



MR 14

ORDINANCE NO. 899-07-08-14

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, APPROXIMATELY 274.65 ACRES OF LAND IN THE JOHN LIESSE SURVEY NO. 18, ABSTRACT NO. 496, AND THE WILLIAM CALDWELL SURVEY NO. 66, ABSTRACT NO. 162 IN TRAVIS COUNTY, TEXAS, ADJACENT TO THE CITY LIMITS OF THE CITY OF PFLUGERVILLE, TEXAS, GENERALLY LOCATED EAST OF WEISS LANE ORIGINATING AT THE NORTHEAST CORNER OF WEISS LANE AND PECAN STREET, IN TRAVIS COUNTY, TEXAS; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; APPROVING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Pflugerville, Texas (the "City") desires to annex approximately 274.65 acres of land, more particularly described in Exhibit "A", attached hereto and incorporated herein by reference; and

WHEREAS, the City is authorized, pursuant to Chapter 43, Section 43.021 of the Texas Local Government Code and Section 1.04 of the Home Rule Charter for the City of Pflugerville, to unilaterally annex the Land; and

WHEREAS, the City Council of the City has considered the annexation of the Land, following two public hearings, notice of which was duly given in accordance with all applicable legal requirements, and has determined to institute proceedings to annex the Land; NOW, THEREFORE,

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

Section 1. The Land is hereby annexed to the City, and the boundaries of the City are extended to include the Land within the corporate limits of the City. From and after the date of this ordinance, the Land shall be bound by the acts, ordinances, resolutions and regulations of the City.

Section 2. The City finds annexation of the Land to be in the public interest.

Section 3. The service plan attached as Exhibit "B" is approved, and municipal services shall be extended to the Land in accordance therewith.

Section 4. 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.

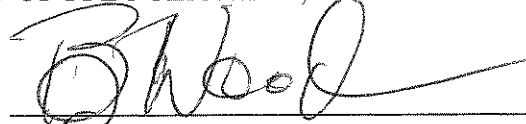
Section 5. This ordinance will take effect upon its adoption by the City Council, and provided further that no objection to the annexation is interposed by the United States Attorney General within 60 days of the submission of the annexation pursuant to Section 5 of the Voting Rights Act of 1965, as amended.

Section 6. The City Council intends to annex the Land described in this Ordinance; but if there is included within the description of the Land annexed by this Ordinance any lands or area that may not be annexed by the City for any reason ("Excluded Lands"), then the Excluded Lands should be excluded and excepted from the Land annexed by this Ordinance as fully as if the Excluded Lands were expressly described in this Ordinance and the remainder of the Land were annexed to the City of Pflugerville.

PASSED AND APPROVED this 14th day of August, 2007.

CITY OF PFLUGERVILLE, TEXAS

By:



Bruce Wood, Mayor Pro Tem

ATTEST:


Karen Thompson, City Secretary

APPROVED AS TO FORM:

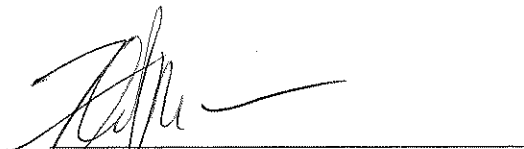
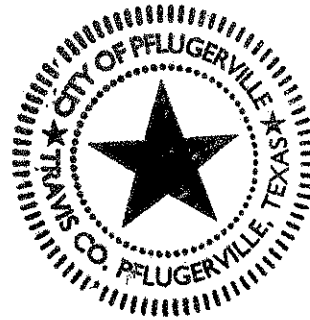

Floyd Akers, City Attorney

EXHIBIT "A"

DESCRIPTION OF THE PROPERTY

274.65 Acres

THIS DESCRIPTION AND THE ACCOMPANYING SKETCH ARE BASED ON A COMBINATION OF FIELD SURVEY DATA AND RECORD INFORMATION OF VARIOUS TRACTS OF LAND LOCATED IN THE JOHN LIESSE SURVEY No. 18, ABSTRACT No. 496, AND THE WILLIAM CALDWELL SURVEY No. 66, ABSTRACT No. 162, IN TRAVIS COUNTY, TEXAS, AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS;

<u>OWNER</u>	<u>RECORD ACREAGE</u>	<u>ANNEX ACREAGE</u>	<u>INSTRUMENT NUMBER</u>
1. Kenneth H.J.Bohls & Evelyn M.Bohls Page1438	84.3	24.15	Volume 3713,
2. Kenneth H.J.Bohls & Evelyn M.Bohls 976	100.00	24.96	Volume 2402, Page
3. Rosa Pfluger	168.00	50.21	Volume 930, Page 61
4. Rosa Pfluger	161.00	20.49	Volume 930, Page 61
5. Winnie Mae & Jack Murchison,etal 1140	125.15	49.05	Volume 4796, Page
6. H.W. Kuempel	118.16	41.47	Volume 317, Page 124
7. Lanier C. Bohls Page1826	99.00	50.04	Volume 12820,
8. Lanier C. Bohls 123	5.00	4.85	Volume 10498, Page
9. Charles A. Schnabel, Jr., et ux Page1478	17.76	4.08	Volume 7087,
10. Charles A. Schnabel, Jr. et ux	5.00	4.95	Volume 8492, Page 722
11. Weiss Lane		0.40	

TRACT AREAS CALLED FOR ARE PER TRAVIS COUNTY DEED RECORDS. THE ACTUAL AREAS MAY VARY. RECORD INSTRUMENTS ARE FROM THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

BEGIN at a point on the West Line of Cameron Road at the Southeast corner of that 84.3 Acre Tract conveyed to Kenneth H.J. Bohls and Evelyn M. Bohls, in Volume 3713, Page 1438 of the Deed Records of Travis County, Texas, said point also being the Northeast corner of that 8.90 Acre Tract, with 1/2 interest conveyed to Christine H. Mills in Document No. 2002240294 of the Official Public Records of Travis County, Texas;

THENCE N.62°57'24"W., along the South Line of said 84.3 Acre Tract and the North Line of said 8.90 Acre Tract, at 793.90 feet pass the Northwest corner of said 8.90 Acre Tract and the Northeast corner of that 198.38 Acre Tract conveyed to James W. and Nadine M. Whitely in Volume 6373, Page 1149 of the Deed Records of Travis County, Texas, in all a distance of 1,054.16 feet to the Southwest corner of said 84.3 Acre Tract and the Southeast corner of that 100.00 Acre Tract conveyed to Kenneth and Evelyn Bohls in Volume 2402, Page 176 of the Deed Records of Travis County, Texas;

THENCE continue N.62°57'24"W., along the South Line of said 100.00 Acre Tract and the North Line of said 198.38 Acre Tract, a distance of 1,087.33 feet to the Southwest corner of said 100.00 Acre Tract and the Southeast corner of that 168.00 Acre Tract conveyed to Rosa Pfluger in Volume 930, Page 61 of the Deed Records of Travis County, Texas;

THENCE N.62°54'31"W., along the North Line of said 198.38 Acre Tract and South Line of said 168.00 Acre Tract, a distance of 948.69 feet to the Northeast corner of that 161.00 Acre Tract conveyed to Rosa Pfluger in Volume 930, Page 61 of the Deed Records of Travis County,

Texas;

THENCE crossing said 161.00 Acre Tract the following two courses;

1. N.88°39'51"W., a distance of 1,340.03 feet;
2. S.64°43'28"W., at 929.49 feet pass the West Line of said 161.00 Acre Tract and the East Line of that 125.15 Acre Tract conveyed to Winnie Mae and Jack Murchison in Volume 4796, Page 1140 of the Deed Records of Travis County, Texas, in all a distance of 1,234.61 feet;

THENCE S.80°56'51"W. crossing said 125.15 Acre Tract, at 1730.91 feet pass the West Line of said 125.15 Acre Tract and the East Line of that 118.16 Acre Tract conveyed to H. W. Kuempel in Volume 317, Page 124 of the Deed Records of Travis County, Texas, in all a distance of 3107.94 feet to the North Line of Cameron Road;

THENCE N.62°47'45"W crossing said 118.16 Acre Tract along the North Line of Cameron Road, a distance of 394.64 feet to the West Line of said 118.16 Acre Tract and the East Line of that 99.00 Acre Tract conveyed to Lanier C. Bohls in Volume 12820, Page 1846 of the Real Property Records of Travis County, Texas;

THENCE N.62°40'39"W., crossing said 99.00 Acre Tract and continuing along the North Line of Cameron Road, a distance of 1,361.35 feet to the Southeast Corner of that 5.00 Acre Tract conveyed to Lanier Bohls in Volume 10498, Page 123 of the Real Property Records of Travis County, Texas;

THENCE N.62°31'43"W. along the South Line of said 5.00 Acre Tract and continuing along the North Line of Cameron Road, a distance of 257.42 feet to the Southwest Corner of said 5.00 Acre Tract;

THENCE N.62°30'50"W., crossing said 99.00 Acre Tract and continuing along the North Line of Cameron Road, a distance of 768.93 feet to a point on the West Line of said 99.00 Acre Tract and a point on the East Line of that 111.00 Acre Tract conveyed to Trelton K. Bohls in Volume 12820, Page 1846 of the Real Property Records of Travis County, Texas

THENCE N.27°18'32"E., along the West Line of said 99.00 Acre Tract and the East Line of said 111.00 Acre Tract, a distance of 295.16 feet to the Southeast corner of that 17.76 Acre Tract conveyed to Charles and Nadine Schnabel in Volume 7087, Page 1478 of the Deed Records of Travis County, Texas;

THENCE N.63°43'36"W., along the South Line of said 17.76 Acre Tract, and the North Line of said 111.00 Acre Tract, a distance of 133.33 feet to a point on the North Line of Pecan Street;

THENCE continue along the North Line of Pecan Street and the South Line of said 17.76 Acre Tract the following two courses;

1. N.53°38'29"W., a distance of 185.87 feet;
2. N.63°27'49"W., a distance of 283.54 feet to the Southwest corner of said 17.76 Acre Tract and the Southwest corner of that 5.00 Acre Tract conveyed to Charles and Nadine Schnabel in Volume 8492, Page 722 of the Deed Records of Travis County, Texas;

THENCE N.62°44'48"W., along the North Line of Pecan Street and the South Line of said 5.00 Acre Tract, a distance of 746.57 feet to the Southeast corner of said 5.00 Acre Tract and the East Line of Weiss Lane;

THENCE N.61°38'20"W., crossing Weiss Lane, a distance of 60.02 feet to the West Line of Weiss Lane;

THENCE N.26°46'06"E., along the West Line of Weiss Lane, a distance of 287.04 feet;

THENCE S.62°45'11"E., crossing Weiss Lane, a distance of 60.00 feet to the East Line of said Weiss Lane and the Northwest corner of said 5.00 Acre Tract;

THENCE continue S.62°45'11"E., along the North Line of said 5.00 Acre Tract, a distance of 749.19 feet to the Northeast Corner of said 5.00 Acre Tract and the West Line of said 17.76 Acre Tract;

THENCE continue S.62°45'11"E., crossing said 17.76 Acre Tract, a distance of 600.41 feet to the East Line of said 17.76 Acre Tract and the West Line of said 99.00 Acre Tract;

THENCE N.27°18'02"E. along the West Line of said 99.00 Acre Tract, a distance of 392.91 feet;

THENCE S.62°36'38"E., crossing said 99.00 Acre Tract at 2,386.18 feet pass the East Line of said 99.00 Acre Tract and the West Line of said 118.16 Acre Tract, in all a distance of 2,453.06 feet;

THENCE N.80°56'51"E., crossing said 118.16 Acre Tract, at 1,781.32 feet pass the East Line of said 118.16 Acre Tract and the West Line of said 125.15 Acre Tract, in all a distance of 2,638.25 feet;

THENCE N.64°43'28"E., crossing said 125.15 Acre Tract, at 1,056.32 feet pass the North Line of said 125.15 Acre Tract and the South Line of said 168.00 Acre Tract, in all a distance of 1,328.57 feet;

THENCE crossing said 168.00 Acre Tract, the 100.00 Acre Tract and the 84.3 Acre Tract the following 2 courses;

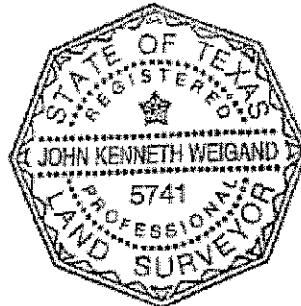
1. S.88°39'51"E., a distance of 1,804.85 feet;
2. S.62°56'31"E., at 1,184.83 feet pass the East Line of said 168.00 Acre Tract and the West Line of said 100.00 Acre Tract, at 2270.77 feet pass the East Line of 100.00 Acre Tract and West Line of said 84.3 Acre Tract, in all a distance of 3,320.30 feet to the East Line of 84.3 Acre Tract and the West Line of Cameron Road;

THENCE S.27°09'41"W., along the East Line of said 84.3 Acre Tract and the West Line of Cameron Road, a distance of 1,000.00 feet to the POINT OF BEGINNING.

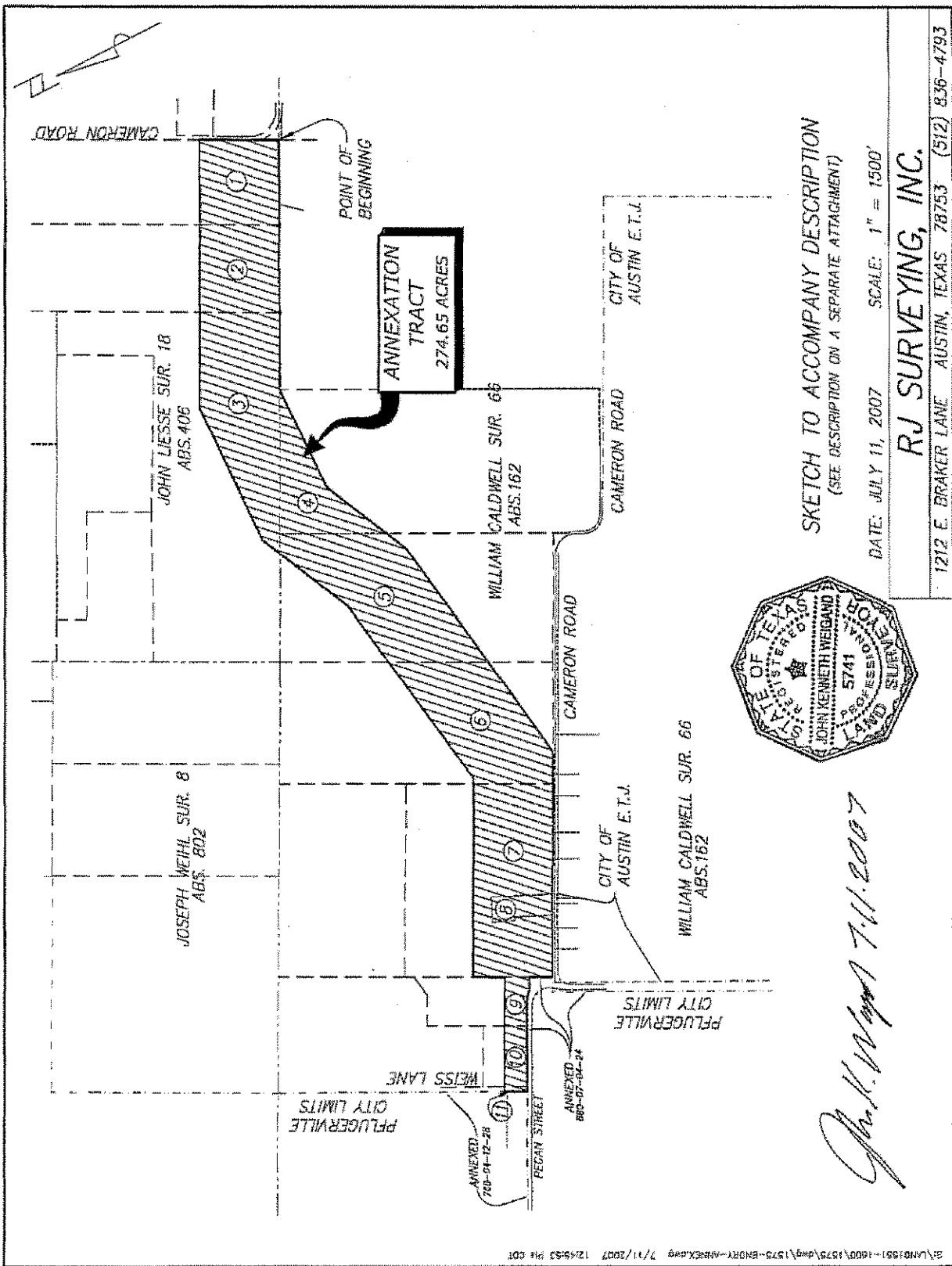
Containing 274.65 acres, more or less.


J. Kenneth Weigand
Registered Professional Land Surveyor No. 5741
State of Texas

RJ Surveying, Inc.
1212 East Braker Lane
Austin, Texas 78753



This document was prepared under 22TAC 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.



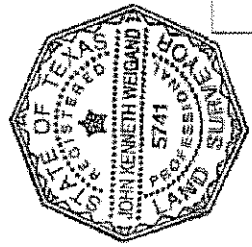
ANNEXATION TRACT
274.65 ACRES

SKETCH TO ACCOMPANY DESCRIPTION
(SEE DESCRIPTION ON A SEPARATE ATTACHMENT)

DATE: JULY 11, 2007 SCALE: 1" = 1500'

RJ SURVEYING, INC.

1212 E. BRAKER LANE AUSTIN, TEXAS 78753 (512) 836-4793



John K. Weigand 7-11-2007

EXHIBIT "B"

SERVICE PLAN

SERVICE PLAN FOR PROPOSED ANNEXATION BY THE CITY OF PFLUGERVILLE, IN TRAVIS COUNTY, TEXAS

This service plan establishes a program under which the City of Pflugerville, Texas (the "City"), will provide full municipal services to the area described on the attached Exhibit "A" (the "Annexed Area"), as required by § 43.065 of the Texas Local Government Code.

I.

The City will provide the following municipal services to the Annexed Area at a level consistent with protection to other areas within the City:

- A. Police Protection. The City provides police service within its City limits, including routine patrols through the City and law enforcement services upon call. After annexation, police protection will be provided to the Annexed Area at a level consistent with the service to other areas of the City with similar population density. The City's police services include neighborhood patrols, criminal investigations, crime prevention, community services and school programs.
- B. Fire Protection and Emergency Medical Service.
 - 1. Travis County Emergency Services District No. 2 (TCESD #2) includes the City and the Annexed Area. TCESD #2 will continue to provide fire protection service to the Annexed Area after annexation.
 - 2. The fire marshal enforces the City fire code, investigates fires, and conducts fire prevention inspections within the City limits, and will provide these services within the Annexed Area after annexation.
 - 3. The City provides Emergency Medical Transport Services through an interlocal agreement with Travis County, Texas. After annexation, transport services will be provided to the Annexed Area at a level consistent with the service to other areas of the City with similar population density. Emergency Medical First Responder Services are provided by TCESD #2, and TCESD #2 will continue to provide such services to the Annexed Area after annexation.

II.

The City will provide the following municipal services to the Annexed Area on the same basis as it provides such services to other similarly situated areas of the City:

Solid Waste Collection. The City provides residential solid waste collection services within the City limits for a fee under a contract between the City and a private refuse

- A. collection company. The residential solid waste collection services include garbage collection, recycling, bulky item collection and brush collection or chipping. This service will be provided for a fee to any person within the Annexed Area requesting the service after the date of annexation. The City may not prohibit the collection of solid waste by a private provider or charge a fee for solid waste collection to any resident who continues to use the services of a private provider during the first two years following annexation. If a resident continues to use the services of a private provider during the two years following annexation, the City is not required to provide solid waste collection services to that resident.
- B. Maintenance. Routine maintenance of the following City-owned facilities, if any, will be provided within the Annexed Area effective as of the date of annexation:
1. **Water and wastewater facilities** that are not within the service area of another water or wastewater utility. These facilities will include all internal water and wastewater distribution and collection lines owned by the City that are within the Annexed Area. The City maintains distribution and collection lines and handles all customer billing, service calls and complaints.
 2. **Public streets and right-of-ways**. The City provides street repairs, improvements, inspections, street lighting and traffic control devices. This City does not maintain private streets or private right-of-ways.
 3. **Publicly owned parks, playgrounds, and swimming pools**. The City will maintain and operate publicly owned land and facilities within the annexation area.
 4. **Other public easement, facilities or buildings**, including drainage facilities, such as drainage channels, storm sewers and detention ponds contained within dedicated public easements. The City maintains drainage facilities through regular mowing and cleaning or repair, as needed. The City will inspect the land a minimum of every six (6) weeks and perform maintenance as required which includes but is not limited to mowing and the removal of debris no fewer than six (6) times a year. Any unacceptable conditions that exist in the drainage areas and are reported to the City of Pflugerville between scheduled inspections will be evaluated and resolved as necessary. A maintenance schedule for these areas can be obtained from the Public Works and Parks and Recreation Departments. If the City establishes a city-wide maintenance plan after the establishment of this service plan the city-wide service plan will replace the maintenance plan established in this service plan.
- C. Development Regulation. The City will enforce zoning, subdivision development, site development and building code regulations within the Annexed Area after annexation. Enforcement will be in accordance with City ordinances. Development plans and plats for projects within the Annexed Area will be reviewed for compliance with City standards.

- D. Other Services. City recreational facilities, including parks and library, will be available for use by residents of the Annexed Area on the same basis as those facilities are available to current City residents. City residents receive program preference for some City programs.

III.

- A. Capital Improvements. As provided in Section 43.056(e) of the Local Government Code, the City will begin acquiring or constructing capital improvements necessary for providing municipal services adequate to serve the Annexed Area. The acquisition or construction will occur in accordance with applicable ordinances and regulations of the City. Landowners within the Annexed Area will not be required to fund the capital improvements necessary to provide municipal services to the Annexed Area except as provided below for water and wastewater service.
- B. Water and Wastewater Service. For portions of the Annexed Area not within the certificated service areas of the City or another utility, the City will extend water and wastewater service to such areas in accordance with the City's service extension policy attached as Exhibit "B", at the appropriate levels considering the topography, land use and population density of the property requesting service. In addition, unless consistent with the City's existing requirements for funding of extensions of water or wastewater service to areas within the current City limits, landowners within the Annexed Area will not be required to fund the capital improvements necessary to provide water and wastewater service under this service plan.

The portions of the Annexed Area that are currently within the certificated service areas of other water and wastewater utilities will continue to receive water and wastewater utility services from such utility providers after annexation.

EXHIBIT "A" – TO SERVICE PLAN

THIS DESCRIPTION AND THE ACCOMPANYING SKETCH ARE BASED ON A COMBINATION OF FIELD SURVEY DATA AND RECORD INFORMATION OF VARIOUS TRACTS OF LAND LOCATED IN THE JOHN LIESSE SURVEY No. 18, ABSTRACT No. 496, AND THE WILLIAM CALDWELL SURVEY No. 66, ABSTRACT No. 162, IN TRAVIS COUNTY, TEXAS, AND BEING ALL OR PARTS OF THE FOLLOWING TRACTS:

OWNER	RECORD ACREAGE	ANNEX ACREAGE	INSTRUMENT NUMBER
1. Kenneth H.J. Bohls & Evelyn M. Bohls Page 1436	84.3	24.15	Volume 3713,
2. Kenneth H.J. Bohls & Evelyn M. Bohls 976	100.00	24.98	Volume 2402, Page
3. Rosa Pfluger	168.00	50.21	Volume 930, Page 61
4. Rosa Pfluger	161.00	20.49	Volume 930, Page 61
5. Winnie Mae & Jack Murchison, et al 1140	125.15	49.05	Volume 4786, Page
6. H.W. Kuempel	118.16	41.47	Volume 317, Page 124
7. Lanier C. Bohls Page 1626	99.00	50.04	Volume 12820,
8. Lanier C. Bohls 123	5.00	4.85	Volume 10498, Page
9. Charles A. Schnabel, Jr., et ux Page 1478	17.76	4.08	Volume 7087,
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11. Weiss Lane		0.40	

TRACT AREAS CALLED FOR ARE PER TRAVIS COUNTY DEED RECORDS. THE ACTUAL AREAS MAY VARY. RECORD INSTRUMENTS ARE FROM THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

BEGIN at a point on the West Line of Cameron Road at the Southeast corner of that 84.3 Acre Tract conveyed to Kenneth H.J. Bohls and Evelyn M. Bohls, in Volume 3713, Page 1436 of the Deed Records of Travis County, Texas, said point also being the Northeast corner of that 6.90 Acre Tract, with 1/2 interest conveyed to Christine H. Mills in Document No. 2002240294 of the Official Public Records of Travis County, Texas;

THENCE N.62°57'24"W., along the South Line of said 84.3 Acre Tract and the North Line of said 8.90 Acre Tract, at 793.90 feet pass the Northwest corner of said 8.90 Acre Tract and the Northeast corner of that 198.38 Acre Tract conveyed to James W. and Nadine M. Whiteley in Volume 6373, Page 1149 of the Deed Records of Travis County, Texas, in all a distance of 1,054.13 feet to the Southwest corner of said 84.3 Acre Tract and the Southeast corner of that 109.00 Acre Tract conveyed to Kenneth and Evelyn Bohls in Volume 2402, Page 176 of the Deed Records of Travis County, Texas;

THENCE continue N.62°57'24"W., along the South Line of said 100.00 Acre Tract and the North Line of said 198.38 Acre Tract, a distance of 1,067.33 feet to the Southwest corner of said 100.00 Acre Tract and the Southeast corner of that 168.00 Acre Tract conveyed to Rosa Pfluger in Volume 930, Page 61 of the Deed Records of Travis County, Texas;

THENCE N.62°54'31"W., along the North Line of said 198.38 Acre Tract and South Line of said 168.00 Acre Tract, a distance of 848.69 feet to the Northeast corner of that 161.00 Acre Tract conveyed to Rosa Pfluger in Volume 930, Page 61 of the Deed Records of Travis County, Texas;

Texas;

THENCE crossing said 161.00 Acre Tract the following two courses;

1. N.88°39'51"W., a distance of 1,340.03 feet;
2. S.84°43'28"W., at 929.49 feet pass the West Line of said 161.00 Acre Tract and the East Line of that 123.15 Acre Tract conveyed to Winnie Mae and Jack Murchison in Volume 4786, Page 1140 of the Deed Records of Travis County, Texas, in all a distance of 1,234.81 feet;

THENCE S. 80°58'51"W. crossing said 125.15 Acre Tract, at 1730.91 feet pass the West Line of said 125.15 Acre Tract and the East Line of that 118.16 Acre Tract conveyed to H. W. Kuempel in Volume 317, Page 124 of the Deed Records of Travis County, Texas, in all a distance of 3107.94 feet to the North Line of Cameron Road;

THENCE N.62°47'45"W crossing said 118.16 Acre Tract along the North Line of Cameron Road, a distance of 394.64 feet to the West Line of said 118.16 Acre Tract and the East Line of that 99.00 Acre Tract conveyed to Lanier C. Bohls in Volume 12820, Page 1846 of the Real Property Records of Travis County, Texas;

THENCE N.62°40'39"W., crossing said 99.00 Acre Tract and continuing along the North Line of Cameron Road, a distance of 1,361.35 feet to the Southeast Corner of that 5.00 Acre Tract conveyed to Lanier Bohls in Volume 10498, Page 123 of the Real Property Records of Travis County, Texas;

THENCE N.62°31'43"W., along the South Line of said 5.00 Acre Tract and continuing along the North Line of Cameron Road, a distance of 267.42 feet to the Southwest Corner of said 5.00 Acre Tract;

THENCE N.62°30'50"W., crossing said 99.00 Acre Tract and continuing along the North Line of Cameron Road, a distance of 788.93 feet to a point on the West Line of said 99.00 Acre Tract and a point on the East Line of that 111.00 Acre Tract conveyed to Trelden K. Bohls in Volume 12820, Page 1846 of the Real Property Records of Travis County, Texas

THENCE N.27°18'32"E., along the West Line of said 99.00 Acre Tract and the East Line of said 111.00 Acre Tract, a distance of 295.16 feet to the Southeast corner of that 17.76 Acre Tract conveyed to Charles and Nadine Schnabel in Volume 7087, Page 1478 of the Deed Records of Travis County, Texas;

THENCE N.63°43'36"W., along the South Line of said 17.76 Acre Tract, and the North Line of said 111.00 Acre Tract, a distance of 139.33 feet to a point on the North Line of Pecan Street;

THENCE continue along the North Line of Pecan Street and the South Line of said 17.76 Acre Tract the following two courses;

1. N.63°38'29"W., a distance of 185.87 feet;
2. N.63°27'49"W., a distance of 283.54 feet to the Southwest corner of said 17.76 Acre Tract and the Southwest corner of that 5.00 Acre Tract conveyed to Charles and Nadine Schnabel in Volume 8492, Page 722 of the Deed Records of Travis County, Texas;

THENCE N.62°44'48"W., along the North Line of Pecan Street and the South Line of said 5.00 Acre Tract, a distance of 746.57 feet to the Southeast corner of said 5.00 Acre Tract and the East Line of Weiss Lane;

THENCE N.61°39'20"W., crossing Weiss Lane, a distance of 60.02 feet to the West Line of Weiss Lane;

THENCE N.28°46'06"E., along the West Line of Weiss Lane, a distance of 287.04 feet;

THENCE S.62°45'11"E., crossing Weiss Lane, a distance of 60.00 feet to the East Line of said Weiss Lane and the Northwest corner of said 5.00 Acre Tract;

THENCE continue S.62°45'11"E., along the North Line of said 5.00 Acre Tract, a distance of 749.19 feet to the Northeast Corner of said 5.00 Acre Tract and the West Line of said 17.76 Acre Tract;

THENCE continue S.62°45'11"E., crossing said 17.76 Acre Tract, a distance of 600.41 feet to the East Line of said 17.76 Acre Tract and the West Line of said 99.00 Acre Tract;

THENCE N.27°18'02"E. along the West Line of said 99.00 Acre Tract, a distance of 392.91 feet;

THENCE S.62°36'38"E., crossing said 99.00 Acre Tract at 2,366.18 feet pass the East Line of said 99.00 Acre Tract and the West Line of said 118.16 Acre Tract, in all a distance of 2,453.06 feet;

THENCE N.80°56'51"E., crossing said 118.16 Acre Tract, at 1,781.32 feet pass the East Line of said 118.16 Acre Tract and the West Line of said 125.15 Acre Tract, in all a distance of 2,638.25 feet;

THENCE N.84°43'28"E., crossing said 125.15 Acre Tract, at 1,058.32 feet pass the North Line of said 125.15 Acre Tract and the South Line of said 168.00 Acre Tract, in all a distance of 1,328.97 feet;

THENCE crossing said 168.00 Acre Tract, the 100.00 Acre Tract and the 84.3 Acre Tract the following 2 courses;

1. S.88°39'51"E., a distance of 1,804.85 feet;
2. S.62°59'31"E., at 1,164.83 feet pass the East Line of said 168.00 Acre Tract and the West Line of said 100.00 Acre Tract, at 2270.77 feet pass the East Line of 100.00 Acre Tract and West Line of said 84.3 Acre Tract, in all a distance of 3,220.90 feet to the East Line of 84.3 Acre Tract and the West Line of Cameron Road;

THENCE S.27°08'41"W., along the East Line of said 84.3 Acre Tract and the West Line of Cameron Road, a distance of 1,000.00 feet to the POINT OF BEGINNING.

Containing 274.65 acres, more or less.

John H. Weigand 7-11-2007
 John Kenneth Weigand
 Registered Professional Land Surveyor No. 5741
 State of Texas



RJ Surveying, Inc.
 1212 East Braker Lane
 Austin, Texas 78753

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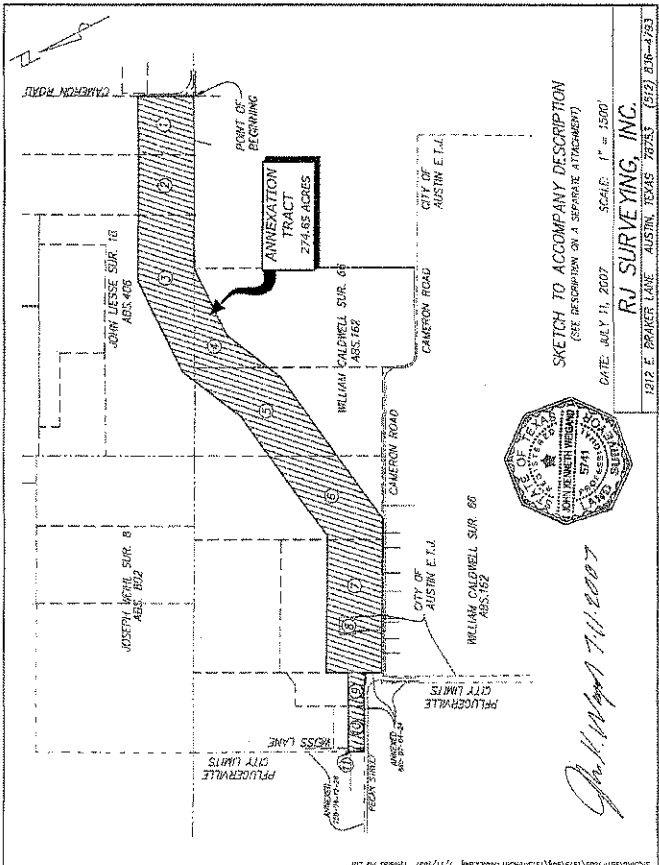


EXHIBIT "B" - TO SERVICE PLAN

CITY OF PFLUGERVILLE WATER AND WASTEWATER SERVICE EXTENSION POLICY

A. GENERAL POLICY

- (1) This policy applies to customers requiring extensions to the City's sewer and water systems, including extensions to existing subdivisions that have not previously been served by City utilities, and excluding extensions to new subdivisions that are covered by the City's subdivision ordinance.
- (2)
 - (a) The City will extend a water distribution main up to 50 feet within a dedicated street, alley or easement, without additional cost to the customer above the standard connection charges.
 - (b) The City will extend lateral sewers or sewer mains only upon the payment of the actual costs of the extension by the customer as provided in this policy.
- (3) If a customer desires service which requires an extension of more than 50 feet of water mains, or an extension of lateral sewers or sewer mains, the customer may advance the funds required for the extension and receive a partial refund as future customers connect to the extension.
- (4) The City is not required to fund system extensions from surplus revenues, bond funds or other public funds, but reserves the right, at its discretion, to use these funds if they become available. Projects will be considered based upon the public health and well-being and the willingness of the customers involved to cost-participate. This funding must be approved by the City Council.

B. PROCEDURE

- (1) Customers desiring to advance funds for the City to extend its water or sewer systems to provide service to their property must make a written application to the City Manager stating the lot and block number, name of subdivision and street address of the property to be served and the service required. The application must be signed by all property owners initially requesting service and their signatures must be identified with the property they desire to be served.
- (2) Upon receipt of an application, the City Manager will direct the City Engineer to prepare a cost estimate for the extension to the requested point of service. The cost estimate must include estimated construction costs and repair costs for all streets and public utilities affected by the construction.
- (3) The estimated construction cost, plus the applicable meter deposits, impact fees and tap fees for each of the initial customers requiring the extension, must be deposited with the City before construction is initiated by the City. The City will pay for engineering, administration, field surveys and other similar contingencies related to the extension.
- (4) Each customer participating in a system extension under this policy must execute a written agreement with the City which describes the extension, specifies the total

per-customer costs of the extension, and sets forth the names and addresses of each person to whom refunds are payable.

- (5) After all required funds are paid to the City, the customers may require that competitive bids be received from private contractors for the work; otherwise the City Manager will determine whether the work is to be let by competitive bid or performed by City personnel for the amount of the estimate.
- (6) If bids are received on the work, the amount of the deposit will be adjusted, by additional collections or refunds, to the actual contract price plus applicable meter deposits, impact fees and tap fees. These adjustments will be made before the work is begun.

C. ASSIGNMENT OF COSTS

If multiple customers cooperate to fund a system extension, the proportion of the project cost assigned to each participating customer will be determined according to the following formula:

$$(\text{customer's capacity in project} \div \text{total project capacity}) (\text{total project cost})$$

In addition to these extension costs, each customer must pay the applicable meter deposits, impact fees and tap fees, and must provide a sewer service line or water service line to the water meter or sewer tap.

D. SUBSEQUENT USER FEES

- (1) The City will require each new customer who connects to a line extension project financed by customers under this policy to pay all standard connection charges plus a subsequent user fee determined in accordance with paragraph C. As these subsequent user fees are collected by the City, refunds will be made to the customers who paid for the extension as provided in the written agreement required under paragraph B(4). Refunds will be made within 30 days after the subsequent user fees are paid to the City, and will be divided among the initial participants in the same proportion as their participation in the extension project.
- (2) No refunds will be made after 5 years from the date of completion of the project and no refunds of less than \$25 per participating customer will be made.



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PFLUGERVILLE
TEXAS



Agendizer

August 14, 2007

Item Number: 8A

Approving an ordinance on second reading with the caption reading: an ordinance of the City of Pflugerville, Texas, annexing for full purposes, approximately 274.65 acres of land in the John Liesse Survey No. 18, Abstract No. 496, and the William Caldwell Survey No. 66, Abstract No. 162 in Travis County, Texas, adjacent to the City limits of the City of Pflugerville, Texas, generally located east of Weiss Lane originating at the northeast corner of Weiss Lane and Pecan Street, in Travis County, Texas; extending the boundaries of the City to include the land; binding the land to all of the acts, ordinances, resolutions and regulations of the City; approving a Service Plan; and providing an effective date. (Case# ANX-07-45)

Summary: Public hearings for this annexation were held June 12, 2007, and June 19, 2007. The area proposed for annexation is contiguous to the City limits. Since the public hearings, the width of the annexation has been reduced adjacent to the existing City limits. The only effect of the contraction is to remove two existing dwellings from the annexation. Upon approval, the limits of the City's Extraterritorial Jurisdiction (ETJ) will be expanded to correspond to the City boundary expansion.

Recommendation: Approve the ordinance.

Action Required by: August 14, 2007, to maintain the approved amended annexation schedule.

Prepared by: Trey Fletcher, AICP, Planning Director

Fiscal Impact: None.

Attached Files: (Click to display file.)

Ordinance with exhibits

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After Recording Please Return To:
City of Pflugerville
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Pflugerville TX 78691

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

2007 Oct 12 10:20 AM 2007188673

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DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.