



CERTIFICATION OF DOCUMENTS

STATE OF TEXAS
COUNTY OF WILLIAMSON
CITY OF HUTTO, TEXAS

I, Christine Martinez, Interim City Secretary for the City of Hutto, Texas do hereby certify that I am currently the custodian of the City of Hutto, Texas official records.

The attached document, Ordinance No. 10-006-00 is a true, exact, complete, and unaltered photocopy of the Stony Brook Ranch Annexation.

CERTIFIED this 10th day of May, 2010.

Christine Martinez

Christine Martinez, Interim City Secretary
City of Hutto, Texas



ORDINANCE NO. 10-006-00
STONY BROOK RANCH ANNEXATION
(Approx. 35.65 acres on CR 137 at FM 1660 South)

AN ORDINANCE ANNEXING CERTAIN HEREINAFTER DESCRIBED ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF HUTTO, TEXAS, TO WIT: 35.65 ACRES, MORE OR LESS, OF LAND, GENERALLY DESCRIBED AS: 31.893 ACRES OUT OF THE WILLIAM GATLIN SURVEY, ABSTRACT NO. 271 IN WILLIAMSON COUNTY, TEXAS, GENERAL WARRANTY DEED DOCUMENT NO. 199961968, BEING THE REMAINDER PORTION OF THAT CERTAIN 26.5 ACRE TRACT CALLED SECOND PARCEL, FIRST TRACT, AND THAT CERTAIN 26.5 ACRE TRACT CALLED SECOND PARCEL, SECOND TRACT IN A DEED TO STONY BROOK RANCH INC RECORDED IN VOLUME 612, PAGE 806 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS; AND 3.757 ACRES OUT OF THE WILLIAM GATLIN SURVEY, ABSTRACT NO. 271, WILLIAMSON COUNTY, TEXAS, WARRANTY DEED DOCUMENT NO. 2006110919, BEING A PORTION OF THAT CERTAIN 43.251 ACRE TRACT CALLED TRACT TWO IN A DEED TO ELIZABETH L. POLLARD RECORDED IN DOCUMENT NO. 199961968 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, AND SAID PROPERTY BEING FURTHER DESCRIBED BY METES AND BOUNDS, EXTENDING THE BOUNDARY LIMITS OF HUTTO SO AS TO INCLUDE SAID PROPERTY WITHIN HUTTO'S CITY LIMITS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH PROPERTY 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, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY NOW IN EFFECT AND THOSE WHICH ARE 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 of Hutto, Texas (the "City") is a duly constituted home-rule municipality and, as such, is authorized to annex territory subject to the laws of the State of Texas and subject to its Charter; and

WHEREAS, pursuant to Section 43.028, Local Government Code, the owners of a tract of land containing 35.65 acres, more or less, of land out of the William Gatlin Survey, Abstract No. 271 in Williamson County, Texas (the "Property"), more fully described by metes and bounds in **Exhibit "A"** attached hereto and made a part hereof for all purposes, have petitioned the City Council in writing to annex the property; 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, 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 for annexation; Now Therefore

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

SECTION I.

That all of the above recitations are found to be true and correct and are incorporated into the body of this Ordinance.

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

SECTION II.

That the property described in **Exhibit "A"**, be and is hereby annexed and brought within the corporate city limits of the City of Hutto, Williamson County, Texas, and same is hereby made an integral part hereof; and that the boundary limits of the City of Hutto be and the same are hereby extended to include the above described territory within the city limits of the City of Hutto, and the same shall hereafter be included within the territorial limits of the City of Hutto, Texas.

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 of Hutto, and are hereby bound by all acts, ordinances, resolutions and regulations of the City of Hutto, and all other legal actions now in full force and effect and all those which may be hereafter adopted.

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

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

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.

SECTION III. Publication Clause

The City Secretary of the City of Hutto is hereby authorized and directed to publish the caption of this ordinance in the manner and for the length of time prescribed by law.

SECTION IV. Severability Clause

The provisions of this ordinance are severable, and if any sentence, section, or other parts of this ordinance should be found to be invalid, such invalidity shall not affect the remaining provisions, and the remaining provisions shall continue in full force and effect.

SECTION V. Repealing Clause

All ordinances and resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict.

SECTION VI. Open Meeting Clause

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 hereof were discussed, considered, and formerly acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

SECTION VII. Effective Date

This ordinance shall take effect and be in force from and after its passage.

READ and APPROVED on first reading on this the 8th day of **April, 2010** at a meeting of the Hutto, Texas City Council; there being a quorum present.

READ, APPROVED and ADOPTED on second reading this 15th day of **April, 2010** at a meeting of the Hutto, Texas City Council; there being a quorum present.



THE CITY OF HUTTO, TEXAS

David F. Begier
David F. Begier, Mayor

Attest:

Christine Martinez
Christine Martinez, Interim City Secretary

EXHIBIT "A"

FIELD NOTE DESCRIPTION
35.65 ACRES
WILLIAM GATLIN SURVEY, A-271
WILLIAMSON COUNTY, TEXAS

FIELD NOTE DESCRIPTION OF 35.65 ACRES OF LAND OUT OF THE WILLIAM GATLIN SURVEY, ABSTRACT NUMBER 271, WILLIAMSON COUNTY, TEXAS, BEING THE REMAINDER PORTION OF THAT CERTAIN 28.5 ACRE TRACT CALLED SECOND PARCEL, FIRST TRACT AND THAT CERTAIN 28.5 ACRE TRACT CALLED SECOND PARCEL, SECOND TRACT IN A DEED TO STONY BROOK RANCH, INC. RECORDED IN VOLUME 812, PAGE 806 OF THE DEED RECORDS OF WILLIAMSON COUNTY, TEXAS, ALONG WITH ALL OF THAT CERTAIN 3.757 ACRE TRACT DESCRIBED IN A DEED TO STONY BROOK RANCH, INC. RECORDED IN DOCUMENT NUMBER 2008110919 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. THE SAID 35.65 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an Iron pipe found at the northeast corner of the said 28.5 acre Second Parcel, First Tract, the same being at the southeast corner of that certain 35.87 acre tract described in a deed to Hutto Independent School District recorded in Document Number 2003108291 of the Official Public Records of Williamson County, Texas and being on the west line of that certain 46.92 acre tract described in a deed to Elizabeth S. Sharpe and Edward W. Sharpe recorded in Volume 801, Page 328 of the Deed Records of Williamson County, Texas, the same being the west line of that certain 15.01 acre portion of the said 46.92 acre Sharpe tract described in a deed to Hutto Independent School District recorded in Document Number 2006012928 of the Official Public Records of Williamson County, Texas;

THENCE, S 09°25'59" W, at a distance of 296.28 feet passing a ½ inch diameter steel pin set with cap stamped Lenz & Assoc at the southwest corner of the said 15.01 acre Hutto Independent School District tract and continuing for a total distance of 977.82 feet to a ½ inch diameter steel pin found at the southwest corner of the said 46.92 acre Sharpe tract;

THENCE, S 09°37'54" W, a distance of 1082.42 feet to a ½ inch diameter steel pin found at the northeast corner of the said 3.757 acre Stony Brook Ranch, Inc. tract;

THENCE, S 09°31'47" W, a distance of 554.89 feet to a ½ inch diameter steel pin set with cap stamped Lenz & Assoc at the southeast corner of the said 3.757 acre Stony Brook Ranch, Inc. tract, the same being the northeast corner of a remainder portion of that certain 43.251 acre tract called Tract Two in a deed to Elizabeth L. Pollard recorded in Document Number 199981968 of the Official Public Records of Williamson County, Texas;

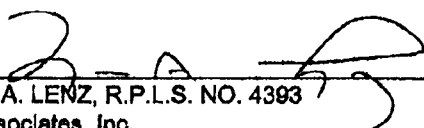
THENCE, N 79°54'15" W, at 295.79 feet passing a ½ inch diameter steel pin set with cap stamped Lenz & Assoc at the southwest corner of the said 3.757 acre Stony Brook Ranch, Inc. tract, the same being an exterior corner of the remainder portion of the said 43.251 acre Pollard tract, the same being the northeast corner of that certain 5.741 acre tract described in a deed to Elizabeth L. Pollard recorded in Document Number 2006110918 of the Official Public Records of Williamson County, Texas and continuing for a total distance of 587.71 feet to a 6 inch diameter hackberry tree at an exterior corner of the said 5.741 acre Pollard tract and being on the east line of that certain 79.83 acre tract described in a deed to BLS Strategic Investments LLC, recorded in Document Number 2006029584, from which a ½ inch diameter steel pin set with cap stamped Lenz & Assoc for reference bears N 02°24' E, 0.48 feet;

35.65 Acres
Stony Brook Ranch, Inc.
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THENCE, N 09°15'39" E, a distance of 2608.53 feet along the east line of the said 79.93 acre BLS Strategic Investments LLC tract to a 1/2 inch diameter steel pin found with cap on the south line of the said 35.67 acre Hutto Independent School District tract at the northeast corner of the said 79.93 acre BLS Strategic Investments LLC tract, the same being the northwest corner of the said 26.5 acre Stony Brook Ranch, Inc. tract called Second Parcel, Second Tract;

THENCE, S 80°32'56" E, a distance of 600.19 feet along the south line of the said 35.67 acre Hutto Independent School District tract, the same being the north line of the said 26.5 acre Stony Brook Ranch, Inc. tracts called Second Parcel, Second Tract and Second Parcel, First Tract to the **PLACE OF BEGINNING**, containing 35.65 acres of land, more or less.

I HEREBY CERTIFY THAT THIS DESCRIPTION WAS PREPARED FROM VARIOUS SURVEYS PERFORMED ON THE GROUND UNDER MY SUPERVISION DURING THE YEAR 2006.


TIMOTHY A. LENZ, R.P.L.S. NO. 4393
Lenz & Associates, Inc.
4303 Russell Drive
Austin, Texas 78704
(512) 443-1174

2005-1238D(35.65 Ac Stony Brook).doc

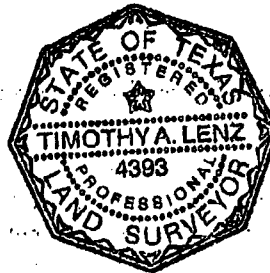


EXHIBIT A

Legal Description of 3.757 Acres

FIELD NOTES DESCRIPTION OF 3.757 ACRES OF LAND OUT OF THE WILLIAM GATLIN SURVEY, ABSTRACT NUMBER 271, WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 43.251 ACRE TRACT CALLED TRACT TWO IN A DEED TO ELIZABETH L. POLLARD RECORDED IN DOCUMENT NUMBER 199961968 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS. THE SAID 3.757 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½ inch diameter steel pin found at the northeast corner of the said 43.251 acre Pollard tract, the same being the southeast corner of a remainder portion of that certain 26.5 acre tract called Second Parcel – First Tract in a deed to Stony Brook Ranch recorded in Volume 611, Page 125 of the Deed Records of Williamson County, Texas for the northeast corner of the herein described tract;

THENCE, S 09°31'47" W, a distance of 554.89 feet along the east line of the said 43.251 acre Pollard tract to a ½ inch diameter steel pin set with cap stamped Lenz & Assoc. at the southeast corner of the herein described tract;

THENCE, N 79°54'15" W, a distance of 295.79 feet, crossing the said 43.251 acre Pollard tract, to a ½ inch diameter steel pin set with cap stamped Lenz & Assoc. on an interior line of the said Pollard tract, the same being the east line of that certain 26.5 acre tract called Second Parcel – Second Tract in the said deed to Stony Brook Ranch recorded in Volume 611, Page 125, from which a ½ inch diameter steel pin found at an interior corner of the said 43.251 acre Pollard tract bears S 09°31'55" W, 499.26 feet;

THENCE, N 09°31'55" E, a distance of 551.87 feet along the east line of the said 26.5 acre tract called Second Parcel – Second Tract, being a common line with the said 43.251 acre Pollard tract, to a ½ inch diameter steel pin set with cap stamped Lenz & Assoc. at the northerly northwest corner of the said 43.251 acre Pollard tract and southwest corner of the remainder portion of the said 26.5 acre tract called Second Parcel – First Tract;

THENCE, S 80°29'23" E, a distance of 295.75 feet along the northerly most line of the said 43.251 acre Pollard tract to the **PLACE OF BEGINNING**, containing 3.757 acres of land, more or less.

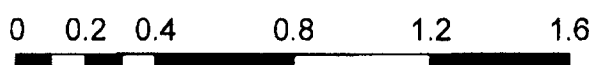
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Stony Brook Ranch Annexation



This map was produced for the sole purpose of aiding the City of... in planning purposes and is not warranted for any other use. No liability is made by creator or city regarding its accuracy or completeness.

Map Document: (K:\SITE LOCATION MAPS\2009 Site Location Maps\Stony Brook Ranch\Stony Brook Ranch_Nowpaper.mxd)
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Miles

RECORDERS MEMORANDUM

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**CITY OF HUTTO
MUNICIPAL SERVICE PLAN
FOR PROPOSED ANNEXATION
OF STONY BROOK RANCH (35.65 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:

Fire suppression is currently available to the area. Primary fire response will be provided by Fire Station No. 1, located at the following address: 501 Exchange Boulevard. 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 #3 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 City of Hutto Development Services Department has responsibility for regulatory oversight of 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:

The Library is located at 205 West Street and those privileges will be available to any future residents in this area.

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 by City Animal Control.

STREET MAINTENANCE

Existing Services: No existing internal streets

Services to be Provided:

Any future internal streets would be required to meet City of Hutto standards in order to become part of the City of Hutto roadway system.

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 Engineer and/or Construction

Inspector at time of completion. All construction within the floodplain 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 public street lights in this area. The Developer will be responsible for initial installation and maintenance of street lighting, if required, within the development and to illuminate driveway intersection with the arterial streets.

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 within the tracts after the effective date of annexation. The developer will be responsible for initial installation of all street signs and stop signs for new streets. Any traffic control devices on the existing State or County Roadway will be under those entities jurisdiction.

WATER SERVICE

Existing Services: NONE

Services to be Provided:

This property is within the Jonah water CCN so water service will have to be negotiated with that entity. If that should change at any time then water service to the area will be provided in accordance with the applicable City codes and departmental policy. When other property develops in the adjacent areas, water service shall be provided in accordance with extension ordinances. Extension of service shall comply with Jonah SUD operating procedures or 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.

② Please return to:
CITY OF HUTTO - City Secretary
401 W. Front Street
Hutto, Tx 78634 4

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2010030413

Nancy E. Rister

05/10/2010 03:39 PM

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NANCY E. RISTER, COUNTY CLERK
WILLIAMSON COUNTY, TEXAS