



ORDINANCE NO. 2020-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET PROVIDING FOR THE VOLUNTARY EXTENSION OF THE CITY LIMITS THE CITY OF BURNET, TEXAS BY THE ANNEXATION OF CERTAIN CITY OWNED LAND LOCATED NEAR COUNTY ROAD 100 AND DELAWARE SPRINGS GOLF COURSE; AMENDING THE OFFICIAL CITY LIMITS MAP OF THE CITY OF BURNET TO REFLECT THE VOLUNTARY ANNEXATION OF THE AREA DESCRIBED HEREIN; AND PRESCRIBING AN EFFECTIVE DATE.

WHEREAS, Texas Local Government Code § 43.0671 authorizes the City of Burnet, Texas, to extend its city limit boundaries through the voluntary annexation of an area adjacent to those boundaries; and

WHEREAS, the City of Burnet is the owner of the land that is the subject of this annexation ordinance; and

WHEREAS, the land to be annexed is an 11.64-acre tract of land owned entirely by the City of Burnet, Texas; and

WHEREAS, in accordance with Texas Local Government Code § 43.0672, the City has prepared a written service plan; and

WHEREAS, on August 11, 2020, City Council conducted a hearing where members of the public could give testimony and comment on the proposed annexation; and

WHEREAS, in accordance with Texas Local Government Code § 43.0673, on August 25, 2020, City Council conducted a second public hearing where members of the public could give testimony and comment on the proposed annexation; and

WHEREAS, notice of the public hearing was published in a Burnet newspaper of general circulation and posted on the City's website in accordance with Texas Local Government Code § 43.0673, on August 12, 2020, a date which was on or after the 20th day, but before the 10th day, before the second public hearing.

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

Section one. The annexed land. As more particularly described in **Exhibits "A"** (metes and bounds) and **Exhibit "B"** (Boundary Survey) the land and territory of a 11.64 acre tract owned by the City of Burnet, Texas, lying outside of, but adjacent to, and adjoining the City of Burnet, Texas, is hereby added and annexed to the City of Burnet, Texas, and said territory, as described, shall hereafter be included within the boundary limits of said City, and the present boundary limits of said City.

Section two. The service plan. The service plan attached hereto as **Exhibit "C"** is hereby approved and adopted.

Section three. Inhabitants citizenship. The inhabitants of the annexed land shall be entitled to all of the rights and privileges as citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Burnet, Texas.

Section four. City Map. The official City Limits of the City of Burnet shall be amended to reflect the annexation of the subject land and territory.

Section five. Post annexation procedures. Within 30 days of the effective date of this Ordinance, the City Secretary is hereby authorized and directed to do the following:

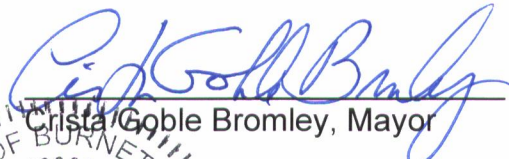
- Provide a certified copy of this ordinance to the Texas Secretary of State so that the legal validity of the annexation may be certified to the United States Census Bureau;
- Provide certified copies of this ordinance to the Texas Comptroller and Burnet County Appraisal District in accordance with Texas Tax Code §321.102; and
- Provide a certified copy of this ordinance to the Burnet County Clerk pursuant to Texas Local Government Code §41.001.

Section six. This ordinance shall become effective upon passage, adoption and publication as required by law.


Passed on first reading on the 28th day of August, 2020

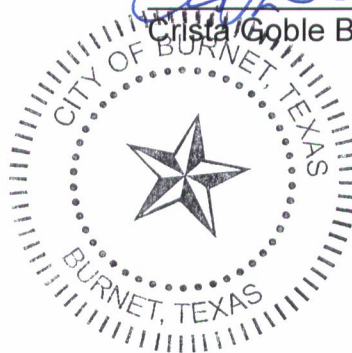
Passed and Adopted on the 8th day of September, 2020

CITY OF BURNET


Crista Goble Bromley, Mayor

ATTEST:


Kelly Dix, City Secretary



MUNICIPAL SERVICE PLAN

FIRE

Existing Services: Emergency Service District

Services to be Provided: Fire suppression will be available to the area upon annexation. Primary fire response will be provided by the City of Burnet Fire Department. Adequate fire suppression activities can be afforded to the annexed area within current budget appropriation. Fire prevention activities will be provided by the Fire Marshall's office as needed.

POLICE

Existing Services: County Sheriff

Services to be Provided: Currently, the area is under the jurisdiction of the Burnet County Sheriff's Office. However, upon annexation, the City of Burnet Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

BUILDING INSPECTION

Existing Services: None

Services to be Provided: The Building Inspection Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling and enforcing all other applicable codes which regulated building construction within the City of Burnet.

PLANNING AND ZONING

Existing Services: None

Services to be Provided: The Planning and Zoning Department's responsibility for regulating development and land use through the administration of the City of Burnet Zoning Ordinance will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Burnet Subdivision Ordinance. These services can be provided within the department's current budget.

HEALTH DEPARTMENT- HEALTH CODE ENFORCEMENT SERVICE

Existing Services: None

Services to be Provided: The City of Burnet's health ordinances and regulations shall be applicable to the property on the effective date of the annexation. Inspection services can be provided with current Health Department Personnel and within the current budget appropriation. In addition, animal control services will be provided to the area as needed.

STREET

No existing streets will be annexed. Newly constructed streets shall be built in accordance with the City Code of Ordinances.

STORM WATER MANAGEMENT

Existing Services: None

Services to be Provided: Developers will provide storm water drainage at their own expense, which will be inspected by the City Engineers at time of completions. Storm water drainage systems shall be maintained in accordance with the requirements of the City Code of Ordinance.

STREET LIGHTING

Existing Services: None

Services to be Provided: The City of Burnet will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy.

TRAFFIC ENGINEERING

Existing Services: None

Services to be Provided: As the property develops, Traffic Control Devices shall be installed and maintain in accordance with the requirements of the City Code of Ordinances.

WATER SERVICE

Existing Services: None

Services to be Provided: Water service to the area will be provided in accordance with the applicable codes and departmental policy. When other property develops in the

adjacent area, water service shall be provided in accordance with extension ordinances. Extension of service shall comply with applicable codes and ordinances.

SANITARY SEWER SERVICE

Existing Services: None

Services to be Provided: Sanitary sewer service to the area of proposed annexation will be provided in accordance with applicable codes and departmental policy. When property develops in the adjacent areas, sanitary sewer service shall be provided in accordance with the present extension ordinance. Extension of service shall comply with applicable codes and ordinances.

SOLID WASTE SERVICES

Existing Services: None

Services to be Provided: Solid Waste Collection shall be provided to the area of annexation in accordance with the present ordinance. Service shall comply with existing City policies, beginning with occupancy of structures.

MISCELLANEOUS

All other applicable municipal services will be provided to the area in accordance with the City of Burnet's established policies governing extension of municipal services to newly annexed areas.

City of Burnet
1001 Buchanan Drive, Suite 4
Burnet, TX 78611



METES AND BOUNDS DESCRIPTION OF TRACT 6 (11.608 ACRES)

FIELD NOTES TO DESCRIBE A 11.608 ACRE TRACT OF LAND (TRACT 6), OUT OF THE EUGENIO PEREZ SURVEY NO. 41, ABSTRACT NO. 672, SITUATED IN BURNET COUNTY, TEXAS, AND BEING A PORTION OF LOT NOS. 5, 6 & 7 OF OAK VISTA SUBDIVISION, A BURNET COUNTY SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN CABINET 1, SLIDE 183-C OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS, SAID 11.608 ACRES (TRACT 6) BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½-inch iron rod found, along a southerly line of said Oak Vista Subdivision and a northerly line of the remaining portion of a called 666.23 acre tract of land, described in a deed to Billy Joe Fox & La Vonna Fox, as recorded in Volume 798, Page 880 of the Official Public Records of Burnet County, Texas (O.P.R.B.C.T.), for the common south corner of Lot Nos. 7 & 8 of said Oak Vista Subdivision, the northeast corner of Tract 18, a northwesterly corner of Tract 1 and the southwest corner hereof, from which a ½-inch iron rod found, for the southwest corner of Lot 12 of said Oak Vista Subdivision and the southeast corner of Fox Drive, a variable width public right-of-way, according to the Re-subdivision of Lot No. 12 in Oak Vista, as recorded in Cabinet 2, Slide 36-D P.R.B.C.T., bears along a southerly line of said Oak Vista Subdivision a northerly line of said 666.23 acres and said Tract 18, South 77°36'31" West, a distance of 1,974.94 feet;

THENCE North 14°06'06" West, along the common line of said Lot Nos. 7 & 8, a distance of 332.49 feet, to a ½-inch iron rod set with "CUPLIN 5938" property cap, for an angle hereof;

THENCE over and across said Lot No. 7, the following courses and distances:

- 1) North 54°35'27" East (L1), a distance of 129.48 feet, to a ½-inch iron rod set with "CUPLIN 5938" property cap, for an angle hereof;
- 2) North 24°03'17" West (L2), a distance of 205.09 feet, to a ½-inch iron rod set with "CUPLIN 5938" property cap, along a southerly right-of-way line of Scenic Oaks Drive, a 50-foot public right-of-way, according to the plat recorded in Cabinet 1, Slide 183-C P.R.B.C.T., for an angle hereof, from which a ½-inch iron rod found, for the common north corner of Lot Nos. 8 & 9, bears along a southerly line of said Scenic Oaks Drive, South 79°19'56" West, a distance of 485.13 feet;

THENCE North 79°19'56" East, along a southerly line of said Scenic Oaks Drive and a northerly line of said Lot No. 7, a distance of 314.26 feet, to a ½-inch iron rod set with "CUPLIN 5938" property cap, for an angle hereof;

THENCE over and across said Lot No. 7, the following courses and distances:

- 1) South 24°00'44" East (L3) a distance of 188.14 feet, to a ½-inch iron rod set with "CUPLIN 5938" property cap, for an angle hereof;
- 2) North 79°45'52" East, passing at a distance of 268.27 feet, the common line of said Lot No. 6 & 7, and continuing over and across said Lot No. 6, for a total distance of 667.58 feet, to a ½-inch iron rod set with "CUPLIN 5938" property cap, for an angle hereof;

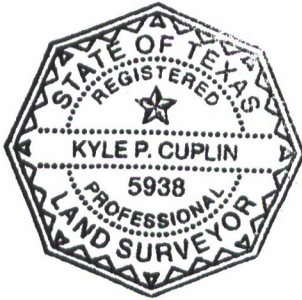
THENCE South 53°41'52" East (L4) over and across said Lot No. 6, a distance of 157.35 feet, to a ½-inch iron rod set with "CUPLIN 5938" property cap, along the common line of Lot No. 5 of said Oak Vista Subdivision and said Lot No. 6, for an angle hereof;

THENCE South 14°04'31" East, along the common line of said Lot Nos. 5 & 6, a distance of 246.88 feet, to a ½-inch iron rod found, along a southerly line of said Oak Vista Subdivision and a northerly line of said 666.23 acres, for the common south corner of said Lot Nos. 5 & 6, the northwest corner of Tract 19, a northeasterly corner of said Tract 1 and the southeast corner hereof;

THENCE South 77°36'31" West, along a southerly line of said Oak Vista Subdivision, a northerly line of said 666.23 acres and a northerly line of said Tract 1, a distance of 1,198.03 feet, to the **POINT OF BEGINNING**, containing 11.608 acres, more or less.

That I, Kyle P. Cuplin, a Registered Professional Land Surveyor, do hereby certify that the above description and accompanying plat is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision, with all bearings being referenced to Texas Coordinate System, Central Zone.

K.P. Cuplin 8/19/09
Registered Professional Land Surveyor No. 5938
Proj. No. 08222



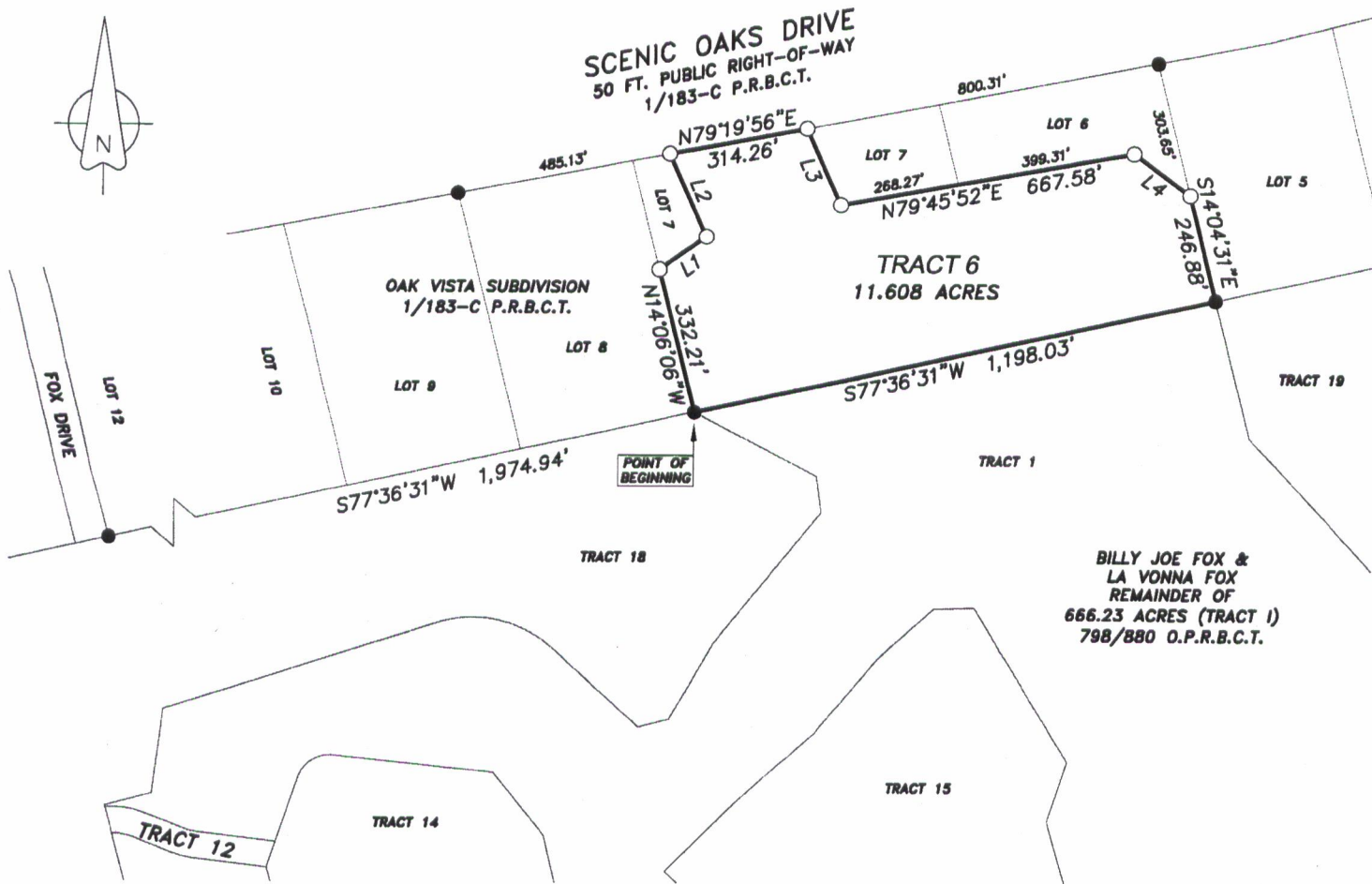
BOUNDARY SURVEY

LEGAL DESCRIPTION: BEING A 11.608 ACRE TRACT OF LAND (TRACT 6), OUT OF THE EUGENIO PEREZ SURVEY NO. 41, ABSTRACT NO. 672, SITUATED IN BURNET COUNTY, TEXAS, AND BEING A PORTION OF LOT NOS. 5, 6 & 7 OF OAK VISTA SUBDIVISION, A BURNET COUNTY SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN CABINET 1, SLIDE 183-C OF THE PLAT RECORDS OF BURNET COUNTY, TEXAS, SAID 11.608 ACRES (TRACT 6) BEING MORE PARTICULARLY DESCRIBED BY SEPARATE METES AND BOUNDS OF EVEN DATE ATTACHED HERETO AND MADE A PART OF THIS SURVEY.

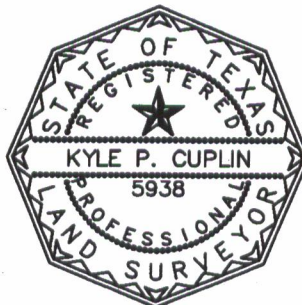
LINE	BEARING	DISTANCE
L1	N54°35'27"E	130.24'
L2	N24°03'17"W	205.09'
L3	S24°00'44"E	188.14'
L4	S53°41'52"E	157.35'

EUGENIO PEREZ
SURVEY NO. 41
ABSTRACT NO. 672

LEGEND	
●	1/2-INCH IRON ROD FOUND
○	1/2-INCH IRON ROD SET WITH "CUPLIN 5938" PROPERTY CAP



I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED ON THE GROUND AND WAS SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT MINIMUM STANDARDS FOR A BOUNDARY SURVEY AS ESTABLISHED BY THE TEXAS BOARD OF LAND SURVEYING.



Kyle P. Cuplin
KYLE P. CUPLIN, R.P.L.S. 5938 DATED 8/19/09

TEXAS COORDINATE
SYSTEM
CENTRAL ZONE

SHEET	PROJ. NO. 08222
3	DATE: 07/31/09
	SCALE 1" = 400'
OF	0 200 400
3	

BOUNDARY SURVEY
TRACT 6
11.608 ACRES



CUPLIN & ASSOCIATES, INC.
3010 WEST RR 1431, SUITE B
KINGSLAND, TEXAS 78639
PHONE: 325-388-3300
FAX: 325-388-3320

	2		DRAWN BY: REG
			CHECKED BY: KPC
	1		APPROVED BY:
DATE	NO.	DESCRIPTION	FILE NO.
		REVISIONS	COPYRIGHT: 2008



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Janet Parker

Janet Parker, County Clerk

Burnet County Texas

9/9/2020 9:50:32 AM

FEE: \$54.00

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