

AN ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS PROVIDING FOR THE EXTENSION OF FAIR OAKS RANCH CITY LIMITS BY THE ANNEXATION OF A +/- 344.6 ACRE TRACT OF LAND WITHIN COMAL AND KENDALL COUNTY, TEXAS GENERALLY LOCATED SOUTH AND WEST OF AMMANN ROAD AND EAST OF THE STONE CREEK RANCH SUBDIVISION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Chapter 43; Subchapter C-3 of the Texas Local Government Code (“LGC”), authorizes the City of Fair Oaks Ranch, a Home-Rule city, the annexation of territory, subject to the laws of this state and Section 2.02 of the Fair Oaks Ranch City Charter authorizes the City Council to annex territory, and

WHEREAS, on December 12, 2024, the City received a petition for voluntary annexation by the property owner of a +/- 344.6-acre tract of land (“Property”) located in the City’s extra-territorial jurisdiction, and

WHEREAS, staff confirmed the Property lies within the extraterritorial jurisdiction of Fair Oaks Ranch and is adjacent and contiguous to the existing city limits of Fair Oaks Ranch, and

WHEREAS, on May 20, 2025, after finding the petition for annexation was complete, the City Council adopted a resolution accepting the petition and authorized the City Manager to negotiate a written services agreement with the land owners for the extension of municipal services to the Property, upon annexation, and

WHEREAS, all notification requirements were performed in accordance with LGC Chapter 43 Subchapters C and Z and the City’s Unified Development Code, and

WHEREAS, on June 19, 2025, the City Council conducted a public hearing at which persons interested in the annexation were given an opportunity to be heard regarding the proposed annexation, and

WHEREAS, on June 19, 2025, in accordance with LGC Section 43.0672, the City Council adopted a resolution approving a services agreement and authorized the City Manager to execute said with the Property owner, and

WHEREAS, the City Council determines it is advantageous and beneficial to the City and its inhabitants to annex the +/- 344.6-acre tract lying outside of, but adjacent to and adjoining the City of Fair Oaks Ranch, Texas.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS:

Section 1. The land and territory lying outside of, but adjacent to and adjoining the City of Fair Oaks Ranch, Texas, more particularly described in **Exhibit A**, attached hereto and incorporated herein by reference, hereinafter referred to as the Property, is hereby annexed into the City of Fair Oaks Ranch, Texas.

Section 2. That the official map and boundaries of Fair Oaks Ranch are hereby amended to include

the Property as part of the City of Fair Oaks Ranch, Texas.

- Section 3.** The Services Agreement adopted on June 19, 2025 by city resolution providing for municipal services to the Property upon annexation is attached as **Exhibit B**.
- Section 4.** That the inhabitants of the Property shall be entitled to all the rights and privileges of all the citizens of Fair Oaks Ranch, and they shall be bound by the acts, ordinances, resolutions, and regulations enacted pursuant to and in conformity with the City Charter and the laws of the State of Texas.
- Section 5.** The City Secretary is hereby directed to file with the county clerk's office of Comal and Kendall County, Texas and other appropriate officials and agencies, as required by state and federal law, a certified copy of this Ordinance
- Section 6.** That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.
- Section 7.** 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 invalid by judgment or decree of any court of competent jurisdiction, such invalidity 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.
- Section 8.** That it is officially found, determined, and declared that the meeting at which this ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.
- Section 9.** The provisions of this ordinance shall be cumulative of all ordinances not repealed by this ordinance and ordinances governing or regulating the same subject matter as that covered herein.
- Section 10.** If any provision of this ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this ordinance would have been enacted without such invalid provision.
- Section 11.** All ordinances, or parts thereof, which are in conflict or inconsistent with any provision of this ordinance are hereby repealed to the extent of such conflict, and the provisions of this ordinance shall be and remain controlling as to the matters ordained herein.
- Section 12.** This ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 13. This ordinance shall take effect immediately from and after its second reading, passage and any publication requirements as may be required by governing law.

PASSED and APPROVED on first reading by the City Council of the City of Fair Oaks Ranch, Texas, on this 19th day of June 2025.

PASSED, APPROVED, and ADOPTED on second and final reading by the City Council of the City of Fair Oaks Ranch, Texas, on this 3rd day of July 2025.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, TRMC
City Secretary

Denton Navarro Rodriguez Bernal Santee & Zech
P.C., City Attorney