

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, TRACTS OF LAND TOTALING APPROXIMATELY 5.205 ACRES SITUATED IN THE JOSEPH WIEHL SURVEY NO. 8, ABSTRACT NO. 802, TRAVIS COUNTY, TEXAS, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, BEING ONE TRACT OF LAND TOTALING 4.724 ACRES AND THE SECOND TRACT OF LAND TOTALING 0.481 ACRES REPRESENTING THE ABUTTING JESSE BOHLS ROAD RIGHT-OF-WAY; GENERALLY LOCATED ALONG THE WEST SIDE OF WEISS LANE AT THE INTERSECTION OF JESSE BOHLS ROAD; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; AND TO BE ZONED AGRICULTURE / DEVELOPMENT RESERVE (A); TO BE KNOWN AS THE 17705 WEISS LANE 2021 ANNEXATION; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Pflugerville, Texas (the “City”) desires to annex approximately 5.205 acres of land situated in the Joseph Wiehl Survey No. 8, Abstract No. 802, of the Real Property Records of Travis County, Texas, more particularly described and depicted in **Exhibit “A,”** with the exhibit being attached hereto and incorporated herein by reference (collectively, the “Property”); and

WHEREAS, pursuant to Chapter 43, Section 43.003, of the Texas Local Government Code, a home-rule municipality may extend the boundaries of the municipality and annex area adjacent to the municipality; and

WHEREAS, Chapter 43, Subchapter C-3 of the Texas Local Government Code authorizes municipalities to annex an area on the request of all property owners in an area, whereby the City has received a petition for annexation by the property owner for a 4.724-acre tract of land further described in **Exhibit “A”**; and

WHEREAS, in accordance with Texas Local Government Code, Chapter 43, Subchapter C-3, Section 43.0672, the City has negotiated and entered into a written agreement dated October 23, 2020, with the owner of the Property regarding the provision of services to the Property upon annexation, of which the applicable service plan and schedule is attached hereto and incorporated herein as **Exhibit “B,”** and

WHEREAS, the City Council provided public notice and held a public hearing on January 5, 2020, for all interested persons to attend and be heard in accordance with Texas Local Government Code, Chapter 43, Subchapter C-3 § 43.0673; and

WHEREAS, Chapter 43, Subchapter E, Section 43.106 of the Texas Local Government Code requires municipalities annexing a territory abutting a county road to also annex the entire width of the county road; and

WHEREAS, Texas Local Government Code Section 43.1055 authorizes a municipality to annex a road or right-of-way of a road on the request of the owner of the road or right-of-way of the road or the governing body of the political subdivision that maintains the road or right-of way under the procedures prescribed by Chapter 43, Subchapter C-1; and

WHEREAS, a 0.481 acres section of Jesse Bohls Road, as described in **Exhibit “A”**, is a road and right-of-way situated within Travis County, and owned and maintained by Travis County; and

WHEREAS, the Travis County Commissioners Court, as the governing body who is responsible for maintaining the subject section of Jesse Bohls Road, has consented for such land to be annexed into the City, provided in **Exhibit “C”**; and

WHEREAS, City Council deems it appropriate to annex the 0.481 acres section of Jesse Bohls Road in conjunction with the annexation of the 4.724-acre tract of land at the intersection of Weiss Lane and Jesse Bohls Road; and

WHEREAS, in accordance with Texas Local Government Code, Chapter 43, Subchapter C-1, Section 43.063 City Council held two public hearings, prior to the initiation of the annexation proceedings, at which persons interested in the annexation were given the opportunity to be heard; and

WHEREAS, on December 23, 2020 and December 30, 2020, dates that were at least ten days, but not more than twenty days before, the respective public hearings, notice of the public hearing on this annexation was published on the City’s internet website and a newspaper of general circulation; and

WHEREAS, on January 5, 2021, a date that was at least twenty days, but not more than forty days, before the date annexation proceedings were instituted, the first public hearing was conducted; and

WHEREAS, on January 12, 2021, a date that was at least twenty days, but not more than forty days, before the date annexation proceedings were instituted, but after the first public hearing, the second public hearing was conducted:

WHEREAS, the City has complied with all conditions precedent established under the Texas Local Government Code necessary to take this action annexing the Property.

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

Section 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. The Property, lying outside of, but adjacent to and adjoining the City, is hereby annexed into the City, and the boundaries of the City are extended to include the Property within the corporate limits of the City. From and after the date of this ordinance, the Property shall

be entitled to all the rights and privileges of the City and shall be bound by all the acts, ordinances, resolutions, and regulations of the City except as otherwise provided for in the attached Exhibit B.

Section 3. The City finds annexation of the Property to be in the public interest due the Property promoting economic growth of the City.

Section 4. The Property shall be temporarily zoned Agriculture / Development Reserve (A).

Section 5. The service plan attached as **Exhibit “B”** is approved, and municipal services shall be provided to the Property in accordance therewith.

Section 6. The City Manager is hereby authorized and directed to take appropriate action to have the official map of the City revised to reflect the addition to the City’s Corporate Limits and the City Secretary is directed to file a certified copy of this Ordinance in the office of the County Clerk of Travis County, Texas, and in the official records of the City.

Section 7. If for any reason any section, paragraph, subdivision, clause, phrase, word, or other provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this Council that every section, paragraph, subdivision, clause phrase, word, or provision hereof shall be given full force and effect for its purpose.

Section 8. This Ordinance will take effect upon its adoption by the City Council in accordance with the provisions of Section 3.15(d) of the City Charter.

PASSED AND APPROVED this _____ day of _____ 2021.

CITY OF PFLUGERVILLE, TEXAS

By: _____
Victor Gonzales, Mayor

ATTEST:

Karen Thompson, City Secretary
APPROVED AS TO FORM:

Charles E. Zech, City Attorney
DENTON NAVARRO ROCHA BERNAL & ZECH, P.C.

EXHIBIT "A"

PROPERTY DESCRIPTION

Two tracts of land totaling approximately 5.205 acres of land situated in the Joseph Wiehl Survey No. 8, Abstract No. 802, of the Real Property Records of Travis County, Texas.

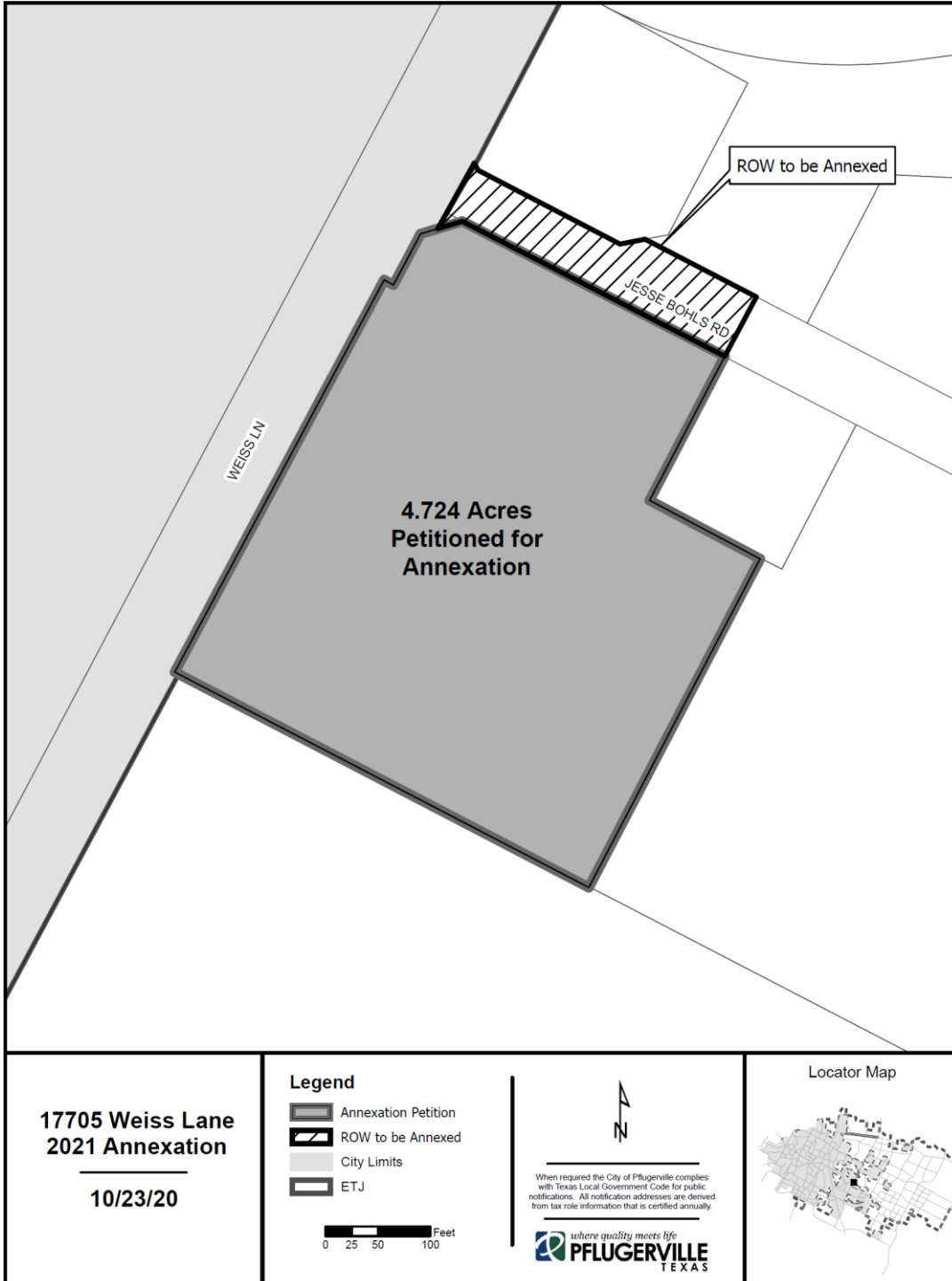


Exhibit "A"

PREMIER SURVEYING LLC

5700 W. Plano Parkway, Suite 1200
Plano, Texas 75093
972-612-3601
Fax: 972-964-7021

Exhibit "A"
(17705 WEISS LANE)

BEING A 4.724 ACRE TRACT OF LAND SITUATED IN THE JOSEPH WIEHL SURVEY, ABSTRACT NO. 802, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO KEITH WEISS, AS RECORDED IN VOLUME 13105, PAGE 302, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD FOUND AT THE MOST NORTHERLY EAST CORNER OF SAID WEISS TRACT AND THE NORTH CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO JANET LYN STUHMER, AS RECORDED IN INSTRUMENT NO. 2003154725, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID IRON ROD BEING ON THE SOUTHWEST LINE OF JESSE BOHLS ROAD;

THENCE SOUTH 30° 00' 20" WEST (DEED = SOUTH 29° 44' 35" WEST), A DISTANCE OF 155.17 FEET ALONG THE COMMON LINE OF SAID WEISS AND STUHMER TRACTS TO A 1/2-INCH IRON ROD FOUND AT THE WEST CORNER OF SAID STUHMER TRACT;

THENCE SOUTH 59° 37' 37" EAST (DEED = SOUTH 60° 05' 24" EAST), A DISTANCE OF 119.29 FEET ALONG SAID COMMON LINE TO A 1/2-INCH IRON ROD FOUND AT THE MOST SOUTHERLY EAST CORNER OF SAID WEISS TRACT AND THE MOST WESTERLY NORTH CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED AS EXHIBIT B TO NORMAN WEISS AND SPOUSE, VIRGINIA WEISS, AS RECORDED IN VOLUME 12732, PAGE 44, AFORESAID REAL PROPERTY RECORDS;

THENCE SOUTH 30° 00' 00" WEST, A DISTANCE OF 353.90 FEET ALONG THE COMMON LINE OF SAID WEISS (13105/302) AND WEISS (12732/44) TRACTS TO A 1/2-INCH IRON ROD FOUND AT THE SOUTH CORNER OF SAID WEISS TRACT (13105/302) AND THE WEST CORNER OF SAID WEISS TRACT (12732/44), SAID IRON ROD BEING ON THE NORTHEAST LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO NORMAN WEISS AND SPOUSE, VIRGINIA WEISS, AS RECORDED IN INSTRUMENT NO. 2001019556, AFORESAID OFFICIAL PUBLIC RECORDS;

THENCE NORTH 60° 00' 00" WEST, A DISTANCE OF 445.54 FEET ALONG THE COMMON LINE OF SAID WEISS (13105/302) AND WEISS (2001019556) TRACTS TO A 1/2-INCH IRON ROD FOUND ON THE SOUTHEAST LINE OF WEISS LANE;

THENCE NORTH 30° 35' 29" EAST, A DISTANCE OF 424.59 FEET ALONG SAID SOUTHEAST LINE TO A 1/2-INCH IRON ROD FOUND;

THENCE SOUTH 59° 26' 18" EAST, A DISTANCE OF 10.00 FEET TO A 1/2-INCH IRON ROD FOUND;

THENCE NORTH 30° 34' 08" EAST, A DISTANCE OF 55.25 FEET ALONG THE AFORESAID SOUTHEAST LINE OF WEISS LANE TO A 1/2-INCH IRON ROD FOUND;

THENCE NORTH 75° 44' 32" EAST, A DISTANCE OF 41.52 FEET TO A 1/2-INCH IRON ROD FOUND ON THE AFORESAID SOUTHWEST LINE OF JESSE BOHLS ROAD;

THENCE SOUTH 60° 14' 04" EAST, A DISTANCE OF 281.60 FEET ALONG SAID SOUTHWEST LINE TO THE POINT OF BEGINNING AND CONTAINING 205,784 SQUARE FEET OR 4.724 ACRES OF LAND.

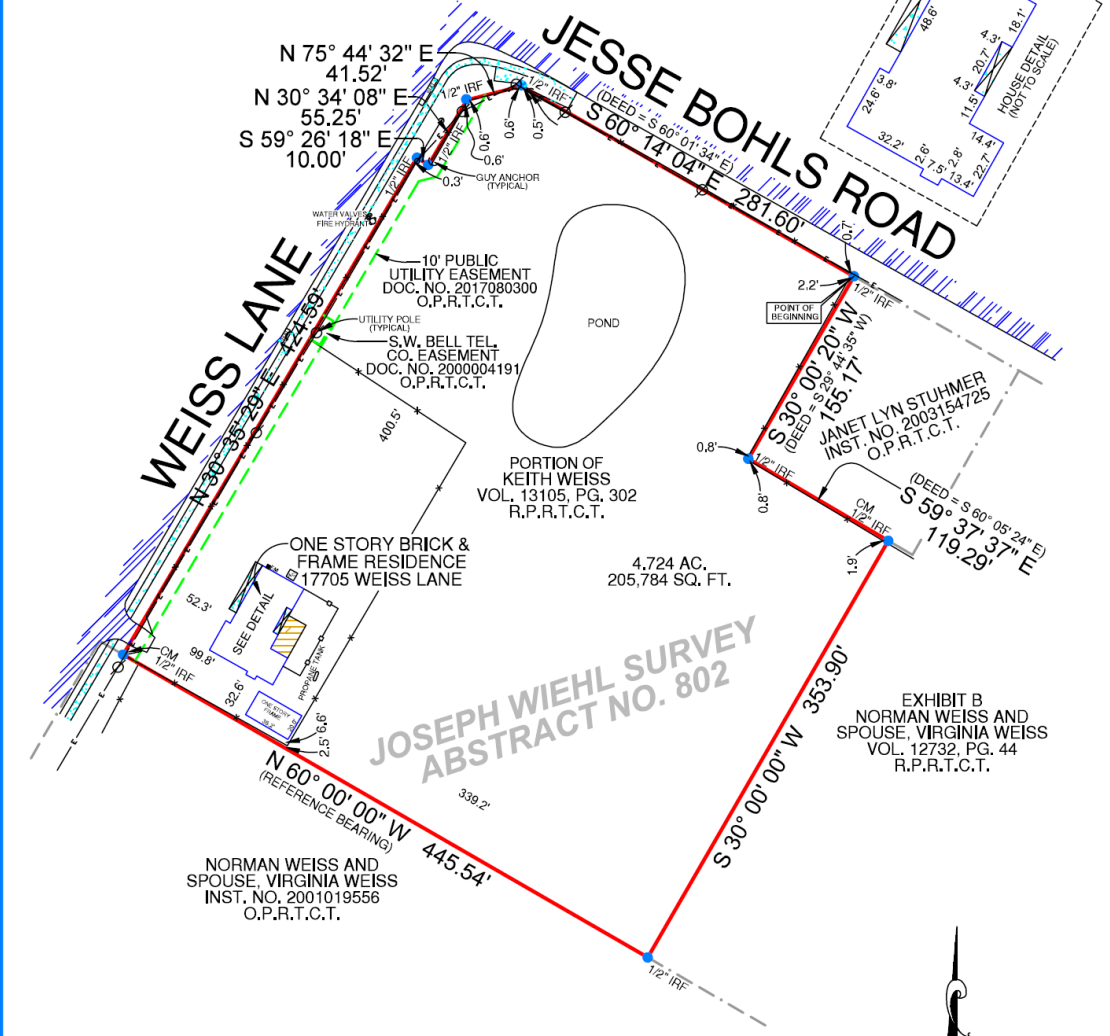


Robert T. Paul, Jr.
REGISTERED PROFESSIONAL LAND SURVEYOR

Survey Plat of even date attached hereto and made a part hereof.

Date: 02/24/20

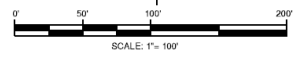
Exhibit "A"



LEGEND:

—●—	BARB WIRE FENCE	▨	ASPHALT
—○—	CHAIN LINK FENCE	▩	CONCRETE
—○—	WROUGHT IRON FENCE	▧	GRAVEL
—/—/—	WOOD FENCE	▤	TILE
—v—v—	VINYL FENCE	▥	WOOD
—E—E—	ELECTRIC LINE	▦	BRICK
GM	GAS METER	▧	STONE
EM	ELECTRIC METER	▨	WOOD RAILROAD TIE
IRF	IRON PIPE FOUND		
IRS	IRON ROD SET WITH "PREMIER" CAP		
IRF	IRON ROD FOUND		
CM	CONTROLLING MONUMENT (WOOD) RAILROAD TIE		

NOTES:
 BEARINGS ARE BASED ON THE RECORDED DEED.
 THIS PROPERTY MAY BE SUBJECT TO THE FOLLOWING:
 (10f)-EASEMENT, VOL. 923, PG. 503, D.R.T.C.T.
 (10g)-EASEMENT, VOL. 906, PG. 110, D.R.T.C.T.
 (10h)-EASEMENT, VOL. 4794, PG. 2328, D.R.T.C.T.



LEGAL DESCRIPTION:
 BEING A 4.724 ACRE TRACT OF LAND SITUATED IN THE JOSEPH WIEHL SURVEY, ABSTRACT NO. 802, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO KEITH WEISS, AS RECORDED IN VOLUME 13105, PAGE 302, REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION ATTACHED HERETO AND MADE A PART THEREOF ON PAGE 2.

SURVEYOR'S CERTIFICATION:
 THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS, THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN, THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND IS FOR THE EXCLUSIVE USE OF THE HEREON NAMED PURCHASER, MORTGAGE COMPANY, AND TITLE COMPANY ONLY AND THIS SURVEY IS MADE PURSUANT TO THAT CERTAIN TITLE COMMITMENT UNDER THE GF NUMBER SHOWN HEREON, PROVIDED BY THE TITLE COMPANY NAMED HEREON AND THAT THIS DATE, THE EASEMENTS, RIGHTS-OF-WAY, OR OTHER LOCATABLE MATTERS OF RECORD THAT THE UNDERSIGNED HAS KNOWLEDGE OR HAS BEEN ADVISED ARE AS SHOWN OR NOTED HEREON, THIS SURVEY IS SUBJECT TO ANY AND ALL COVENANTS AND RESTRICTIONS PERTAINING TO THE RECORDED DEED REFERENCED HEREON.

GF. NO.	AUT-22-004-AUT20000952C
BORROWER	SIRAJ DUHKA
TITLE CO.	AUSTIN TITLE
TECH	MSP
FIELD	TM

FLOOD INFORMATION:
 THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND HAS A ZONE "X" RATING AS SHOWN BY MAP NOS. 48453C0280 J & 48453C0290 J, DATED AUGUST 18, 2014.

DATE: 10/08/20 JOB NO.: 20-00720UP
 FIELD: 02/24/20

Robert T. Paul, Jr.
 Registered Professional Land Surveyor

17705 WEISS LANE, PFLUGERVILLE, TX 78660
 4.724 AC., JOSEPH WIEHL SURVEY, ABSTRACT NO. 802

5700 W. Plano Parkway
 Suite 1200
 Plano, Texas 75093
 972-612-3601 (O) | 855-892-0468 (F)
 www.premiersurveying.com
 premierorders@premiersurveying.com

DATE: _____
 ACCEPTED BY: _____

5700 W. Plano Parkway
 Suite 1200
 Plano, Texas 75093
 Office: 972-612-3601
 Fax: 855-892-0468
 Firm Registration No. 10146200



📍 P.O. BOX 992 | 6477 FM 311, SPRING BRANCH, TX 78070
🔗 WWW.SHERWOODSURVEYING.COM
📄 TBPELS FIRM #10044200

FIELD NOTE DESCRIPTION
0.481 ACRES
FOR POLITICAL BOUNDARY PURPOSES

BEING A 0.481 ACRE TRACT OF LAND SITUATED IN THE JOSEPH WIEHL SURVEY, ABSTRACT NO. 802, CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS, BEING OUT OF A PORTION OF JESSE BOHLS ROAD, A VARIABLE WIDTH RIGHT-OF-WAY, SAID 0.481 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, AT A FOUND IRON ROD BEING SITUATED IN THE COMMON EASTERLY RIGHT-OF-WAY LINE OF WEISS LANE AND THE EASTERLY EXISTING ANNEXATION LIMITS OF ORDINANCE 1390-19-04-09, SAME BEING IN THE SOUTHWESTERLY CUT BACK INTERSECTION OF JESSE BOHLS ROAD, SAME ALSO BEING IN THE WESTERLY LINE OF A CALLED 4.724 ACRE TRACT CONVEYED TO EBENSEE, LLC, RECORDED IN DOCUMENT NO. 2020128708, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, (GRID COORDINATES N:10133824.05, E:3168172.22), BEING THE SOUTHWESTERLY CORNER HEREOF;

THENCE, N 30° 18' 33" E, ALONG SAID WEISS LANE AND EXISTING ANNEXATION ORDINANCE, INTO AND ACROSS JESSE BOHLS ROAD, A DISTANCE OF 89.14 FEET, TO A POINT SITUATED IN THE SOUTHWESTERLY CORNER OF A CALLED 1.00 ACRE TRACT CONVEYED TO JOHN S. LLOYD, RECORDED IN DOCUMENT NO. 2013036004, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAME BEING IN THE NORTHERLY LINE OF JESSE BOHLS ROAD, BEING THE NORTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, DEPARTING WITH WEISS LANE AND EXISTING ANNEXATION ORDINANCE, S 62° 35' 31" E, ALONG THE COMMON SOUTHERLY LINE OF SAID 1.00 ACRES AND JESSE BOHLS ROAD, A DISTANCE OF 157.59 FEET, TO A POINT;

THENCE, N 79° 20' 11" E, CONTINUING ALONG THE NORTHERLY LINE OF JESSE BOHLS ROAD, A DISTANCE OF 24.31, TO A FOUND IRON ROD SITUATED IN THE SOUTHEASTERLY LINE OF SAID 1.00 ACRES AND BEING THE SOUTHWESTERLY CORNER OF LOT 89, BLOCK X, SORENTO PHASE 10, RECORDED IN DOCUMENT NO. 201800306, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

THENCE, S 62° 29' 15" W, CONTINUING ALONG THE COMMON SOUTHERLY LINE OF SAID LOT 89 AND THE NORTHERLY LINE OF JESS BOHLS ROAD, A DISTANCE OF 130.65 FEET, TO A POINT, BEING THE NORTHEASTERLY CORNER HEREOF;

THENCE, S 27° 51' 01" W, INTO AND ACROSS JESSE BOHLS ROAD, A DISTANCE OF 74.44 FEET, TO A SET ½ INCH IRON ROD WITH YELLOW SHERWOOD SURVEYING CAP, SITUATED IN THE SOUTHERLY LINE OF JESSE BOHLS ROAD, SAME BEING THE NORTHEASTERLY CORNER OF SAID 4.724 ACRES, SAME ALSO BEING THE NORTHWESTERLY CORNER OF A CALLED 0.498 ACRE TRACT, CONVEYED TO JANET LYN STUHMER, RECORDED IN DOCUMENT NO. 2003154725, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;




THENCE, CONTINUING ALONG THE COMMON SOUTHERLY LINE OF JESSE BOHLS ROAD AND THE NORTHERLY LINE OF SAID 4.724 ACRES, THE FOLLOWING COURSES:

N 62° 39' 49" W, A DISTANCE OF 281.60 FEET, TO A SET ½ INCH IRON ROD WITH YELLOW SHERWOOD SURVEYING CAP;

S 73° 07' 15" W, A DISTANCE OF 41.52 FEET, TO THE **POINT OF BEGINNING**, CONTAINING AN AREA OF 0.481 ACRES OF LAND, MORE OR LESS.

SHERWOOD SURVEYING & SUE, LLC
P.O. BOX 992
SPRING BRANCH, TEXAS 78070
TBPELS FIRM NO. 10044200

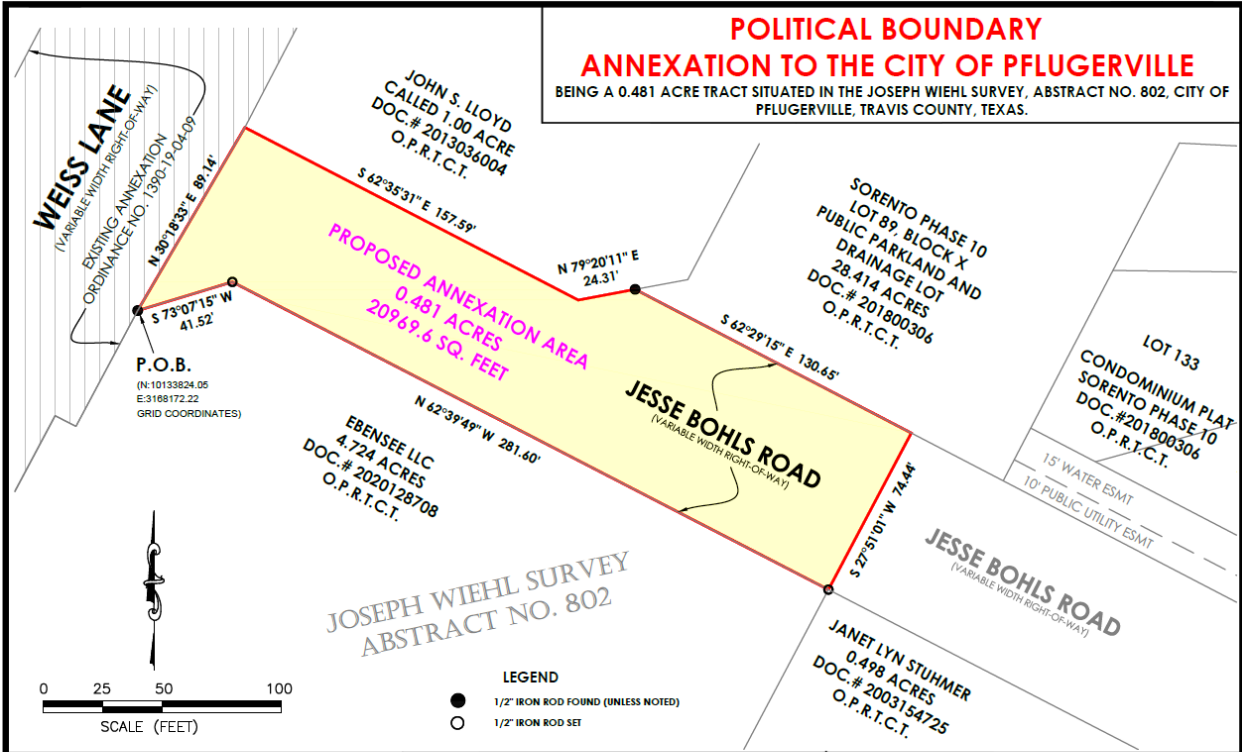

11-11-2020
MELISSA T. HINTON DATE
R.P.L.S. #6521 STATE OF TEXAS



THIS DOCUMENT WAS PREPARED UNDER 22 TAC 663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED

**POLITICAL BOUNDARY
ANNEXATION TO THE CITY OF PFLUGERVILLE**

BEING A 0.481 ACRE TRACT SITUATED IN THE JOSEPH WIEHL SURVEY, ABSTRACT NO. 802, CITY OF PFLUGERVILLE, TRAVIS COUNTY, TEXAS.



SHERWOOD
SURVEYING & S.U.E.
UTILITIES | RESIDENTIAL | COMMERCIAL | INDUSTRIAL
6477 FM 311, P.O. BOX 992 TBP&S FIRM#10044200
SPRING BRANCH, TEXAS 78070
PHONE (830) 228-5788 FAX (830) 885-2170

DATE: 11-11-2020 DRAWN BY: JF PROJECT No. 20EBE001

where quality meets life
PFLUGERVILLE
TEXAS



SURVEYORS CERTIFICATE
I, MELISSA T. HINTON, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, REGISTRATION NUMBER 6521, HEREBY STATE THAT DURING THE MONTH OF NOVEMBER, 2020, A SURVEY OF THE REAL PROPERTY SHOWN HEREON WAS MADE UPON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

Melissa T. Hinton 11/11/2020
MELISSA T. HINTON DATE
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6521

EXHIBIT "B"

SERVICE PLAN AGREEMENT FOR PROPERTY ANNEXED

EXHIBIT “C”

**TRAVIS COUNTY COMMISSIONER’S COURT CONSENT
TO JESSE BOHLS RIGHT-OF-WAY ANNEXATION**