

## **CITY OF DRIPPING SPRINGS**

### **ORDINANCE No. 2020-\_\_**

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, TO VOLUNTARILY ANNEX BY REQUEST OF THE PROPERTY OWNER APPROXIMATELY 11.1044 ACRES OF LAND LOCATED IN THE E.B. HARGRAVES SURVEY NO. 4, ABSTRACT NUMBER 240, IN HAYS COUNTY, TEXAS 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 June 17, 2020; and

**WHEREAS,** the area identified in Exhibit “A,” part of the E.B. Hargraves Survey No. 4, Abstract No. 4, Abstract Number 240, in Hays County, Texas, is adjacent and contiguous to the city limits; and

**WHEREAS,** the area identified in Exhibit “A” is vacant and has no registered voters; and

**WHEREAS,** the City Council of the City of Dripping Springs (“City Council”) has conducted the required public hearing, held on September 8, 2020 regarding annexation of the area and has provided all required notices within the timeframes established under Chapter 43 of the Texas Local Government Code; and

**WHEREAS,** the City has entered into a municipal service annexation agreement for the area to be annexed in accordance with Section 43.0672 of the Texas Local Government Code providing for agreed upon municipal services; and

**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 municipal service agreement was entered into between the city and the property owner with applicable provisions of state law pertaining to annexation.
- 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 8<sup>th</sup> day of September 2020, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) of the City Council of the City of Dripping Springs, Texas.

### **CITY OF DRIPPING SPRINGS:**

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Bill Foulds, Jr., Mayor

### **ATTEST:**

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Andrea Cunningham, City Secretary

**Exhibit "A"**  
**DESCRIPTION OF AREA TO BE ANNEXED (METES & BOUNDS TO FOLLOW)**

*Legal Description*

**BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 11.1044 ACRES, (483,709 SQUARE FEET), BEING OUT OF THE E.B. HARGRAVES SURVEY NO. 4, ABSTRACT NO. 240, IN HAYS COUNTY, TEXAS, AND BEING A PORTION OF A REMAINDER OF A 2055.90 ACRE TRACT OF LAND CONVEYED TO THE SAWYER-CLEVELAND PARTNERSHIP, DESCRIBED IN VOLUME 317, PAGE 167 OF THE DEED RECORDS OF HAYS COUNTY, TEXAS, (D.R.H.C.T.), SAID 11.1044 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, SOUTH CENTRAL ZONE (4204), NAD 83 (CORS), ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000081412828):**



PO Box 90876  
Austin, TX 78709  
512.554.3371

[jward@4wardls.com](mailto:jward@4wardls.com) [www.4wardls.com](http://www.4wardls.com)

**BEGINNING** at an iron rod with cap (cap not legible) found in the east line of Lot 1, Oetzel Subdivision recorded in Volume 5, Page 87-88 of the Plat Records of Hays County, Texas (P.R.H.C.T) and being the northwest corner of Lot 3A, Replat of Lot 3, Sawyer Ranch Estates recorded in Volume 9, Page 307-308 (P.R.H.C.T.), and being the southwest corner of said remainder of called 2055.90 acres tract and the, said iron rod being the southwest corner and **POINT OF BEGINNING** hereof;

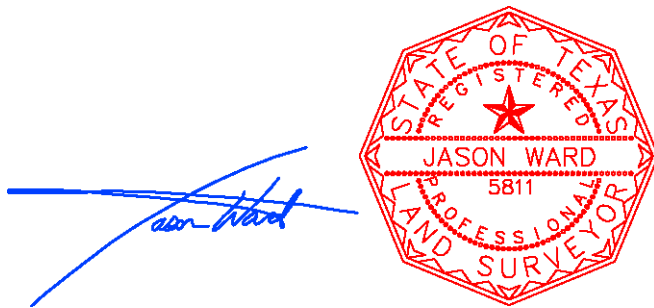
**THENCE**, with the west line of said remainder of called 2055.90 acres tract and the east line of said Lot 1, **N01°21'33"W**, passing at 854.98 feet, an iron rod with "LCRA" cap found in the south line of a 30 foot wide waterline easement recorded in Volume 1686, Page 272 of the Official Public Records of Hays County, Texas (O.P.R.H.C.T.), in all a distance of **884.96** feet to a 1/2-inch iron rod with "Ward-5811" cap set in the south right-of-way line of U. S. Highway 290 West (right-of-way varies), and being the northeast corner of said Lot 1 and the northwest corner of said remainder of called 2055.90 acres tract, and being the northwest corner hereof;

**THENCE**, with the south right-of-way line of said U.S. Highway 290 West and the north line of said remainder of called 2055.90 acres tract, **N88°40'07"E**, a distance of **549.47** feet to a 1/2-inch iron rod with "Ward-5811" cap set for the northwest corner of Lot 1-D, Sawyer Ranch 33, Tract One recorded in Volume 16, Page 392-393 (P.R.H.C.T.), and being the northeast corner of said remainder of called 2055.90 acres tract, and being the northeast corner hereof, from which a Texas Department of Transportation (TxDOT) Type I concrete monument found for a point of curvature in the south right-of-way line of said U.S. Highway 290 West and the north line of said Lot 1-D

bears, N88°40'07"E, a distance of 94.26 feet;

**THENCE**, with the east line of said remainder of called 2055.90 acres tract and with the line of said Lot 1-D, **S00°41'20"E**, passing at 379.60 feet the southwest corner of said Lot 1-D and the northwest corner of Lot 2-A1, Resubdivision of Lot 2-A of Sawyer Ranch 33, Tract Two recorded in Volume 19, Page 240-241 (P.R.H.C.T.), in all **892.56** feet to a 1/2-inch iron rod with "Ward-5811" cap set in the north line of said Lot 3A, and being the southwest corner of said Lot 2-A1, and being the southeast corner of said remainder of called 2055.90 acres tract, and being the southeast corner hereof;

**THENCE**, with the common line of said Lot 3A and said remainder of called 2055.90 acres tract, **S89°28'11"W**, a distance of **539.08** feet to the **POINT OF BEGINNING** and containing 11.1044 Acres, (483,709 Sq. Ft.) of land more or less.

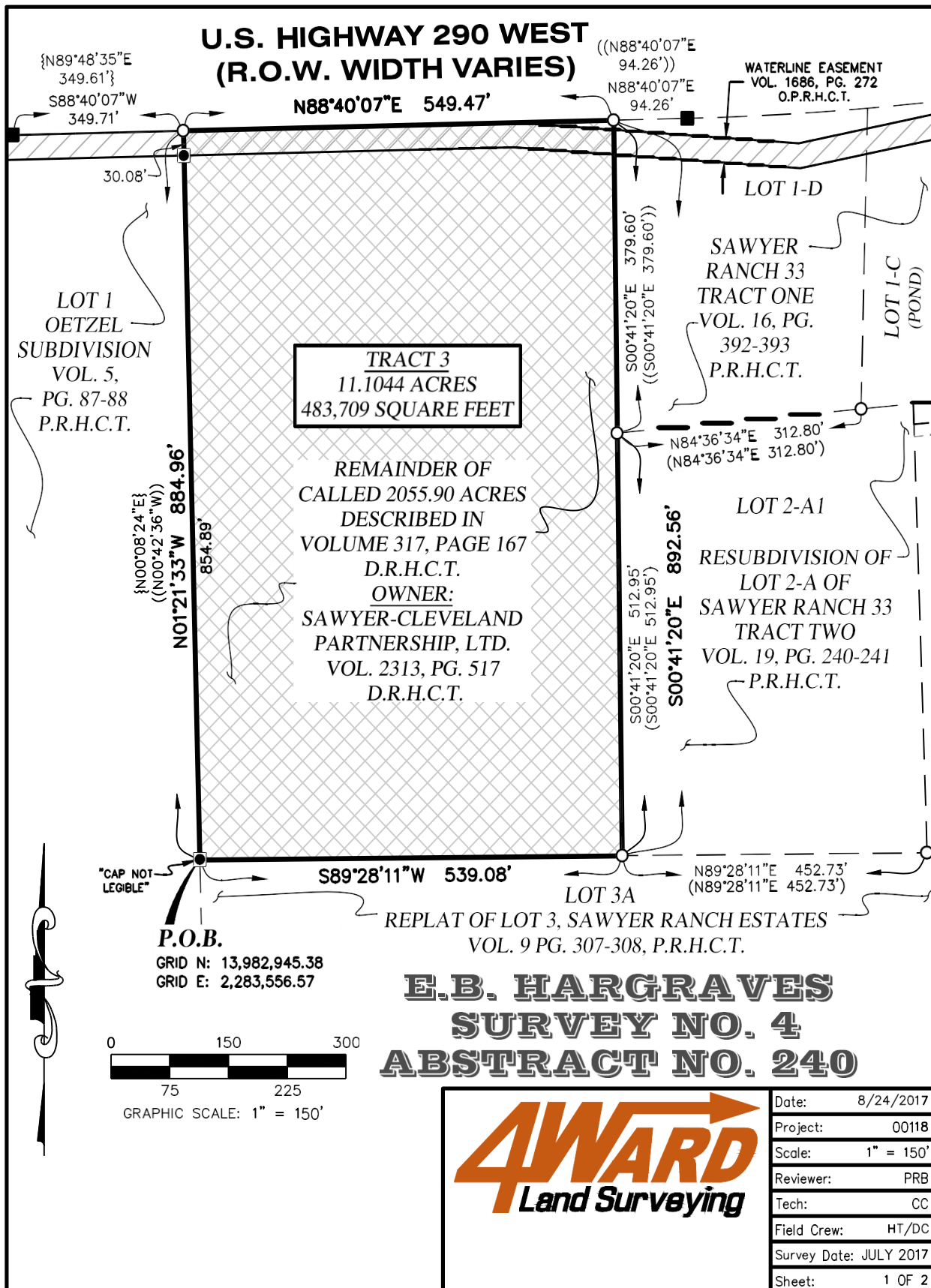


08/27/2017

Jason Ward, RPLS #5811  
4Ward Land Surveying, LLC

**11.1044 ACRES  
TRACT 3  
City of Dripping Springs Hays County,  
Texas**

A Limited Liability Company  
**PO Box 90876, Austin Texas 78709  
www.4Wardls.com (512) 554-3371**



## LEGEND

|              |   |
|--------------|---|
|              | PROPERTY LINE                                 |
|              | EXISTING PROPERTY LINES                       |
|              | EXISTING EASEMENTS                            |
|              | 1/2" IRON ROD WITH "WARD" CAP SET             |
|              | IRON ROD WITH "LCRA" CAP FOUND                |
|              | TXDOT TYPE I CONCRETE MONUMENT FOUND          |
| DOC. #       | DOCUMENT NUMBER                               |
| P.O.B.       | POINT OF BEGINNING                            |
| P.U.E.       | PUBLIC UTILITY EASEMENT                       |
| VOL./PG.     | VOLUME/PAGE                                   |
| P.R.H.C.T.   | PLAT RECORDS, HAYS COUNTY, TEXAS              |
| O.P.R.H.C.T. | OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS   |
| D.R.H.C.T.   | DEED RECORDS, HAYS COUNTY, TEXAS              |
| (.....)      | RECORD INFORMATION PER VOL. 19 PG. 240-241    |
| ((.....))    | RECORD INFORMATION PER VOL. 16, PG. 392-393   |
| {.....}      | RECORD INFORMATION PER PLAT VOL. 5, PG. 87-88 |



*Jason Ward*  
8/24/2017

### NOTES:

1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, SOUTH CENTRAL ZONE, (4204), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000081412828.

2) SEE ATTACHED METES AND BOUNDS DESCRIPTION.



|              |           |
|--------------|-----------|
| Date:        | 8/24/2017 |
| Project:     | 00118     |
| Scale:       | 1" = 150' |
| Reviewer:    | PRB       |
| Tech:        | CC        |
| Field Crew:  | HT/DC     |
| Survey Date: | JULY 2017 |
| Sheet:       | 2 OF 2    |