

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, APPROXIMATELY 159 ACRES OF LAND GENERALLY LOCATED EAST OF HEATHERWILDE BLVD., NORTH OF SH 45, AND SOUTH OF GATTIS SCHOOL ROAD, IN TRAVIS COUNTY TO INCLUDE THE GREENRIDGE SUBDIVISION PHASES 1-6; TO BE KNOWN AS THE GREENRIDGE 2010 ANNEXATION; 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; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Pflugerville, Texas (the "City") desires to annex approximately 159 acres of land, more particularly described in Exhibit "A" and depicted in Exhibit "B", 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 identified in Exhibits "A" and "B"; and

WHEREAS, the City and a committee representing the residents of the Land entered into negotiations concerning a service plan for the residents who live on the Land pursuant to Chapter 43, Section 43.0562 of the Texas Local Government Code;

WHEREAS, the negotiations between the City and the committee representing the residents of the Land resulted in the service plan attached as Exhibit "C"; 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 "C" is approved and municipal services as applicable 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 on December 31, 2010, 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 \_\_\_\_\_ day of \_\_\_\_\_, 2010.

CITY OF PFLUGERVILLE, TEXAS

By: \_\_\_\_\_  
Jeff Coleman, Mayor

ATTEST:

\_\_\_\_\_  
Karen Thompson, City Secretary

APPROVED AS TO FORM:

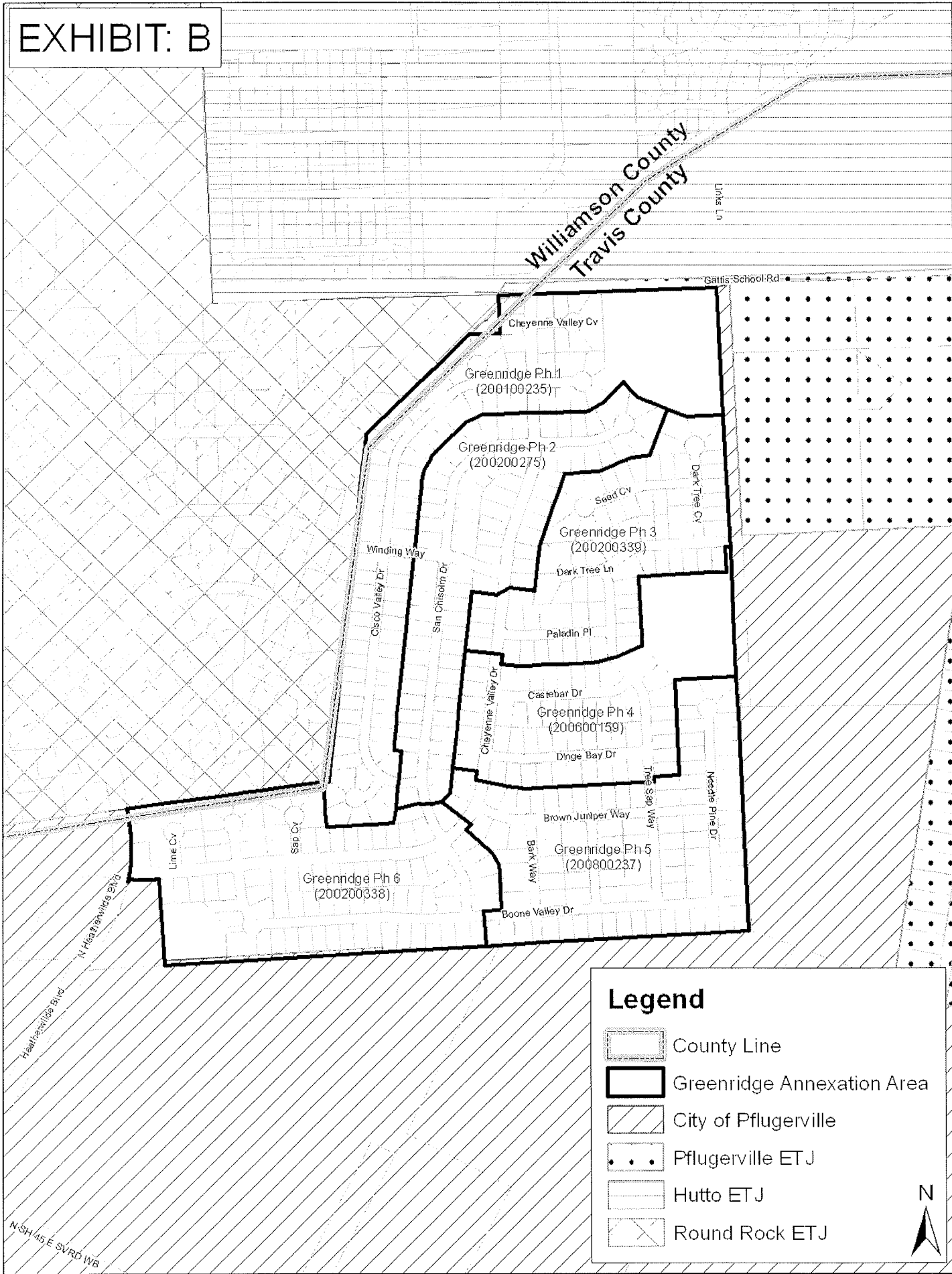
\_\_\_\_\_  
Floyd Akers, City Attorney

**EXHIBIT "A"**







GREENRIDGE 2010 ANNEXATION ENCOMPASSES APPROXIMATELY 159 ACRES TO INCLUDE ALL LOTS AND AREAS OF THE GREENRIDGE SUBDIVISION (PHASES 1-6) EXCEPT GREENRIDGE PHASE 8; DESCRIBED AS THE OUTER MOST BOUNDARY OF THE FOLLOWING SUBDIVISION PLATS: GREENRIDGE PH 1 (200100235), GREENRIDGE PH 2 (200200275), GREENRIDGE PH 3 (200200339), GREENRIDGE PH 4 (200600159), GREENRIDGE PH 5 (200800237) GREENRIDGE PH 6 (200300181).

# EXHIBIT: B

Williamson County  
Travis County



## Legend

-  County Line
-  Greenridge Annexation Area
-  City of Pflugerville
-  Pflugerville ETJ
-  Hutto ETJ
-  Round Rock ETJ



N 51 45 E S 5 RD W 6

## **EXHIBIT “C”**

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

#### **Greenridge 2010 3-Year Annexation Plan Area**

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 City 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:

- A. 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 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.
1. Simultaneous with such annexation and pursuant to the authority of the Planning Zoning Commission and the City Council, the City agrees zone the Land to the “RS1

– Single-Family Residential District”, that will permit the use and development of the land consistent with the uses described in Exhibit A, attached hereto and incorporated herein by reference.

- 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.

### IV.

- A. HOA Park Lighting. The City will evaluate lighting needs to address dark areas around the existing Greenridge neighborhood park concerning safety and security issues.
- B. Cheyenne Valley Drive Lighting. The City will evaluate lighting needs to address the intersection of Cheyenne Valley Drive and Red Bud Lane concerning safety and security issues.
- C. North Street Signs at Red Bud Lane and Heatherwilde Boulevard. The City will evaluate the need for street sign(s) at the north side of the intersection of Red Bud Lane and Heatherwilde Boulevard to address traffic safety concerns.

**EXHIBIT "A"**  
**to Service Plan**

**ANNEXED AREA**

GREENRIDGE 2010 ANNEXATION ENCOMPASSES APPROXIMATELY 159 ACRES TO INCLUDE ALL LOTS AND AREAS OF THE GREENRIDGE SUBDIVISION (PHASES 1-6) EXCEPT GREENRIDGE PHASE 8; DESCRIBED AS THE OUTER MOST BOUNDARY OF THE FOLLOWING SUBDIVISION PLATS: GREENRIDGE PH 1 (200100235), GREENRIDGE PH 2 (200200275), GREENRIDGE PH 3 (200200339), GREENRIDGE PH 4 (200600159), GREENRIDGE PH 5 (200800237) GREENRIDGE PH 6 (200300181).