinance. Service shall comply with existing City policies, beginning with occupancy of structures.

MISCELLANEOUS

All other applicable municipal services will be provided to the area in accordance with the City of Burnet's established policies governing extension of municipal services to newly annexed areas.