

CITY OF DRIPPING SPRINGS

ORDINANCE NO.

**39.341 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 39.341 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 August 30, 2021

WHEREAS, the area identified in Exhibit “A,” approximately 39.341 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 December 7, 2021;

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 _____ 2021, 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

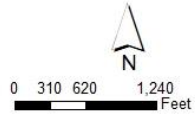
Exhibit "A"
DESCRIPTION OF AREA TO BE ANNEXED



Location Map

*Annex2021-0004
Hardy 2 Tract
Annexation*

- Roads
- Parcel Lines
- City Limits**
- ▭ Full Purpose
- ▭ Site



39.341 ACRES
BUNKER RANCH
DRIPPING SPRINGS, TX

PROJECT NO.: 304-065
AUGUST 13, 2021

LEGAL DESCRIPTION

BEING A 39.341 ACRE TRACT OF LAND (INCLUDING A 60 SQUARE FOOT AREA IN CONFLICT) OUT OF THE BENJAMIN F. HANNA SURVEY NO. 28, ABSTRACT NO. 222, SITUATED IN HAYS COUNTY, TEXAS, 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 39.341 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 the remainder of said 79.61 acre tract, being reentrant corner 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 remainder of 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 distance of 99.94 feet, a ½ inch iron rod found at the westerly common corner of said 4.25 acre tract and of said 44.123 acre tract, continuing for a total distance of 712.85 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 remainder of 79.61 acre 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, continuing for a total distance of 722.37 feet to a ½ inch iron rod with "CEC" cap set at the northwesterly corner of Lot 1, Block 3, said Bunker Ranch Phase 3, being the easterly common corner of said 39.341 acre tract and of said remainder of 79.61 acre tract, for the **POINT OF BEGINNING**, hereof;

THENCE, along the common line of said 39.341 acre tract and of said Bunker Ranch Phase 3, S00°21'25"W, a distance of 1537.62 found at the westerly common corner of said Bunker Ranch Phase 3 and of a called 18.250 acre tract conveyed to The Overlook at Bunker Ranch, LLC by deed of record in Document No. 20061246, O.P.R.H.C.T.;

THENCE, bounding the area of conflict, the following two (2) courses and distances:

1. S05°53'31"E, a distance of 10.82 feet to a found ½ inch iron rod;
2. S86°15'32"W, a distance of 5.94 feet to an 8 inch cedar fence post found at the northerly common corner of said 18.250 acre tract and of a called 603.70 acre tract conveyed to Anna Marie Widen Speir, et al, by deed of record in Volume 1734, Page 427, O.P.R.H.C.T.;

THENCE, along the common line of said 39.341 acre tract and of said 603.70 acre tract, S88°42'30"W, a distance of 1,237.34 feet to a ½ inch iron rod with "CEC" cap set at the southerly common corner of said 78.021 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 39.341 acre tract and of said 79.39 acre tract, the following two (2) courses and distances:

39.341 ACRES
BUNKER RANCH
DRIPPING SPRINGS, TX

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1. N18°14'48"E, a distance of 881.92 feet to a found ½ inch iron rod;
2. N19°44'58"W, a distance of 515.10 feet to a calculated point at the westerly common corner of said 39.341 acre tract said remainder of 79.61 acre tract;

THENCE, along the common line of said 39.341 acre tract and of said remainder of 79.61 acre tract, the following seven (7) courses and distances:

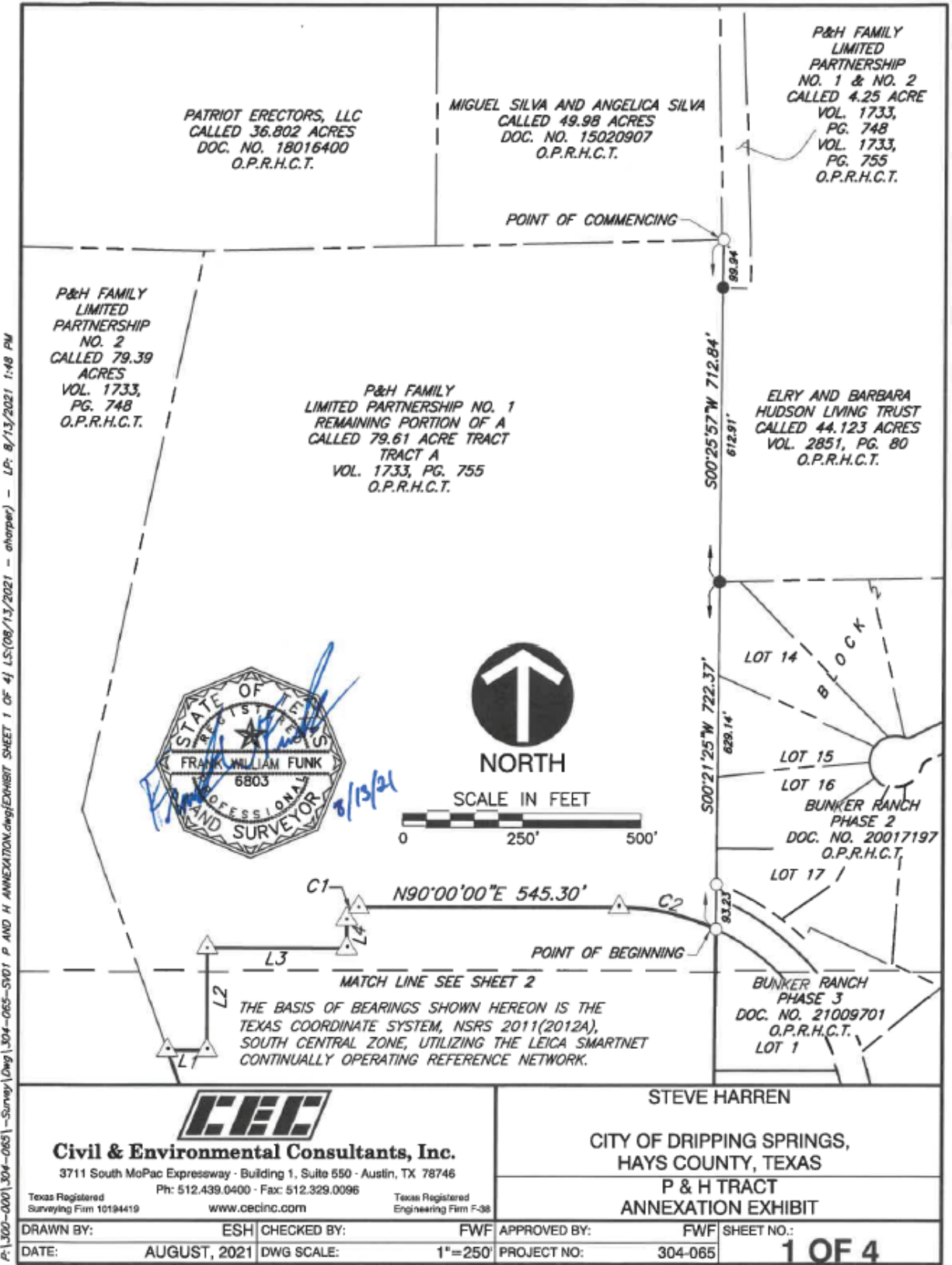
1. N90°00'00"E, a distance of 82.95 feet to a calculated point;
2. N00°01'40"E, a distance of 214.73 feet to a calculated point;
3. S89°46'31"E, a distance of 292.40 feet to a calculated point;
4. N00°00'00"E, a distance of 60.99 feet to a calculated point at the beginning of a 25.00 foot radius curve to the right;
5. 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 which bears N45°00'00"E, a distance of 35.36 feet to a calculated point;
6. N90°00'00"E, a distance of 545.30 feet to a calculated point at the beginning of a 480.00 foot radius curve to the right;
7. 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 which bears S77°27'08"E, a distance of 208.56 feet to the **POINT OF BEGINNING**, and containing 39.341 acres (1,713,713 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 13th day of August, 2021.

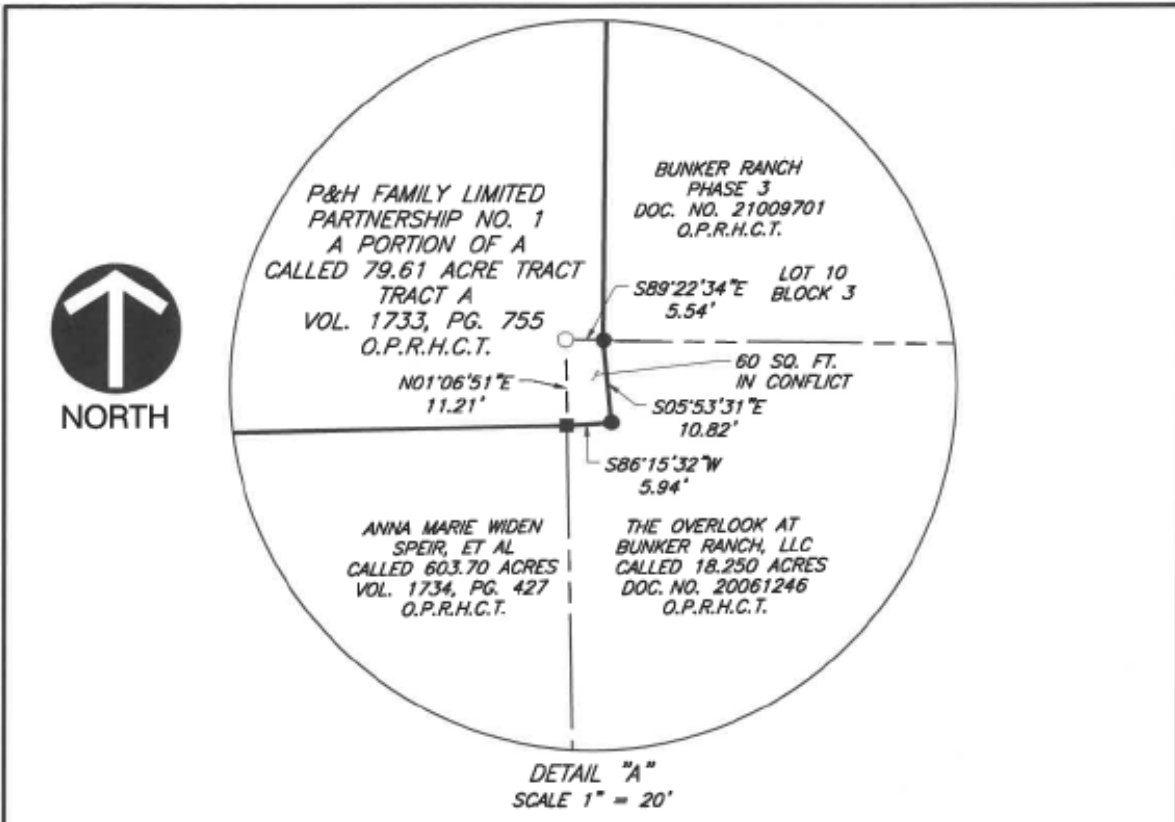

Frank William Funk, R.P.L.S. 6803
Civil & Environmental Consultants, Inc.
3711 S. MoPac Expressway, Building 1, Suite 550
Austin, TX 78746
Texas Registered Surveying Firm No. 10194419





P:\300-0001\304-065-SVD1 P AND H ANNEXATION.dwg\EXHIBIT SHEET 1 OF 4] LS:(08/13/2021 - at Harper) - LP: 8/13/2021 1:48 PM

P:\300-000\304-065\Survey\Draw\304-065-SHOW P AND H ANNEXATION.dwg\EXHIBIT SHEET 3 OF 4 LS(08/13/2021 - aharper) - LP: 8/13/2021 1:48 PM



LEGEND:

- 1/2" IRON ROD FOUND
- 8" CEDAR FENCE POST FOUND
- 1/2" IRON ROD SET W/ "CEC" CAP
- △ CALCULATED POINT
- SUBJECT PROPERTY LINE
- - - - - ADJACENT PROPERTY LINE
- O.P.R.H.C.T. OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS
- DOC. NO. DOCUMENT NUMBER
- VOL. VOLUME
- PG. PAGE

<p>Civil & Environmental Consultants, Inc. 3711 South MoPac Expressway - Building 1, Suite 550 - Austin, TX 78746 Texas Registered Surveying Firm 10194419 www.cecinc.com Texas Registered Engineering Firm F-38</p>		<p>STEVE HARREN CITY OF DRIPPING SPRINGS, HAYS COUNTY, TEXAS P & H TRACT ANNEXATION EXHIBIT</p>	
DRAWN BY: ESH	CHECKED BY: FWF	APPROVED BY: FWF	SHEET NO.:
DATE: AUGUST, 2021	DWG SCALE: 1"=20'	PROJECT NO: 304-065	3 OF 4

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CURVE TABLE					
CURVE #	RADIUS	DELTA	LENGTH	CHORD LENGTH	CHORD BEARING
C1	25.00'	90°00'00"	39.27'	35.36'	N45°00'00"E
C2	480.00'	25°05'43"	210.24'	208.56'	S77°27'08"E

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N90°00'00"E	82.95'
L2	N00°01'40"E	214.73'
L3	S89°46'31"E	292.40'
L4	N00°00'00"E	60.99'

 Civil & Environmental Consultants, Inc. 3711 South MoPac Expressway · Building 1, Suite 550 · Austin, TX 78746 Ph: 512.439.0400 · Fax: 512.329.0096 <small>Texas Registered Surveying Firm 10194419 www.cecinc.com Texas Registered Engineering Firm F-38</small>	STEVE HARREN CITY OF DRIPPING SPRINGS, HAYS COUNTY, TEXAS P & H TRACT ANNEXATION EXHIBIT	
	DRAWN BY: ESH DATE: AUGUST, 2021	CHECKED BY: FWF DWG SCALE: 1"=250'

Exhibit "B"
Municipal Services Agreement

DRAFT