

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANOR, TEXAS ANNEXING 1.273 ACRES OF LAND, MORE OR LESS LOCATED IN TRAVIS COUNTY, TEXAS INCLUDING THE ABUTTING STREETS, ROADWAYS, AND RIGHTS-OF-WAY INTO THE CORPORATE LIMITS OF THE CITY, AT THE REQUEST OF THE PROPERTY OWNER; APPROVING AN AGREEMENT FOR THE PROVISION OF SERVICES FOR THE ANNEXED AREA; MAKING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.

WHEREAS, the City of Manor, Texas is a home rule municipality authorized by State law to annex territory lying adjacent and contiguous to the City;

WHEREAS, the owner of the property, as hereinafter described, made written request for the City to annex such property in compliance with *Tex. Loc. Gov't Code*;

WHEREAS, the property is adjacent and contiguous to the present city limits;

WHEREAS, the City Council heard and has decided to grant the owners' request that the City annex said property;

WHEREAS, a public hearing was conducted prior to consideration of this Ordinance in accordance with §43.0673 of the *Tex. Loc. Gov't Code*;

WHEREAS, notice of the public hearing was published not more than twenty (20) nor less than ten (10) days prior to the public hearing;

WHEREAS, the City intends to provide services to the property to be annexed according to the agreement for the provision of services attached hereto as Exhibit "B".

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS:

SECTION 1. That all of the above premises and findings of fact are found to be true and correct and are hereby incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. All portions of the following described property (hereinafter referred to as the "Annexed Property"), not previously annexed into the City, including abutting streets, roadways, and rights-of-way, are hereby annexed into the corporate limits of the City of Manor:

Being 1.273 acres of land, more or less, out of the A.C. Caldwell Survey No. 52, Abstract No. 154, in Travis County, Texas, and being a portion of that certain (2.00 acre) tract of land as described by metes and bounds in instrument recorded in Volume 5800, Page 700 of the Deed Records of Travis County, Texas, said (2.00 acre) tract, being a portion of the certain (4.16 acre) tract of land as conveyed to Herbert Guy Purtle by Deed recorded in Volume 5834, Page 1670 of the Deed Records of Travis County, Texas, also being a portion of that certain (14.16 acre) tract of land as conveyed to Herbert Guy Purtle by Deed recorded in Volume 12892, Page 74 of the Real Property Records of Travis County, Texas; said 1.273 acre tract being more particularly described in Exhibit "A".

SECTION 3. That the provision of services agreement submitted herewith is hereby approved as part of this Ordinance, made a part hereof and attached hereto as Exhibit "B".

SECTION 4. That the future owners and inhabitants of the Annexed Property shall be entitled to all of the rights and privileges of the City as set forth in the provisions of services agreement attached hereto as Exhibit "B", and are further bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be hereafter adopted.

SECTION 5. That the official map and boundaries of the City, heretofore adopted and amended be and hereby are amended so as to include the Annexed Property as part of the City of Manor.

SECTION 6. That the Annexed Property shall be temporarily zoned Agricultural District "A" as provided in the City Zoning Ordinance, as amended, until permanent zoning is established therefore.

SECTION 7. That if any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

SECTION 8. That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't Code*.

SECTION 9. That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that the public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex Gov't Code*.

PASSED AND APPROVED FIRST READING on this the _____ day of _____ 2024.

PASSED AND APPROVED SECOND AND FINAL READING on this the _____ day of _____ 2024.

THE CITY OF MANOR, TEXAS

Dr. Christopher Harvey,
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

Exhibit "A"
Subject Property Description
+/- 1.273 Acres

HOLT CARSON, INCORPORATED**PROFESSIONAL LAND SURVEYORS**

Texas Licensed Surveying Firm Registration No. 10050700

1904 FORTVIEW ROAD

AUSTIN, TX 78704

TELEPHONE: (512) 442-0990

E-mail: survey@hciaustin.com

"TRACT 2"

January 11, 2022

FIELD NOTE DESCRIPTION OF 1.273 ACRES OF LAND OUT OF A.C. CALDWELL SURVEY NO. 52, ABSTRACT NO. 154, IN TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF THAT CERTAIN (2.00 ACRE) TRACT OF LAND AS DESCRIBED BY METES AND BOUNDS IN INSTRUMENT RECORDED IN VOLUME 5800, PAGE 700 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, SAID (2.00 ACRE) TRACT, BEING A PORTION OF THE CERTAIN (4.16 ACRE) TRACT OF LAND AS CONVEYED TO HERBERT GUY PURTLE BY DEED RECORDED IN VOLUME 5834, PAGE 1670 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, ALSO BEING A PORTION OF THAT CERTAIN (14.16 ACRE) TRACT OF LAND AS CONVEYED TO HERBERT GUY PURTLE BY DEED RECORDED IN VOLUME 12892, PAGE 74 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a 5/8 inch iron rod found in the Southwest right-of-way line of Voelker Lane at the Northwest corner of that certain (14.00 acre) tract of land as conveyed to Terry Lee Schultz by deed recorded in Volume 13329, Page 410 of the Real Property Records of Travis County, Texas, same being the Northeast corner of that certain (14.16 acre) tract of land as conveyed to Herbert Guy Purtle by deed recorded in Volume 12892, Page 74 of the Real Property Records of Travis County, Texas;

THENCE leaving the Southwest right-of-way line of Voelker Lane with the East line of said (14.16 acre) Purtle tract and with the West line of said (14.00 acre) Schultz tract, **S 00 deg. 29'34" W** at a distance of 632.66 ft. passing a calculated point at the record Northeast corner of that certain (4.16 acre) tract of land as conveyed to Herbert Guy Purtle by deed recorded in Volume 5834, Page 1670 of the Deed Records of Travis County, Texas, continuing along said bearing for a total distance of **819.82 ft.** to a 5/8" iron rod found in the North right-of-way line of U.S. Highway 290 at the Northwest corner of that certain (2.281 acre) tract of land as condemned by the State of Texas for highway purposes as set forth in Judgment Nunc Pro Tunc recorded in Volume 11671, Page 223 of the Real Property Records of Travis County, Texas, same being the Northeast corner of that certain (1.544 acre) tract of land as condemned by the State of Texas for Highway purposes as set forth in Amended Judgment recorded in Volume 11664, Page 435 of the Real Property Records of Travis County, Texas;

1.273 Acres

End of Page 1 of 3

1.273 Acres

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THENCE leaving the West line of said (14.00 acre) Schultz tract and entering the interior of said (4.16 acre) Purtle tract and said (14.16 acre) Purtle tract, with the North line of said (1.544 acre) State of Texas tract and with the North right-of-way line of U.S. Highway 290, S 86 deg. 48'09" W 303.88 ft. to a calculated point in the East line of that certain (2.00 acre) tract of land as described by metes and bounds in instrument recorded in Volume 5800, Page 700 of the Deed Records of Travis County, Texas and being the Southeast corner and the **PLACE OF BEGINNING** of the herein described tract;

THENCE crossing through the interior of said (2.00 acre) tract and continuing through the interior of said (4.16 acre) Purtle tract and said (14.16 acre) Purtle tract, with the North line of said (1.544 acre) State of Texas tract and with the North right-of-way line of U.S. Highway 290, **S 86 deg. 48'09" W 301.67 ft.** to a brass disk in concrete imprinted "Texas Department of Transportation" found at the intersection of the North right-of-way line of U.S. Highway 290 and the East right-of-way line of F.M. 1100, same being a point in the West line of said (2.00 acre) tract, also being a point in the West line of said (4.16 acre) Purtle tract and said (14.16 acre) Purtle tract, and also being the Northwest corner of said (1.544 acre) State of Texas tract and the Southwest corner of the herein described tract.;

THENCE leaving the North right-of-way line of U.S. Highway 290 with the East right-of-way line of F.M. 1100 and with the West lines of said (2.00 acre) tract, said (4.16 acre) Purtle tract and said (14.16 acre) Purtle tract, the following two (2) courses:

- 1.) **N 39 deg. 26'56" W 14.07 ft.** to a broken concrete highway monument;
- 2.) **N 05 deg. 33'26" E, 177.49 ft.** to a calculated point at the record Northwest corner of said (4.16 acre) Purtle tract, same being the Northwest corner of said (2.00 acre) tract and being the Northwest corner of the herein described tract, from which a broken concrete highway monument found at a point of curvature in the East right-of-way line of F.M. 110, same being a point in the West line of said (14.16 acre) Purtle tract bears, **N 05 deg. 33'26" E 544.61 ft.**;

THENCE leaving the East right-of-way line of F.M. 1100 and re-entering the interior of said (14.16 acre) Purtle tract, with the North line of said (2.00 acre) tract and with the North line of said (4.16 acre) Purtle tract, **N 86 deg. 48'09" E 282.98 ft.** to a calculated point at the Northeast corner of said (2.00 acre) tract, same being the Northeast corner of the herein described tract;

1.273 Acres
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THENCE leaving the North line of said (4.16 acre) Purtle tract and continuing through the interior of said (14.16 acre) Purtle tract with the East line of said (2.00 acre) tract, **S 03 deg. 11'S 1" E 186.77 ft.** to the **PLACE OF BEGINNING** and containing **1.273 acres** of land.

SURVEYED: September 18, 2021

BY:



Holt Carson

Registered Professional Land Surveyor No. 5166



Reference Map B1092102

Exhibit "B"
AGREEMENT REGARDING POST-ANNEXATION
PROVISION OF SERVICES
FOR PROPERTY TO BE ANNEXED INTO THE CITY OF MANOR