



Townwest Commons Addition

ORDINANCE NO. 10-24-05C

AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF HUTTO, TEXAS, TO-WIT: (6.006 ACRES) DESCRIBED AS BEING OUT OF THE NATHANIEL EDWARDS SURVEY, ABSTRACT NO. 225, SITUATED IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A 175.58 ACRE TRACT OF LAND DESCRIBED IN A PARTITION DEED TO CARL STROMBERG AND WIFE AUGUSTA STROMBERG, AND BEING OF RECORD IN VOLUME 1134, PAGE 312, AND ALL OF A 1.00 ACRE TRACT DESCRIBED IN A DEED PF GIFT TO MARVIN STROMBERG, OF RECORD IN VOLUME 2275, PAGE 450 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, SAID 6.006 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 6.006 acres described as being out of the Nathaniel Edwards Survey, Abstract No. 225, situated in Williamson County, Texas, being a portion of a 175.58 acre tract of land described in a partition deed to Carl Stromberg and Wife Augusta Stromberg, and being of record in Volume 1134, Page 312, and all of a 1.00 acre tract described in a deed pf gift to Marvin Stromberg, of record in Volume 2275, Page 450 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 CITY 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,

Annexation ordinance Townwest Commons Addition

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.

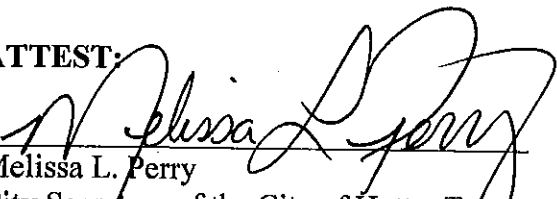
C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter thereof 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 17th day of the month of October, 2005, at a regular meeting of the City Council of the City of Hutto, Texas.

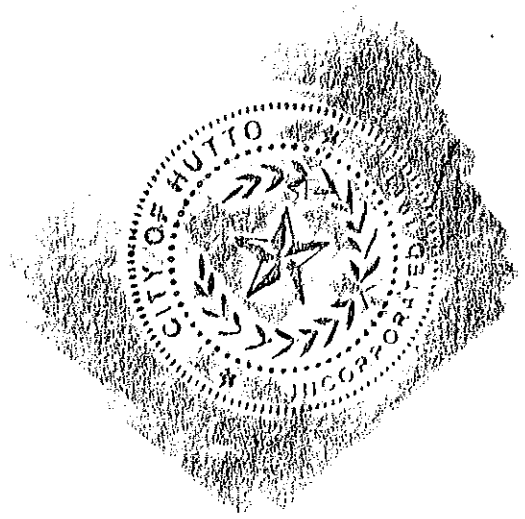
READ, APPROVED and ADOPTED on second and final reading on this the 24th day of the month of October, 2005, at a special called meeting of the City Council of the City of Hutto, Texas.



Mike Ackerman
Mayor of the City of Hutto, Texas

ATTEST:


Melissa L. Perry
City Secretary of the City of Hutto, Texas



Chaparral**EXHIBIT "A"**
Professional Land Surveying, Inc.
Surveying and MappingOffice: 512-443-1724
Fax: 512-441-69872807 Manchaca Road
Building One
Austin, Texas 78704**6.006 ACRE TRACT**

A DESCRIPTION OF A 6.006 ACRE TRACT OF LAND OUT OF THE NATHANIEL EDWARDS SURVEY, ABSTRACT NO. 225, ALSO BEING A PORTION OF A 175.58 ACRE TRACT DESCRIBED IN A PARTITION DEED TO CARL STROMBERG AND WIFE, AUGUSTA STROMBERG DATED JULY 3, 1984 OF RECORD IN VOLUME 1134, PAGE 312, AND FURTHER DESCRIBED IN DOCUMENT NO. 9802090 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS, AND ALL OF A 1.00 ACRE TRACT DESCRIBED IN A DEED OF GIFT TO MARVIN STROMBERG DATED MARCH 22, 1993 AND APPEARING OF RECORD IN VOLUME 2275, PAGE 450 OF THE OFFICIAL RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 6.006 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with a cap found on the east line of County Road 165 (R.O.W. width varies), for the southwest corner of the remainder of the said portion of the 175.58 acre tract, same being the northwest corner of a 31.325 acre tract of land conveyed to Cynergy Texas Interest, Inc by a Cash Warranty Deed Dated January 4, 1999 and appearing of record in Document No. 9901013 of the Official Records of Williamson County, Texas,

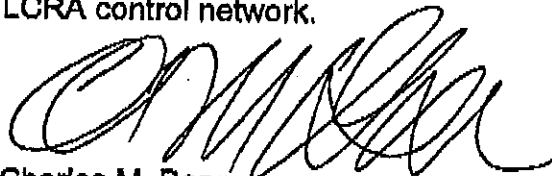
THENCE North 07°24'38" East, along the east line of the County Road 165, being the west line of the said remainder of the portion of the 175.58 acre tract, also being the west line of the said 1.00 acre tract passing at a distance of 303.17 feet a 1/2" rebar found for the southwest corner of the said 1.00 acre tract, and continuing for a total of 511.86 feet to a 1/2" rebar found for the northwest corner of the said 1.00 acre tract, same being the southwest corner of a 8.793 acre tract described in a General Warranty Deed to Cynergy Texas Interest, Inc. dated February 25, 2002 and appearing of record in Document No. 2002015764 of the Official Public Records of Williamson County, Texas;

THENCE South 82°22'53" East, along the north line of the said 1.00 acre tract, also being the north line of the said remainder of the portion of the 175.58 acre tract, and being the south line of the aforementioned 8.793 acre tract, passing at a distance of 208.87 feet a 1/2" rebar found for the northeast corner of the said 1.00 acre tract, and continuing for a total of 512.00 feet to the northwest corner of the said remainder of the portion of the 175.58 acre tract, being a northwest corner of the aforementioned 31.325 acre tract;

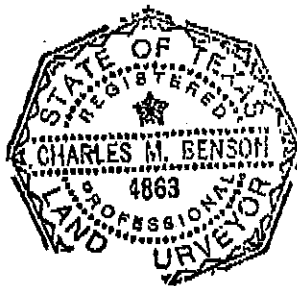
THENCE South 07°36'35" West, with the east line of the said remainder of the portion of the 175.58 acre tract, same being a west line of the aforementioned 31.325 acre tract, a distance of 511.90 feet to a 1/2" rebar with a cap found for the southeast corner of the herein described 6.006 acre tract, same being an interior northerly corner of the said 31.325 acre tract;

THENCE North 82°22'39" West, with the south line of the said remainder of the portion of the 175.58 acre tract, same being a north line of the aforementioned 31.325 acre tract, a distance of 510.23 feet to the Point of Beginning containing 6.006 acres of land.

Surveyed on the ground September and October, 1998 and updated December 2002. Attachments: Survey Drawing 160-016A. Bearing Basis: Grid Azimuth for Texas Central Zone, from 1983/93 Harn Values from LCRA control network.

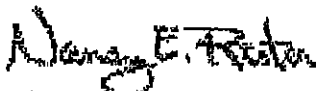


Charles M. Benson
Registered Professional Land Surveyor
State of Texas No. 4863



December 12, 2002

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



12-13-2002 02:38 PM 2002098788

ANDERSON \$19.00
NANCY E. RISTER, COUNTY CLERK
WILLIAMSON COUNTY, TEXAS

N. EDWARDS
A-225

301/327
(15.69 AC)

R020955
JAMES CHANG
1120/664
127.26 AC

R374833
HARRY RON
HANSON, et al
DOC 9800106
40.0 AC

ROUSE
587

R332818
MARVIN
STROMBERG
2275/450
1.0 AC

R085621
MARVIN
STROMBERG
2001023585
5.00 AC

R384741
CYNERGY TEXAS INTEREST
DOC 9901013
(37.263 AC)
28.114 AC

R384741
CYNERGY TEXAS
INTEREST
DOC 9901013
28.114 AC

R392664
ADELINE J. GEISTMAN
DOC 199931543
10.0 AC

R020488
HUTTO I.S.D.
2281/451
(98.16 AC)
77.87 AC

RECORDERS MEMORANDUM

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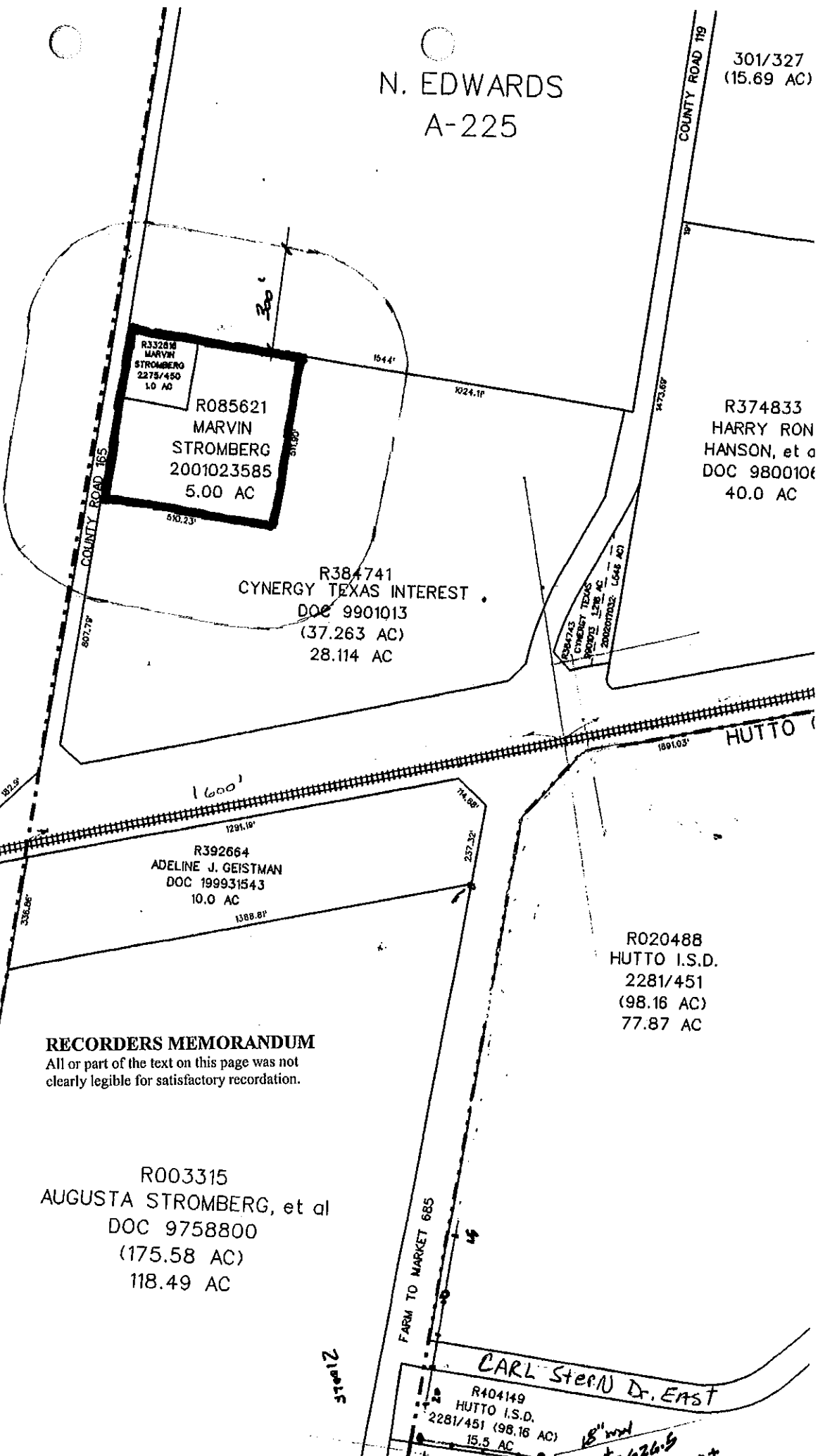
R325498 R020949
PHA 79 INVESTMENTS
% JAMES S. CHANG
1120/651
32.14 AC 1.0 AC

R003315
AUGUSTA STROMBERG, et al
DOC 9758800
(175.58 AC)
118.49 AC

FARM TO MARKET 685

CARL STEIN DR. EAST

R404149
HUTTO I.S.D.
2281/451 (98.16 AC)
15.5 AC



684.44'

18" wall
+ 1026.5

**CITY OF HUTTO
MUNICIPAL SERVICE PLAN
FOR PROPOSED ANNEXATION
OF TOWNWEST COMMONS TRACT 3 (6.006 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: Williamson County - CR165 No existing internal streets

Services to be Provided:

Maintenance for any existing 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.

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. 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.

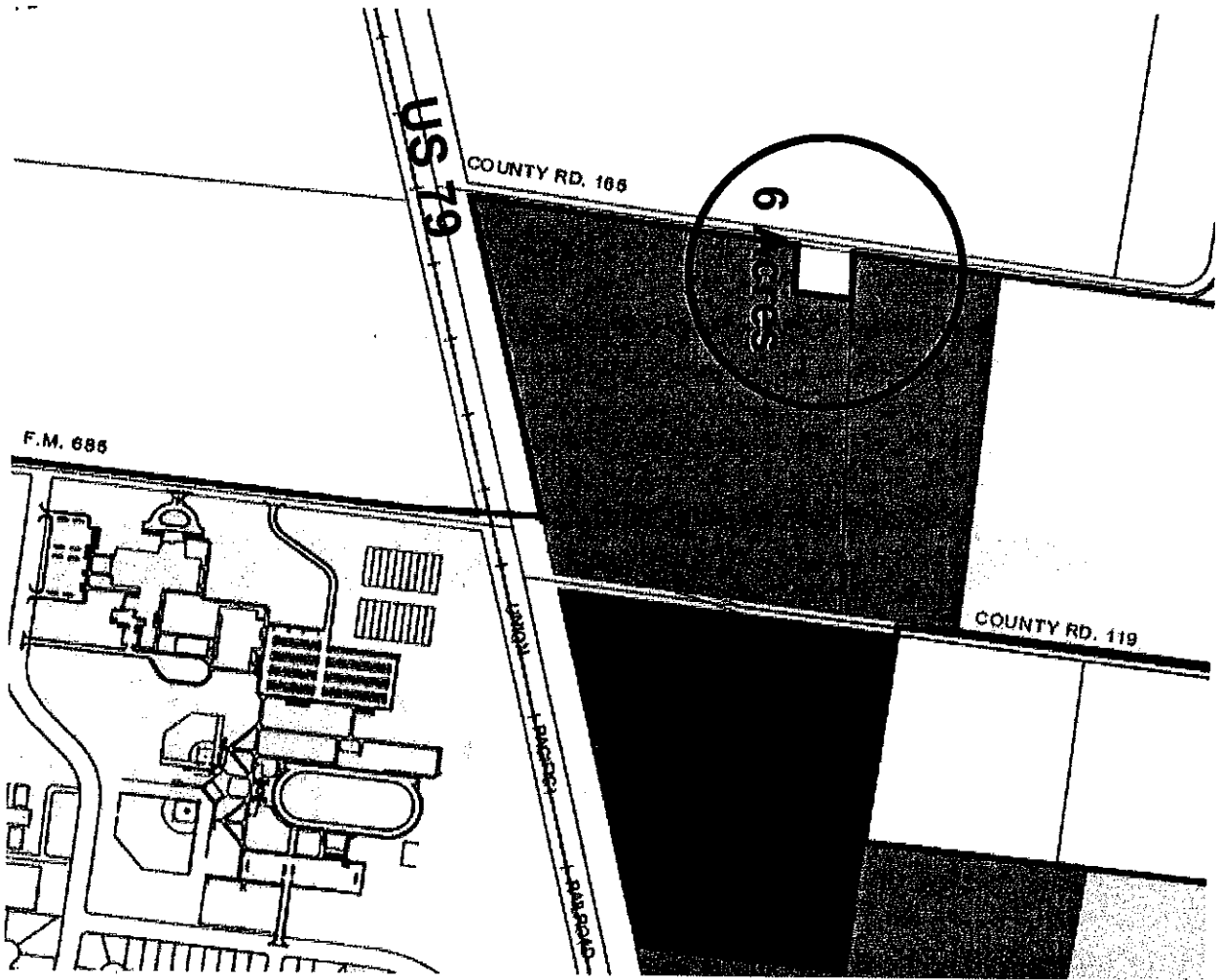
NOTE:

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.

Annexation Request for Townwest Commons Addition Tract #3

RECORDERS MEMORANDUM

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FILED AND RECORDED

OFFICIAL PUBLIC RECORDS 2005092167

Nancy E. Rister

11/18/2005 12:12 PM

MARY \$64.00

NANCY E. RISTER, COUNTY CLERK
WILLIAMSON COUNTY, TEXAS

City of Hutto
PO Box 639
Hutto, TX 78634