



ORDINANCE NO. 9-6-05A

**AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF HUTTO, TEXAS, TO-WIT: 44.13 ACRES DESCRIBED AS BEING OUT OF THE WILLIAM GATLIN SURVEY, ABSTRACT NO. 271, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 367.15 ACRE TRACT OF LAND CONVEYED TO HUTTO 372, LTD, AND BEING OF RECORD IN DOCUMENT NO. 2003066616 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND THEN BEING CONVEYED BY SPECIAL WARRANTY DEED TO FB, LTD, A TEXAS LIMITED PARTNERSHIP, IN DOCUMENT NO. 2004051353 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, FURTHER DESCRIBED BY METES AND BOUNDS SAID 44.13 ACRES BEING FOR ANNEXATION, TOGETHER WITH ALL ADJACENT ROADWAYS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH AREA SHALL BECOME A PART OF THE CITY AND THAT THE OWNERS AND INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND TO BE HEREINAFTER ADOPTED; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.**

WHEREAS, the City is a duly constituted Home Rule City pursuant to Chapter 9, Texas Local Government Code, as amended; and

WHEREAS, pursuant to Section 43.028 of the Texas Local Government Code, the owners of the real property described hereafter have petitioned the City Council in writing to annex said property: a tract of land containing 44.13 acres, more or less, out of the William Gatlin Survey, Abstract No. 271, situated in Williamson County, Texas, being a portion of a 367.15 acre tract of land conveyed to Hutto 372, ltd, and being of record in document no. 2003066616 of the official public records of Williamson County, Texas, and then being conveyed by special warranty deed to Fb, Ltd, a Texas Limited Partnership, in document no. 2004051353 of the official public records of Williamson County, Texas ("the Property"), and

said tract for annexation being more fully described in Exhibit "A" attached hereto and made a part hereof for all purposes; and

**WHEREAS**, such property is (a) one-half mile or less in width; (b) contiguous to the City; and (c) vacant and without residents or on which fewer than three (3) qualified voters reside; and

**WHEREAS**, the petition was filed more than five (5) days and less than thirty (30) days before the City Council heard the petition and the arguments for and against the annexation; and

**WHEREAS**, the City Council has determined that all requirements of Section 43.028, Local Government Code, have been complied with and hereby consider it appropriate to grant the petition and the arguments for and against the annexation; Now Therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HUTTO, TEXAS:**

**I.**

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

**II.**

That the City Council has heard the arguments for and against the annexation and has determined to grant the petition for annexation.

**III.**

That the property described in the attached Exhibit "A", together with all adjacent roadways, be and is hereby annexed and brought within the corporate limits of the City of Hutto, Williamson County, Texas, and same is hereby made an integral part hereof.

**IV.**

That the owners and present and future inhabitants of the area herein annexed be entitled to all of the rights and privileges of other citizens and property owners of said City and are

hereby bound by all acts, ordinances and all other legal action now in full force and effect and all those which may be hereafter adopted.

**V.**

That the official maps and boundaries of the City, heretofore adopted and amended, be and are hereby amended so as to include the aforementioned territory as part of the City of Hutto, Texas.

**VI.**

That the Service Plan providing for extension of municipal services to the areas proposed to be annexed, attached hereto and incorporated herein as Exhibit "B", is hereby approved.

**VII.**

That the appropriate city official of the City of Hutto is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City to add the territory hereby annexed, as required by law.

**VIII.**

That this Ordinance shall be come effective after its passage.

**IX.**

That the City Secretary is hereby directed and authorized to file a certified copy of this Ordinance in the Office of the County Clerk of Williamson County, Texas.

**X.**

If any section, subsection, sentence, phrase, or word of this Ordinance be found to be illegal, invalid or unconstitutional or if any portion of said property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this Ordinance or the application of

any other section, sentence, phrase, word, paragraph or provision of any other ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this Ordinance and would have annexed the valid property without the invalid part, and to this end the provisions of this Ordinance are declared to be severable.

**XI.**

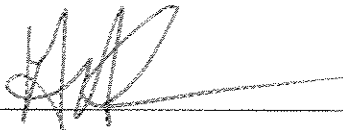
**A.** All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

**B.** The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

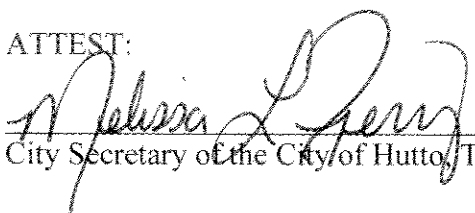
**C.** The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter thereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**READ and APPROVED** on first reading on this the 15<sup>th</sup> day of the month of August, 2005, at a regular meeting of the City Council of the City of Hutto, Texas.

**READ, APPROVED and ADOPTED** on second and final reading on this the 6<sup>th</sup> day of the month of September, 2005, at a regular meeting of the City Council of the City of Hutto, Texas.

  
\_\_\_\_\_  
Mayor of the City of Hutto, Texas

ATTEST:

  
\_\_\_\_\_  
City Secretary of the City of Hutto, Texas

## EXHIBIT "A"

County: Williamson  
Project: Glenwood 4 & 5  
Project No. 040804

### FIELD NOTES

ALL OF THAT CERTAIN 44.13 ACRE TRACT OR PARCEL OF LAND SITUATED IN THE WILLIAM GATLIN SURVEY, ABSTRACT NUMBER 271, WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION OF A CALLED 367.15 ACRE TRACT OF LAND RECORDED IN THE NAME OF HUTTO 372, LTD., IN DOCUMENT NUMBER 2003066616 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY (O.P.R.W.C.), AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2-inch iron rod found for the southwesterly corner of said 367.15 acre tract and the northwesterly corner of a called 36.261 acre tract of land recorded in the names of Isedor and Pauline Wallin in Volume 513, Page 431 of the Williamson County Deed Records (W.C.D.R.), said iron rod also being on the easterly line of a called 17.88 acre tract of land recorded in the names of James A. Crislip and Margaret S. Crislip in Cause Number 11873, Probate Records of Williamson County;

Thence, with the westerly line of said 367.15 acre tract and the easterly line of said 17.88 acre tract the following two (2) courses and distances;

1. North 11 degrees 11 minutes 46 seconds East, a distance of 214.05 feet to a 1/2-inch iron rod found;
2. North 10 degrees 33 minutes 58 seconds East, a distance of 1,132.78 feet to a 5/8-inch iron rod set, said iron rod being the northeasterly corner of said 17.88 acre tract and the southeasterly corner of the remainder of a called 104.54 acre tract of land recorded in the name of F.B., Ltd. in Document Number 2002021992 of the O.P.R.W.C.;

Thence, continuing with the westerly line of said 367.15 acre tract and the easterly line of said 104.54 acre tract, North 10 degrees 17 minutes 40 seconds East, a distance of 1,443.65 feet to a 5/8-inch iron rod found for the northeast corner of said 104.54 acre tract, said iron rod being the southeast corner of a called 71.716 acre tract of land recorded in the name of Centex Homes in Document Number 200206102 of the O.P.R.W.C.;

Thence, continuing with the westerly line of said 367.15 acre tract and the easterly line of said 71.716 acre tract, North 10 degrees 21 minutes 36 seconds East, passing at a distance of 983.87 feet a 5/8-inch iron rod found for the northeast corner of said 71.716 acre tract, said iron rod being the southeast corner of a called 167.375 acre tract of land recorded in the name of Robert Derrel Neal, Trustee in Volume 2481, Page 383 of the W.C.D.R., in all a total distance of 1,195.11 feet to a 5/8-inch iron rod set for the northwesterly corner hereof, said iron rod being on the easterly line of said 167.375 acre tract;

Thence, through and across said 367.15 acre tract the following eighteen (18) courses and distances;

# EXHIBIT A'

1. South 62 degrees 33 minutes 26 seconds East, a distance of 101.84 feet to a 5/8-inch iron rod set;
2. South 60 degrees 40 minutes 30 seconds East, a distance of 263.61 feet to a 5/8-inch iron rod set;
3. South 20 degrees 32 minutes 18 seconds East, a distance of 501.39 feet to a 5/8-inch iron rod set;
4. South 11 degrees 40 minutes 46 seconds West, a distance of 262.49 feet to a 5/8-inch iron rod set;
5. South 22 degrees 36 minutes 05 seconds West, a distance of 239.63 feet to a 5/8-inch iron rod set;
6. South 14 degrees 30 minutes 23 seconds West, a distance of 351.36 feet to a 5/8-inch iron rod set;
7. South 26 degrees 01 minutes 03 seconds West, a distance of 193.56 feet to a 5/8-inch iron rod set;
8. South 20 degrees 36 minutes 22 seconds West, a distance of 168.92 feet to a 5/8-inch iron rod set;
9. South 37 degrees 53 minutes 21 seconds West, a distance of 261.91 feet to a 5/8-inch iron rod set;
10. South 71 degrees 05 minutes 48 seconds West, a distance of 132.05 feet to a 5/8-inch iron rod set;
11. South 01 degrees 21 minutes 41 seconds East, a distance of 80.10 feet to a 5/8-inch iron rod set;
12. South 12 degrees 13 minutes 59 seconds West, a distance of 105.15 feet to a 5/8-inch iron rod set;
13. South 39 degrees 13 minutes 12 seconds West, a distance of 33.81 feet to a 5/8-inch iron rod set;
14. South 35 degrees 18 minutes 55 seconds East, a distance of 300.76 feet to a 5/8-inch iron rod set;
15. South 21 degrees 09 minutes 19 seconds East, a distance of 252.94 feet to a 5/8-inch iron rod set;
16. South 10 degrees 49 minutes 44 seconds West, a distance of 618.14 feet to a 5/8-inch iron rod set;
17. South 07 degrees 23 minutes 56 seconds East, a distance of 402.86 feet to a 5/8-inch iron rod set;

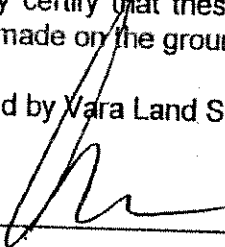
EXHIBIT "A"

18. South 50 degrees 08 minutes 25 seconds West, a distance of 393.79 feet to a 5/8-inch iron rod set on the southerly line of said 367.15 acre tract and the northerly line of aforesaid 36.261 acre tract;

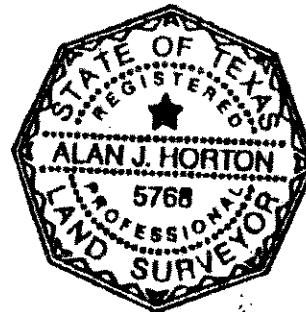
Thence, with the southerly line of said 367.15 acre tract and the northerly line of said 36.261 acre tract, North 79 degrees 38 minutes 05 seconds West, a distance of 418.62 feet to the **POINT OF BEGINNING** and containing 44.13 acres of land, more or less.

I hereby certify that these field notes were prepared by Vara Land Surveying, Inc., from a survey made on the ground in May of 2004 under my supervision.

Prepared by Vara Land Surveying, Inc.

  
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Alan J. Horton  
Registered Professional Land Surveyor No. 5768  
Date: May 14, 2004



Bearing Basis: The bearings described herein are based on the easterly line of the remainder of a called 104.54 acre tract of land recorded in the name of F.B., Ltd. in Document Number 2002021992, O.P.R.W.C., North 10 degrees 17 minutes 40 seconds East.

VARA LAND SURVEYING, INC.

Ph: (512) 836-2622

May 14, 2004

040804-bndy.doc

**CITY OF HUTTO  
MUNICIPAL SERVICE PLAN  
FOR PROPOSED ANNEXATION OF**

**GLENWOOD SECTIONS 4 & 5 (44.13 acres)**

The City of Hutto, Texas will provide for the extension of full municipal services into the area proposed to be annexed in accordance with Texas Local Government Code §43.056. This area is undeveloped and there are no residential structures and no one residing on the property.

**FIRE**

*Existing Services:* Williamson County Emergency Service District

*Services to be Provided:* Williamson County Emergency Service District  
Fire suppression is currently available to the area. Primary fire response will be provided from the Fire Station, located at the following address: 205 West Street, Hutto, Texas. Adequate fire suppression activities can be afforded to the annexed area within current budget appropriations. Fire prevention activities will be provided by the Williamson County Emergency Service District as needed.

**POLICE**

*Existing Services:* Williamson County Sheriff's Department

*Services to be Provided:*  
Upon annexation, the City of Hutto 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 appropriations.

**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 that regulate building construction within the City of Hutto.



## **PLANNING AND ZONING**

*Existing Services:* Review of subdivision development plans under City's Subdivision Ordinance. No municipal zoning or land use controls except for those imposed by State Law.

*Services to be Provided:*

The Hutto Department of Community Development has responsibility for regulating development and land use through the administration of the City of Hutto's Zoning Ordinance, and this will extend to the area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Hutto's Subdivision Ordinance. These services can be provided within the departments' current budgets.

## **LIBRARY**

*Existing Services:* NONE

*Services to be Provided:*

There is no City Library at this time but once there is a Library those privileges will be available to residents in this area. There is a Library Board and a Charter established budget item for the establishment of a Library in the future.

## **HEALTH DEPARTMENT - HEALTH CODE ENFORCEMENT SERVICE**

*Existing Services:* Williamson County Health District

*Services to be Provided:*

Williamson County Health District will continue to implement enforcement of the health districts regulations on the effective date of annexation. Animal control services will also be provided to the area as needed.

## **STREET MAINTENANCE**

*Existing Services:* No existing internal streets

*Services to be Provided:*

Maintenance for any existing public street facilities will be provided by the City of Hutto Public Works Department upon the effective date of annexation, and can be provided within the current budget appropriations. All internal subdivision streets will be constructed to current standards by developer.

## **STORM WATER MANAGEMENT**

*Existing Services:*     Williamson County

*Services to be Provided:*

Developers will provide storm water drainage facilities as required of their development at their own expense and such will be inspected by the City's engineers at time of completion. The City of Hutto will then maintain the drainage upon approval of the construction. All construction within the flood plain will be through the appropriate Hutto department(s) and will meet FEMA Flood Plain regulations

## **STREET LIGHTING**

*Existing Services:*     NONE

*Services to be Provided:*

There are no existing streets within this area. The City of Hutto will coordinate any request for street lighting with the local electric provider in accordance with standard policy. Developer will be responsible for initial installation and maintenance of street lighting until such time as the streets have been accepted by the City Council.

## **TRAFFIC ENGINEERING**

*Existing Services:*     Williamson County

*Services to be Provided:*

The City of Hutto, through its appropriate departments, will be able oversee any necessary additional traffic control devices after the effective date of annexation. The developer will be responsible for initial installation of all street signs and stop signs for new streets.

## **WATER SERVICE**

*Existing Services:*     None

*Services to be Provided:*     City of Hutto

Water service to the area will be provided in accordance with the applicable codes and departmental policy. Plans are currently being reviewed for extension of service to this area with capacity to serve the proposed development. When other property develops in the adjacent areas, water service shall be provided in accordance with extension ordinances. Extension of service shall comply with City of Hutto codes and ordinances.

## **SANITARY SEWER SERVICE**

*Existing Services:*     NONE

*Services to be Provided:*     City of Hutto

Sanitary sewer service to the area of proposed annexation will be provided in accordance with applicable codes and departmental policy. Plans are currently being reviewed for extension of sanitary sewer service. When property develops in the adjacent areas, sanitary sewer service shall be provided in accordance with the current extension ordinances. Extension of service shall comply with applicable codes and ordinances.

## **SOLID WASTE SERVICES**

*Existing Services:*     NONE

*Services to be Provided:*     City of Hutto (contracted service)

Solid waste collection shall be provided to the area of annexation in accordance with current ordinances. Service shall comply with existing City of Hutto policies, beginning with occupancy of structures.

## **PARKS AND TRAILS**

*Existing Service:*     NONE

*Services to be Provided:*

All City operated parks and trail systems will be available to the residents of this area upon annexation.

## **MISCELLANEOUS**

*Existing Services:*     No other services have been identified at this time

*Services to be Provided:*

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

## **NOTE:**

Capital improvements sufficient for providing municipal services for the annexed area are in place such that the costs associated with the extension of service lines to proposed building sites within the area will be borne by owners and/or developers.

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS 2006000066

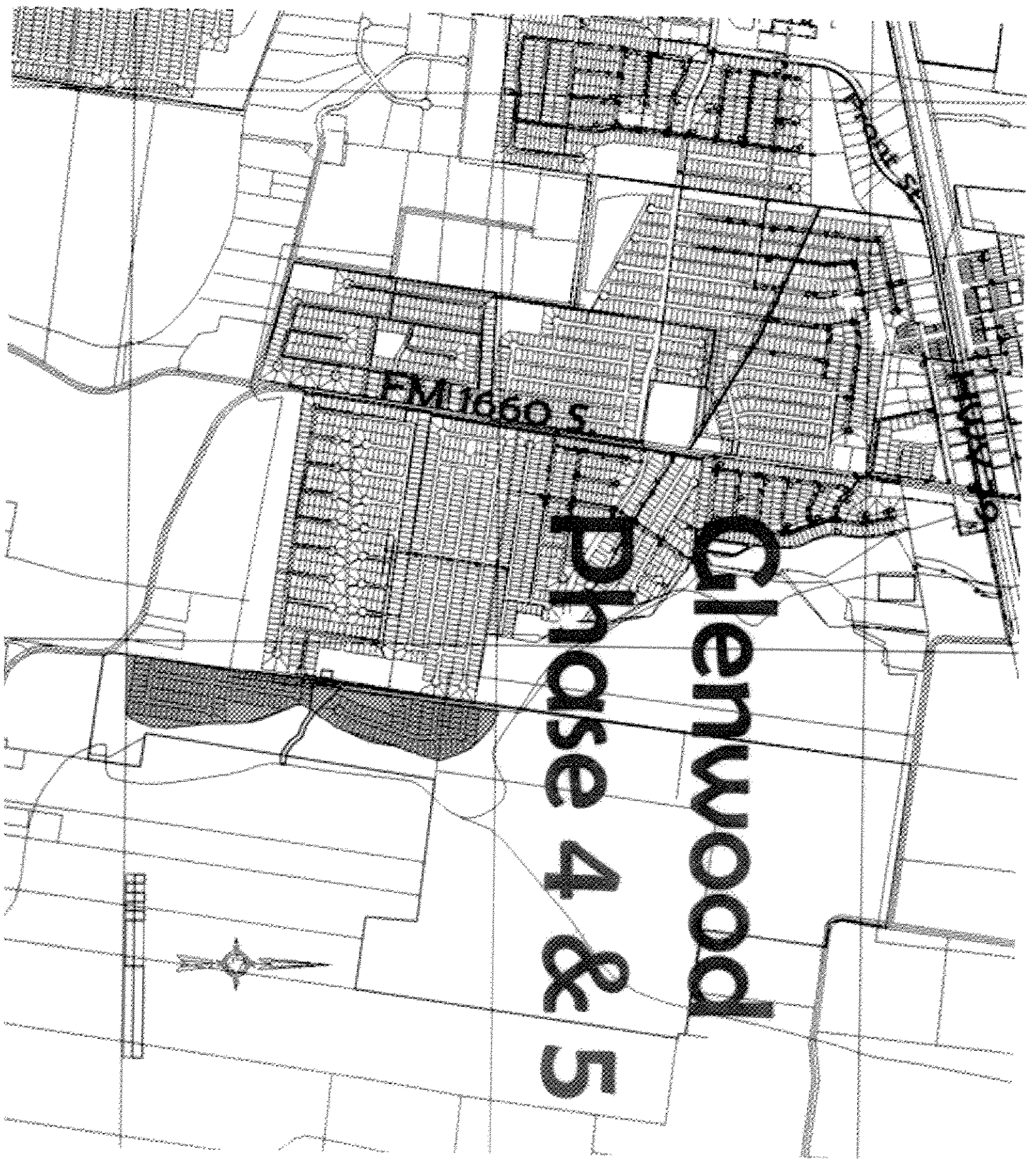
*Nancy E. Rister*

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MILLER \$56.00

NANCY E. RISTER, COUNTY CLERK  
WILLIAMSON COUNTY, TEXAS

② City of North  
P.O. Box 637  
North, Ok.  
73634



FM 1660 S

# Clemwood Phase 4 & 5

