



ORDINANCE NO. 2018-05

AN ORDINANCE OF THE CITY OF BURNET, TEXAS, PROVIDING FOR THE ANNEXATION, OF 1.874 ACRES OF LAND SITUATED IN BURNET COUNTY, TEXAS, OUT OF THE EUGENIO PEREZ SURVEY NO. 41, ABSTRACT NO. 672, THE LEMUEL TAYLOR SURVEY NO. 8, ABSTRACT NO. 800, AND THE SAM HAZLOTT SURVEY NO. 6, ABSTRACT NO. 401, ALSO BEING OUT OF THE OCCUPIED RIGHT-OF-WAY OF JOHN W. HOOVER PARKWAY, BURNET COUNTY, TEXAS; DIRECTING THE CITY SECRETARY TO FILE THIS ORDINANCE WITH THE COUNTY CLERK OF THE COUNTY OF BURNET; ADOPTING A SERVICE PLAN; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Burnet, Texas (the "City") is authorized to annex territory in accordance with Texas Local Government Code, Section 43.021 and the City's home-rule charter; and

WHEREAS, the territory to be annexed consists of that 1.874 acre portion of John W. Hoover Parkway located west of the City of Austin Railroad right-of-way and extending in a westerly direction to the existing City of Burnet corporate boundaries ("Annexation Area") and is adjacent to the City of Burnet corporate boundaries and within the extraterritorial jurisdiction of the City, under the terms of Chapter 43 of the Texas Local Government Code; and

WHEREAS, the City Council of the City of Burnet, Texas (the "City Council") has found it necessary and in the public interest to expand the city limits to include the Annexation Area as more particularly described on Exhibit "A" and by metes and bounds on Exhibit "B"; and

WHEREAS, the Annexation Area is exempt from the City's municipal annexation plan pursuant to Texas Local Government Code 43.052 (h) (1); and

WHEREAS, the City has prepared a Service Plan for the Annexation Area attached hereto as Exhibit "C"; and

WHEREAS, written notice of the City Council's intent to annex the Annexation Area was mailed in accordance to Texas Local Government Code 43.062; and

WHEREAS, the City Council held public hearings in accordance with Texas Local Government Code, Section 43.063 on January 23, 2018 and February 13, 2018; and

WHEREAS, the City Council conducted two public readings of this ordinance in accordance with Texas Local Government Code on February 13, 2018 and February 27, 2018.

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

SECTION 1: Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made part hereof for all purposes as findings of fact.

SECTION 2: Annexation. The tract of land and territory more particularly described on Exhibit "A" and by metes and bounds on Exhibit "B," copies of which are attached hereto and incorporated for all purposes herein, is hereby annexed to the City of Burnet, Burnet County, Texas. The boundary limits of the City of Burnet, Texas, are hereby extended to include the above described territory within the Municipal Limits of the City of Burnet, Texas, and persons residing within the same shall be inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City of Burnet, Texas, and shall be bound by the acts, ordinances, resolutions and regulations of the City of Burnet.

SECTION 3: Service Plan. The Service Plan provided for in Exhibit "C", a copy of which is attached hereto and incorporated for all purposes herein, is hereby adopted.

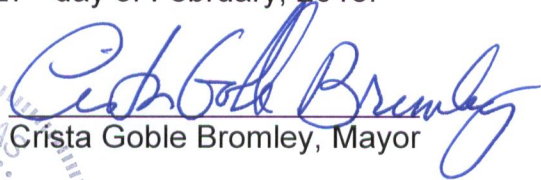
SECTION 4: Filing. The City Secretary is hereby directed to file with the County Clerk of Burnet County, Texas, a certified copy of this Ordinance.

SECTION 5: Severability. If for any reason any section, paragraph, subdivision, clause, phrase, word, or other provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this Council that every section, paragraph, subdivision, clause phrase, word, or provision hereof shall be given full force and effect for its purpose.


SECTION 6: Effective Date. This ordinance becomes effective upon its approval by City Council at second and final reading.

PASSED AND APPROVED on First Reading this the 13th day of February, 2018.

FINALLY PASSED AND APPROVED on this 27th day of February, 2018.

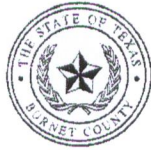

Crista Goble Bromley, Mayor

ATTEST:



Kelly Dix, City Secretary





FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Janet Parker

Janet Parker, County Clerk

Burnet County Texas

2/28/2018 11:12:08 AM

FEE: \$20.00

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