

**CITY OF DRIPPING SPRINGS**

**ORDINANCE NO.**

**38.680 ACRES OUT OF THE BENJAMIN F. HANNA SURVEY,  
NO. 28, ABSTRACT NO. 222, HAYS COUNTY, TEXAS**

**ANNEXATION ORDINANCE**

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, TO VOLUNTARILY ANNEX BY REQUEST OF THE PROPERTY OWNER APPROXIMATELY 38.680 ACRES OF LAND INTO THE INCORPORATED MUNICIPAL BOUNDARIES OF THE CITY OF DRIPPING SPRINGS, TEXAS INCLUDING THE FOLLOWING: FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY; AND PROPER NOTICE AND MEETING.

- WHEREAS,** the City of Dripping Springs (“City”) is a Type-A, General Law municipality located in Hays County, Texas with the rights and privileges thereto; and
- WHEREAS,** Section 43.0671 of the Texas Local Government Code authorizes a Type-A general law municipality to extend the boundaries of the municipality and annex area adjacent to the municipality by petition of area landowners in accordance with the procedural rules prescribed by Texas Local Government Code Chapter 43; and
- WHEREAS,** the City received a written petition requesting the voluntary annexation of the area described in Exhibit “A” on January 25, 2022
- WHEREAS,** the area identified in Exhibit “A,” approximately 38.680 acres in the Benjamin F. Hanna Survey No. 28, Abstract No. 222, Hays County, Texas, is adjacent and contiguous to the city limits; and
- WHEREAS,** the City Council granted the petition and allowed City staff to proceed with negotiating the service agreement with the property owner, in accordance with Section 43.0672 of Texas Local Government Code;
- WHEREAS,** the City Council conducted a public hearing and considered testimony regarding the annexation of the property, in accordance with Section 43.0673 of Texas Local Government Code on July 5, 2022;
- WHEREAS,** the City Council deems it to be in the best interest of the citizens of the City to annex said territory into the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS:**

**1. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of Dripping Springs, Texas, and are hereby approved and incorporated into the body of this Ordinance as if copied herein in their entirety.

**2. ANNEXATION OF TERRITORY**

- A.** The property in the area described in Exhibit “A”, which is attached hereto and incorporated herein for all purposes, is hereby annexed and brought into the municipal boundaries (i.e., corporate limits) of the City of Dripping Springs, and is made an integral part, hereof.
- B.** The official map and boundaries of the City of Dripping Springs are hereby amended and revised so as to include the area annexed, and to reflect the expansion of the City’s extraterritorial jurisdiction resulting from such annexation.
- C.** A service plan agreement was executed prior to the annexation approval in accordance with Section 43.0672 of Texas Local Government Code, and is attached hereto as Exhibit “B” and incorporated herein for all intents and purposes.
- D.** The owners and inhabitants of the area herein annexed are entitled to all of the rights and privileges of other citizens of the City of Dripping Springs and are hereby bound by all acts, ordinances and other legal actions now in full force and effect and those that may be hereafter adopted or enacted.

**3. EFFECTIVE DATE**

This ordinance is effective and the annexation achieved herein shall be final and complete upon adoption of this Ordinance on the date set forth below.

**4. FILING**

- A.** The City Secretary is hereby instructed to include this Ordinance in the records of the City.
- B.** The City Secretary is hereby instructed to have prepared maps depicting the new municipal boundaries and extraterritorial jurisdiction.
- C.** The City Secretary is hereby instructed to file a certified copy of this Ordinance with the Hays County Clerk.
- D.** The City Secretary is hereby instructed to submit by certified mail a certified copy of the annexation ordinance a map of the entire city that shows the change in boundaries, with the

annexed portion clearly distinguished, resulting from the annexation to the Texas Comptroller's Office.

## **5. SEVERABILITY**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

## **6. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_ 2022, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) of the City Council of the City of Dripping Springs, Texas.

**THE CITY OF DRIPPING SPRINGS:**

\_\_\_\_\_  
Bill Foulds Jr.

ATTEST:

\_\_\_\_\_  
Andrea Cunningham, City Secretary

**Exhibit "A"**  
**DESCRIPTION OF AREA TO BE ANNEXED**

38.680 ACRES  
BUNKER RANCH  
DRIPPING SPRINGS, TX

PROJECT NO.: 304-065  
APRIL 28, 2020

**LEGAL DESCRIPTION**

**BEING A 38.680 ACRE TRACT OUT OF THE BENJAMIN F. HANNA SURVEY NO. 28, ABSTRACT NO. 222, SITUATED IN HAYS COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 79.61 ACRE TRACT CONVEYED TO P & H FAMILY LIMITED PARTNERSHIP NO. 1, AS TRACT A, BY DEED OF RECORD IN VOLUME 1733, PAGE 755, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.T.); SAID 38.680 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**COMMENCING**, at a ½-inch iron rod with "CEC" cap set at the northeast corner of said called 79.61 acre tract, said point being on the westerly line of a called 4.25 acre tract described in Exhibit C of said deed recorded in Volume 1733, Page 755, O.P.R.H.C.T.;

**THENCE**, along the common line of said called 79.61 acre tract and of said called 4.25 acre tract, S00°25'57"W, a distance of 60.03 feet to a ½ inch iron rod with "CEC" cap set for the northeast corner and the **POINT OF BEGINNING**, hereof;

**THENCE**, along the common line of said called 79.61 acre tract and partially of said 4.25 acre tract and then partially of a called 44.123 acre tract conveyed to the Elry and Barbara Hudson Living Trust by deed of record in Volume 2851, Page 80, O.P.R.H.C.T., S00°25'57"W, passing at a distance of 39.91 feet, a ½-inch iron rod found at the westerly common corner of said called 4.25 acre tract and of said called 44.123 acre tract, for a total distance of 652.82 feet to a ½-inch iron rod found at the westerly common corner of said 44.123 acre tract and of Bunker Ranch Phase 2, a subdivision of record in Document No. 20017197, O.P.R.H.C.T.;

**THENCE**, along the common line of said called 79.61 tract and partially of said Bunker Ranch Phase 2 and then partially of Bunker Ranch Phase 3, a subdivision of record in Document No. 21009701, O.P.R.H.C.T., S00°21'25"W, passing at a distance of 629.14 feet, a ½-inch iron rod with "CEC" cap set at the westerly common corner of said Bunker Ranch Phase 2 and said Bunker Ranch Phase 3, for a total distance of 722.37 feet to a ½-inch iron rod with "CEC" cap set at the northerly corner of Lot 1, Block 3, of said Bunker Ranch Phase 3, said point being on a 480.00 foot radius non-tangent curve concave southwesterly;

**THENCE**, over and across said called 79.61 acre tract, the following seven (7) courses and distances:

1. Westerly along the arc of said 480.00 foot radius curve a distance of 210.24 feet through a central angle of 25°05'43", and having a chord bearing N77°27'08"W and distance of 208.56 feet to a set ½-inch iron rod with "CEC" cap;
2. N90°00'00"W, a distance of 545.30 feet to a ½-inch iron rod with "CEC" cap set at the beginning of a 25.00 foot radius curve concave southeasterly;
3. Southwesterly along the arc of said 25.00 foot radius curve a distance of 39.27 feet through a central angle of 90°00'00", and having a chord bearing S45°00'00"W and distance of 35.36 feet to a set ½-inch iron rod with "CEC" cap;
4. S00°00'00"E, a distance of 60.99 feet to a set ½-inch iron rod with "CEC" cap;

38.680 ACRES  
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5. N89°46'31"W, a distance of 292.40 feet to a set ½-inch iron rod with "CEC" cap;
6. S00°01'40"W, a distance of 214.73 feet to a set ½-inch iron rod with "CEC" cap;
7. N90°00'00"W, a distance of 82.95 feet to a ½-inch iron rod with "CEC" cap set in a common line of said called 79.61 acre tract and of a called 79.39 acre tract conveyed to P & H Family Limited Partnership No. 2 by deed of record in Volume 1733, Page 748, O.P.R.H.C.T.;

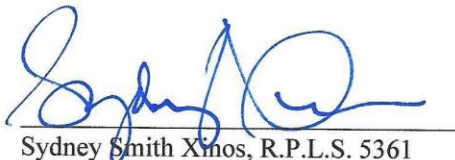
**THENCE**, along the common line of said called 79.61 acre tract and of said called 79.39 acre tract, the following two (2) courses and distances:

1. N19°44'58"W, a distance of 533.26 feet to a found 8 inch cedar fence post;
2. N12°13'46"E, a distance of 1,128.80 feet to a set ½ inch iron rod with "CEC" cap;

**THENCE**, over and across said called 79.61 acre tract, N88°43'55"E, a distance of 1,100.12 feet to the **POINT OF BEGINNING**, and containing 38.680 acres (1,684,900 square feet) of land, more or less.

THE BASIS OF BEARING OF THIS SURVEY IS TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NSRS 2011(2012A), UTILIZING THE LEICA SMARTNET CONTINUALLY OPERATING REFERENCE NETWORK.

Witness my hand and seal this 28<sup>th</sup> day of April, 2022.

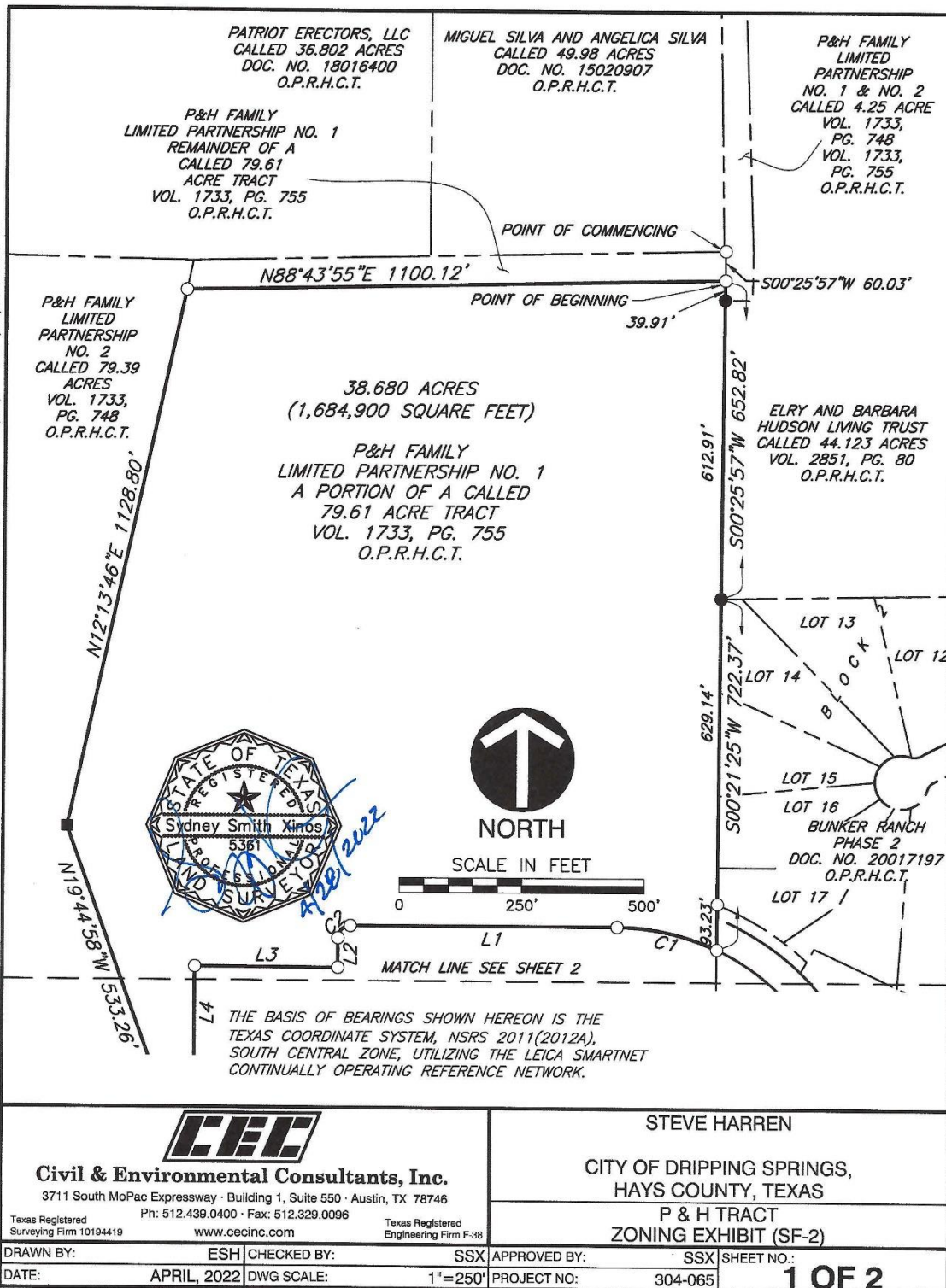


Sydney Smith Xinos, R.P.L.S. 5361  
Civil & Environmental Consultants, Inc.  
3711 S. MoPac Expressway, Building 1, Suite 550  
Austin, TX 78746  
Texas Registered Surveying Firm No. 10194419

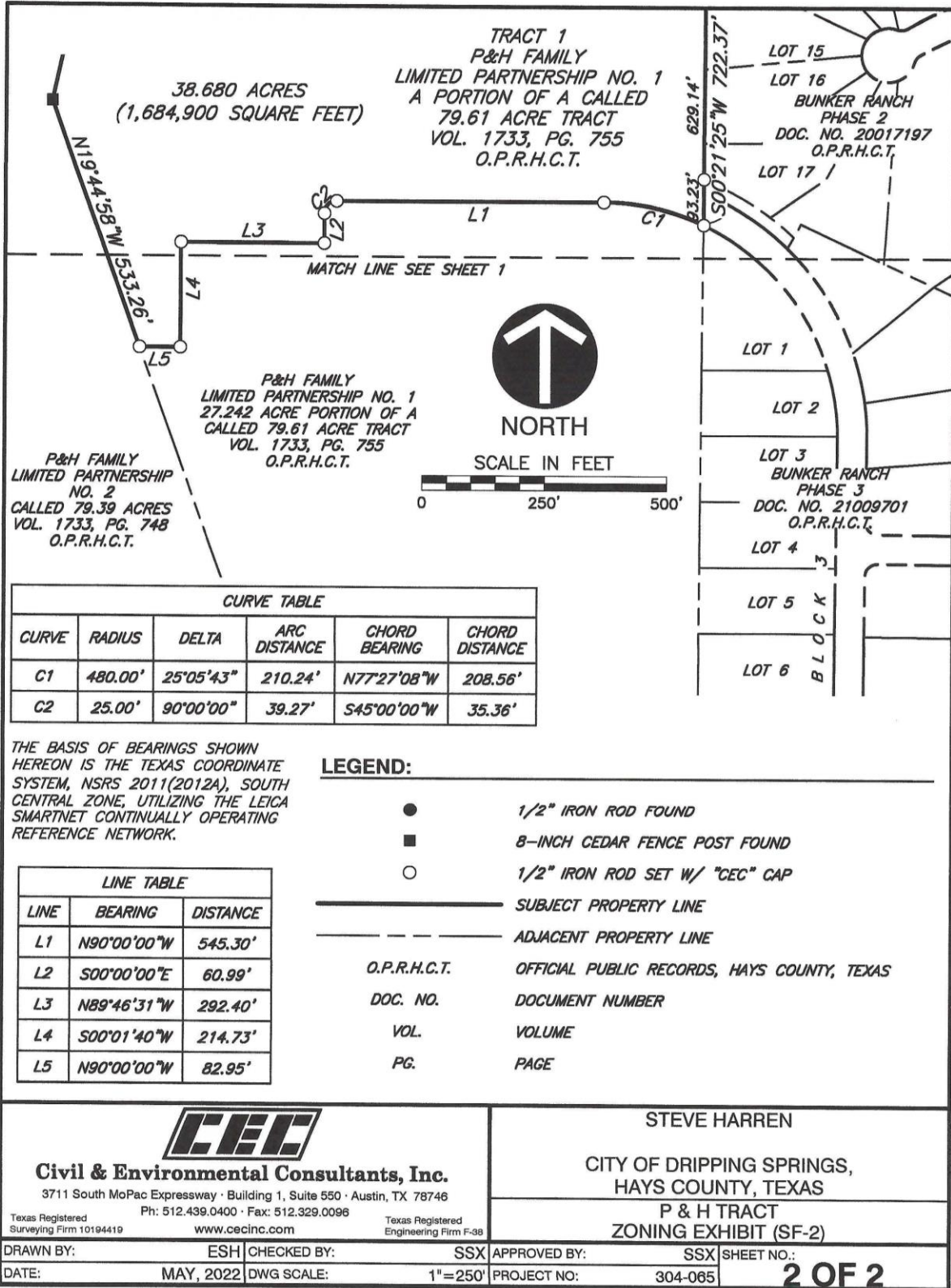




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**Exhibit “B”**

**Municipal Services Agreement**

DRAFT