

CITY OF DRIPPING SPRINGS

ORDINANCE NO.

**3.209 ACRES OUT OF THE PHILIP A SMITH SURVEY,
HAYS COUNTY, TEXAS**

ANNEXATION ORDINANCE

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, TO VOLUNTARILY ANNEX BY REQUEST OF THE PROPERTY OWNER APPROXIMATELY 3.209 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 May 27, 2022

WHEREAS, the area identified in Exhibit “A,” approximately 3.209 acres in the Philip A Smith Survey, 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 September 6, 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

TRACT I

Being a portion of that tract of approximately 152.47 acres of land in the P. A. Smith League, Hays County, Texas, and conveyed to Mrs. Edna Earl Baird by W. R. Baird by deed dated February 19, 1937, recorded in Volume 154, page 59, Hays County Deed Records.

BEGINNING at the most southern southeast corner of the Edna Earl Baird 152.47 acres for the southeast corner of the tract herein described;

THENCE, in a westerly direction with the most southern boundary line of the said Edna Earl Baird 152.47 acre tract, 140 feet to a point for the southwest corner of the tract herein described;

THENCE, in a northwesterly direction parallel to the eastern boundary line of the Edna Earl Baird 152.47 acre tract and the west boundary line of that tract of land conveyed by Clara Wilson et al, to Alva C. Haydon, recorded in Volume 249, page 307, Hays county Deed Records, 700 feet to a point for the northwest corner of the tract herein described;

THENCE, in an easterly direction parallel to the south boundary of the tract herein described, 140 feet to a point in the west boundary line of the Alva C. Haydon tract for the northeast corner of the tract herein described;

THENCE, in a southeasterly direction with the west boundary line of the Alva C. Haydon tract, 700 feet to the **PLACE OF BEGINNING**, containing 2.25 acres of land, more or less

TRACT II

Description of a dividing line between the approximate East and West halves of that certain 152.47 acre tract of land out of the P. A. SMITH LEAGUE situated in Hays County, Texas, being that tract of land described in that Deed dated February 19, 1937, from W. R. Baird to Edna Earl Baird, recorded in Volume 154, Pages 59-60, Deed Records of Hays County, Texas.

BEGINNING at the most northerly Northwest corner of the Baird tract;

THENCE, with the common line between the said Baird Tract and that tract of land conveyed by Deed dated June 1, 1966, from J. V. Gregg, et ux, to C. Barton Draper, et ux, recorded in Volume 212, Pages 310-314, of the Deed Records of Hays County, Texas, South to a point being the Southeast corner of said Draper Tract;

THENCE, East approximately 200 feet to a point from which the centerline of a road bears East 15 feet;

THENCE, in a Southerly direction parallel with the centerline of said road, and following the meanders of said road to a point from which the North line of a 2.25 acre tract of land conveyed to John Marcus Baird by Deed recorded in Volume 264, Page 55-56, of the Deed Records of Hays County, Texas, bears South 300 feet;

THENCE, from said point in a Southerly direction to the Northwest corner of the said John Marcus Baird 2.25 acre tract;

THENCE, with the West line of the John Marcus Baird 2.25 acre tract approximately 700 feet to the South line of the above described 152.47 acre Baird tract, said point being in the North line of that 3.01 acre tract of land conveyed to J. D. Ragland by Deed recorded in Volume 169, Page 171, of the Deed Records of Hays County, Texas, for POINT OF TERMINATION

SAVE AND EXCEPT THE FOLLOWING, FROM TRACT H:

BEING A PART OF THAT CERTAIN 1.04 ACRE TRACT WHICH WAS CONVEYED TO JOHN BAIRD IN A DEED RECORDED IN VOLUME 310, AT PAGE 718, OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, SAID 0.0309 OF AN ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A NAIL FOUND IN A POST FOR THE NORTHEAST CORNER OF THE FORESAID 1.04 ACRE TRACT FOR THE NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;

THENCE, S 35 41'20"W, A DISTANCE OF 46.84 FT., WITH THE EAST LINE OF THE FORESAID 1.04 ACRE TRACT, TO A STEEL PIN SET ON THE CURVE NORTH RIGHT-OF-WAY LINE OF A PROPOSED 60 FT. RIGHT-OF-WAY FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE, WITH THE ARC OF A CURVE TO THE LEFT, WHICH HAS A RADIUS OF 309.60 FT., A TANGENT OF 30.05 FT., AN ARC LENGTH OF 59.90 FT., AND A CHORD WHICH BEARS N 53 49'41"W, A DISTANCE OF 59.81 FT., TO A STEEL PIN SET IN THE NORTH LINE OF THE FORESAID 1.04 ACRE TRACT, AS FENCED, FOR THE MOST WESTERLY CORNER OF THIS TRACT;

THENCE, N 87 55'27"E, A DISTANCE OF 75.66 FT., WITH THE NORTH LINE OF THE FORESAID 1.04 ACRE TRACT, AS FENCED, TO THE PLACE OF BEGINNING AND CONTAINING 0.0309 ACRE OF LAND

STATE OF TEXAS
COUNTY OF HAYS

DRAFT

Exhibit “B”
Municipal Services Agreement