

ORDINANCE NO. 2013-25

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY INTO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY

WHEREAS, the City Council of the City of Boerne, Texas has found it necessary and in the public interest to expand the city limits of the City of Boerne to include the area referred to in this proposed annexation plan, so that the City will grow in an orderly manner, and that the residents both present and future, of the annexed area will be provided services; and

WHEREAS, said tract of land is adjacent to the City of Boerne boundaries, or is within the extra-territorial jurisdiction of the City of Boerne, or is already contiguous to the City of Boerne on at least two sides, or the area being annexed is not less than 1000 feet wide in the narrowest point; and

WHEREAS, on the 11th day of June, 2013, and the 25th day of June, 2013, Public Hearings were held at 6:00 p.m. in the Council Chambers of the Police Department/ Municipal Court building. The purpose of the Public Hearings was to give all interested persons the right to appear and be heard on the proposed annexation of .517 acres of land, more or less, by the City of Boerne, Texas, more fully described in "Exhibit A", attached hereto and made a part hereof.

WHEREAS, the City has prepared a Service Plan for said tract of land which is "Exhibit B", attached hereto and made a part hereof.

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

Section 1: That the territory described in "Exhibit A" attached hereto is hereby annexed into the City of Boerne, Kendall County, Texas, and that the boundary limits of the City of Boerne are hereby extended to include the territory described in "Exhibit A" within the city limits and the same shall hereafter be included within the territorial limits of said City, and said land and future inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City, and shall be bound by the acts and ordinances of said City.

Section 2: That the Municipal Service Plan for the herein annexed tract provided for in "Exhibit B", attached hereto is hereby adopted.

Section 3: The City Secretary is hereby directed to file with the County Clerk of Kendall County, Texas, and other appropriate officials and agencies, as required by the State and Federal law and City annexation procedures, a certified copy of this ordinance.

PASSED and APPROVED on first reading this the 9th day of July, 2013.

PASSED, APPROVED, and ADOPTED on second reading this the 23rd day of July, 2013.

APPROVED:

s/s Nina Woolard
Mayor Pro Tem

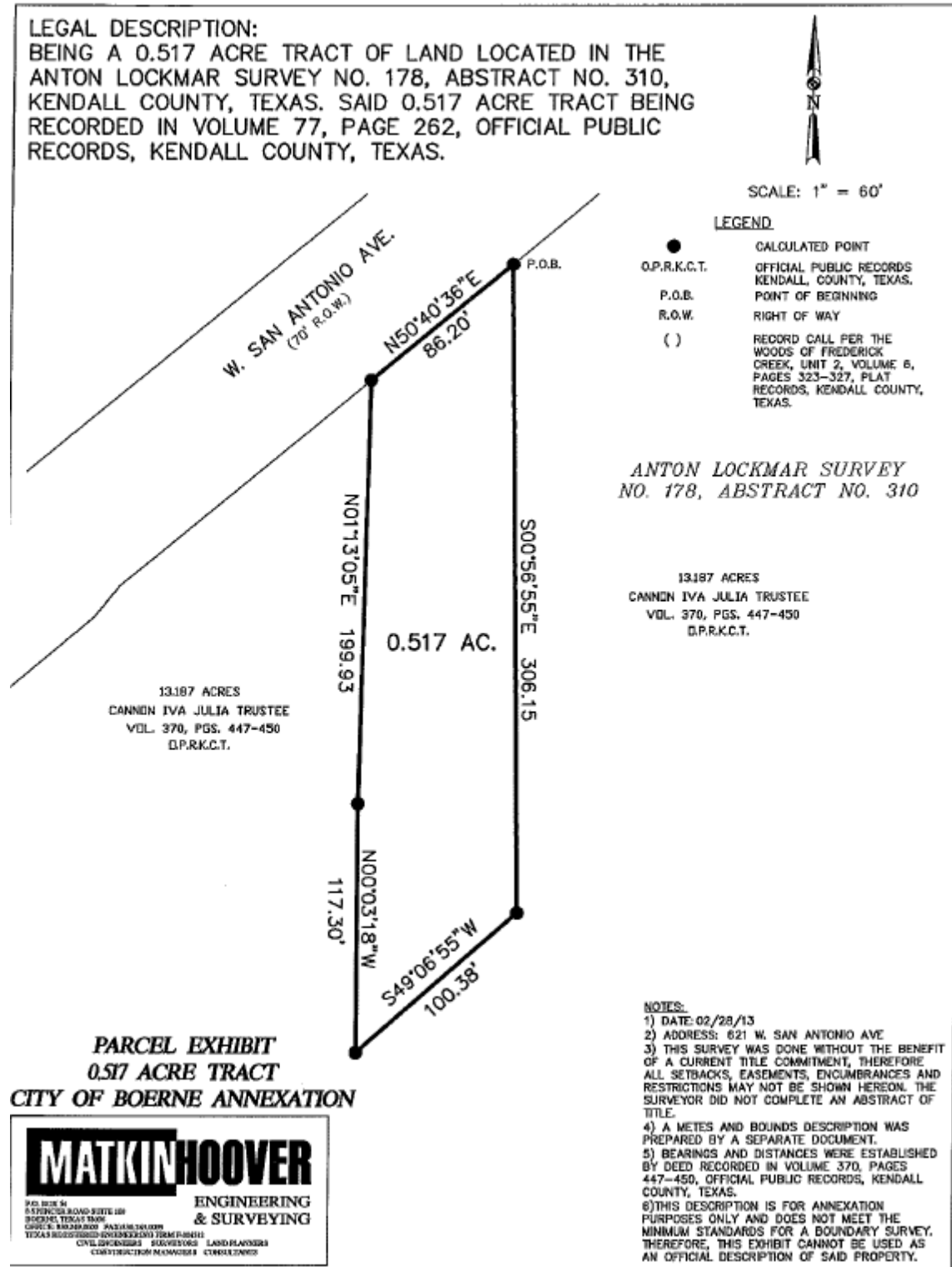
ATTEST:

s/s Lori A. Carroll
City Secretary

APPROVED AS TO FORM:

s/s Kirsten B. Cohoon
City Attorney

Exhibit A



MATKIN HOOVER

ENGINEERING & SURVEYING

8 Spencer Road, Suite 100, Boerne, Texas 78006
Phone: 830-249-0600 FAX: 830-249-0099

FIELD NOTES FOR A 0.517 ACRE TRACT OF LAND

BEING A 0.517 ACRE TRACT OF LAND LOCATED IN THE ANTON LOCKMAR SURVEY NO. 178, ABSTRACT 310, KENDALL COUNTY, TEXAS. SAID 0.517 ACRE TRACT BEING RECORDED IN VOLUME 77, PAGE 262, OFFICIAL PUBLIC RECORDS, KENDALL COUNTY, TEXAS. SAID 0.517 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a calculated point in the southeast right-of-way line of West San Antonio Avenue (70' right-of-way per The Woods of Frederick Creek, Unit 2, Volume 6, Pages 323-327, Plat Records, Kendall County, Texas), at a northwest corner of a called 13.187 acre tract of land recorded in Volume 370, Pages 447-450, Official Public Record, Kendall County, Texas, and at the north corner of the herein described tract;

- (1) **Thence**, with a west boundary line of said 13.187 acre tract, and the east boundary line of said 0.517 acre tract, **South 00°56'55" East**, a distance of **306.15 feet** to a calculated point at an angle in a west boundary line of said 13.187 acre tract, and at the southeast corner of the herein described tract;
- (2) **Thence**, with a north boundary line of said 13.187 acre tract, and the south boundary line of said 0.517 acre tract, **South 49°06'55" West**, a distance of **100.38 feet** to a calculated point at an angle for said 13.187 acre tract, and at the south corner of the herein described tract;
- (3) **Thence**, with an east boundary line of said 13.187 acre tract, and a west boundary line of said 0.517 acre tract, **North 00°03'18" West**, a distance of **117.30 feet** to a calculated point at an angle in an east boundary line of said 13.187 acre tract, and at an angle for the herein described tract;
- (4) **Thence**, with an east boundary line of said 13.187 acre tract, and a west boundary line of said 0.517 acre tract, **North 01°13'05" East**, a distance of **199.93 feet** to a calculated point in the southeast right-of-way line of said West San Antonio Avenue, at a northwest corner of said 13.187 acre tract, and at the northwest corner of the herein described tract;
- (5) **Thence**, along the right-of-way of said West San Antonio Avenue, and with the north boundary line of said 0.517 acre tract, **North 50°40'36" East**, a distance of **86.20 feet** to the **POINT OF BEGINNING** containing **0.517 acres** of land, more or less.

Note: This field note description is for the City of Boerne Annexation and is based on adjoining deed recorded in Volume 370, Pages 447-450, Official Public Records, Kendall County, Texas.

Exhibit B

MUNICIPAL SERVICE PLAN

For Annexation of .517 acres located at 621 W. San Antonio Avenue (PID 26726)
By the City of Boerne (owner Melvin and Lela Katzer)



POLICE PROTECTION

The Boerne Police Department will provide regular and routine patrols in the area as part of its overall patrol activities. The department will respond to any calls for assistance to the area upon annexation. Animal Control services will be available to the area upon annexation.



FIRE SERVICE

Fire service to the area will be provided by the Boerne Volunteer Fire Department upon annexation.

Fire prevention activities will be provided by the Fire Marshal's office in the form of subdivision and building plan review and fire inspections of all commercial structures in the area.



BUILDING INSPECTION - CODE ENFORCEMENT SERVICES

Building inspection activities will be provided upon annexation. The Building Inspection Department will provide consultation with project developers for building code requirements, plan review for structures, issuance of building permits, and on-site inspection services for new construction.

The Building Inspection Department will respond to requests for inspection of suspected City Code violations including, but not limited to, zoning, building codes, sign ordinance, and junk car ordinances.



LIBRARY

All residents of the newly annexed area will be eligible for library services at the Boerne Public Library.



SOLID WASTE COLLECTION

Solid waste collection is contracted for by the City's contracted agent upon annexation.



PLANNING AND ZONING

The planning and zoning jurisdiction of the City will extend to this area on the effective date of the annexation. The Planning and Zoning Commission will initiate permanent zoning of the newly annexed area as soon as possible after annexation.

👍 **STREET AND DRAINAGE MAINTENANCE**

The effects of this addition on drainage will be addressed under the provisions of the Subdivision Ordinance in effect at the time of platting.

Roads, streets and drainage improvements that have been properly platted, duly dedicated, and accepted by the City of Boerne and/or Kendall County shall be maintained by the Department of Public Works.

👍 **ELECTRIC SERVICE**

Electric service from the City of Boerne may be extended throughout the property according to City Standards. The nearest City electric primary distribution line is located along West San Antonio Street.

👍 **GAS SERVICE**

Natural gas service from the City of Boerne may be extended to and throughout the property according to City standards. The nearest current natural gas main of substantial size is located along West San Antonio Street.

👍 **WATER SERVICE**

Water service from the City of Boerne may be extended to and throughout the property according to City standards. The nearest current water main of substantial size is located along West San Antonio Street.

👍 **SEWER SERVICE**

Sewer service from the City of Boerne may be extended to and throughout the property according to City Standards. The nearest current sewer main of substantial size is located along West San Antonio Street.

👍 **CAPITAL IMPROVEMENTS**

Cost of any utility mains and appurtenances or other necessary capital improvements necessary for development of the subject property will be borne entirely by the petitioner for this tract.

