

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

**AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, TWO SEPARATE TRACTS OF LAND CONSISTING OF APPROXIMATELY 8.9 ACRES OF LAND OUT OF THE GENE M. MARTIN SURVEY NO. 9, ABSTRACT 529 IN TRAVIS COUNTY, TEXAS TO BE KNOWN AS THE 2012 VOHL/CITY OF PFLUGERVILLE LAND ANNEXATION (ANX1208-02); 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 20.2 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 \_\_\_\_\_ day of \_\_\_\_\_, 2012.

CITY OF PFLUGERVILLE, TEXAS

by: \_\_\_\_\_  
JEFF COLEMAN, Mayor

ATTEST:

\_\_\_\_\_  
KAREN THOMPSON, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
GEORGE E. HYDE, City Attorney  
DENTON, NAVARRO, ROCHA & BERNAL, P.C.

# EXHIBIT "A"



**2012 Villages of  
Hidden Lakes/  
City of Pflugerville  
Annexation**




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**8.9 Acres**


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**ANX1208-02**

**Legend**

-  Subject Areas
-  City Limits
-  ETJ

0 450 900 Feet



N

When required the City of Pflugerville complies with Texas Local Government Code for public notifications. All notification addresses are derived from tax role information that is certified annually.

where quality meets life  
**PFLUGERVILLE**  
TEXAS



**EXHIBIT "A"**

**TRACT 1**

**METES AND BOUNDS DESCRIPTION  
OF  
8.54 ACRES  
IN THE  
GEORGE M. MARTIN SURVEY NO. 9 ABSTRACT 529  
TRAVIS COUNTY, TEXAS**

Description of a 8.54 acres in the George M. Martin Survey No. 9 Abstract 529 in Travis County, Texas and being out of a call 234.064 acre tract a remnant portion of a call 293.104 acre tract as described in a deed to Pflugerville East L.L.C. recorded under Document No. 2002118297 of the Official Public Records of Travis County, Texas and being out of a call 47.718 acre tract as described in a deed to Pflugerville East L.L.C. and recorded under Document No. 2002007067 of the Official Public Records of Travis County Texas, said 8.54 acre tract being more fully described by metes and bounds as follows:

**BEGINNING** at a found 1/2" inch iron rod with cap marking an angle point in a easterly line of the said 47.718 acre tract and the westerly line of a call 144.291 acre tract as described in a deed to the City of Pflugerville as recorded under Document No. 2002007069 of the Official Public Records of Travis County, Texas from which a found 1/2" inch iron rod with cap bears **S 27°53'29" W** for a distance of **255.93**, said iron rod being in the east right-of-way line of the proposed Silent Harbor Loop having a 60' foot wide right-of-way at this point;

**THENCE** with the said east right-of-way line of the proposed Silent Harbor Loop **N 27°53'29" E** for a distance of **20.72** feet to a set 1/2" inch iron rod with cap marked Pate Eng at the Point of Curvature of a curve to the right;

**THENCE** with the arc of said curve to the right and the proposed east right-of-way line passing through a central angle of **33°21'13"** to a set 1/2" inch iron rod with cap marked Pate Eng at the Point of Tangency said curve having a radius of **450.00** feet, an arc length of **261.96** feet, and a long chord bearing **N 44°34'06" E** for a distance of **258.27** feet;

**THENCE** continuing with the said proposed east right-of-way line **N 61°14'42" E** for a distance of **320.35** feet to a set 1/2" inch iron rod with cap marked Pate Eng at the Point of Curvature of a curve to the left;

**THENCE** with the arc of said curve to the left and the proposed east right-of-way line passing through a central angle of **09°20'06"** to a set 1/2" inch iron rod with cap marked Pate Eng at the Point of Tangency said curve having a radius of **1230.00** feet, an arc length of **200.40** feet, and a long chord bearing **N 56°34'39" E** for a distance of **200.18** feet;

**THENCE** continuing with the said proposed east right-of-way line **N 51°54'36" E** for a distance of **86.36** feet to a set 1/2" inch iron rod with cap marked Pate Eng;

**THENCE** departing the said east right-of-way line of Silent Harbor Loop **S 36°10'34" E** for a distance of **336.87** feet to a set 1/2" inch iron rod with cap marked Pate Eng in a westerly line of Block BB of the proposed Villages of Hidden Lake Phase Three;

**THENCE** with the said westerly line **S 07°52'35" W** for a distance of **50.78** feet to a set 1/2" inch iron rod with cap marked Pate Eng in a northerly line of said Block BB;

**THENCE** with the said northerly and westerly line of Block BB the following six (6) courses and distances;

1. **S 80°15'36" W** for a distance of **211.75** feet to a set ½" inch iron rod with cap marked Pate Eng,
2. **N 84°03'49" W** for a distance of **62.32** feet to a set ½" inch iron rod with cap marked Pate Eng,
3. **S 88°12'40" W** for a distance of **124.79** feet to a set ½" inch iron rod with cap marked Pate Eng,
4. **S 49°40'53" W** for a distance of **124.72** feet to a set ½" inch iron rod with cap marked Pate Eng,
5. **S 12°47'46" W** for a distance of **76.60** feet to a set ½" inch iron rod with cap marked Pate Eng,
6. **S 07°59'18" E** for a distance of **61.90** feet to a set ½" inch iron rod with cap marked Pate Eng, being the most westerly southwest corner of said Block BB,

**THENCE** with a southerly line of said Block BB **S 83°45'17" E** for a distance of **126.59** feet to a set ½" inch iron rod with cap marked Pate Eng at an angle point;

**THENCE** with a south line of the said Block BB **N 43°00'33" E** for a distance of **21.84** feet to a set ½" inch iron rod with cap marked Pate Eng in the arc of a intersecting curve to the left, being in the cul-de-sac of the proposed right-of-way line of Lake Edge Way of the said Villages of Hidden Lake Phase Three;

**THENCE** with the arc of said curve to the left passing through a central angle of **21°36'29"** to a set ½" inch iron rod with cap marked Pate Eng at the Point of Reverse Curvature of a curve to the right, said curve to the left having a radius of **50.00** feet, an arc length of **18.86** feet and a long chord bearing **S 62°46'52" E** for a distance of **18.75** feet;

**THENCE** with the arc of said curve to the right and the right-of-way line passing through a central angle of **42°47'59"** to a set ½" inch iron rod with cap marked Pate Eng at the end of curvature, said curve having a radius of **5.00** feet, an arc length of **3.73** feet, and a long chord bearing **S 52°11'06" E** for a distance of **3.65** feet;

**THENCE** with the said right-of-way line **S 30°47'08" E** for a distance of **2.76** feet to a set ½" inch iron rod with cap marked Pate Eng at the Point of Curvature of a curve to the left;

**THENCE** with the arc of said curve to the left and the said right-of-way line passing through a central angle of **63°06'22"** to a set ½" inch iron rod with cap marked Pate Eng at the Point of Compound Curvature of a curve to the left said curve having a radius of **15.00** feet, an arc length of **16.52** feet, and a long chord bearing **S 62°20'19" E** for a distance of **15.70** feet;

**THENCE** with the arc of said Compound Curve to the left and the said right-of-way line passing through a central angle of **24°35'28"** to a set ½" inch iron rod with cap marked Pate Eng at the Point of Compound Curvature of a curve to the left said curve having a radius of **60.00** feet, an arc length of **25.75** feet, and a long chord bearing **N 73°48'48" E** for a distance of **25.55** feet;

**THENCE** with the arc of said Compound Curve to the left and the said right-of-way line passing through a central angle of  $72^{\circ}18'09''$  to a set  $\frac{1}{2}$ " inch iron rod with cap marked Pate Eng at the Point of Reverse Curvature of a curve to the right said curve to the left having a radius of 15.00 feet, an arc length of 18.93 feet, and a long chord bearing  $N 25^{\circ}21'57'' E$  for a distance of 17.70 feet;

**THENCE** with the arc of said curve to the right and the said right-of-way line passing through a central angle of  $43^{\circ}09'46''$  to a set  $\frac{1}{2}$ " inch iron rod with cap marked Pate Eng at the Point of Reverse Curvature of a curve to the left said curve having a radius of 5.25 feet, an arc length of 3.96 feet, and a long chord bearing  $N 19^{\circ}20'09'' E$  for a distance of 3.86 feet;

**THENCE** with the arc of said curve to the left and the said right-of-way line passing through a central angle of  $13^{\circ}12'56''$  to a set  $\frac{1}{2}$ " inch iron rod with cap marked Pate Eng at the Point of Reverse Curvature of a curve to the right said curve having a radius of 50.00 feet, an arc length of 11.53 feet, and a long chord bearing  $N 34^{\circ}50'51'' E$  for a distance of 11.51 feet;

**THENCE** with the arc of said curve to the right and the said right-of-way line passing through a central angle of  $17^{\circ}49'45''$  to a set  $\frac{1}{2}$ " inch iron rod with cap marked Pate Eng at an angle point, said curve having a radius of 15.00 feet, an arc length of 4.67 feet, and a long chord bearing  $N 37^{\circ}09'17'' E$  for a distance of 4.65 feet;

**THENCE** with a westerly line of the said Block BB  $S 09^{\circ}44'24'' E$  for a distance of 122.41 feet to a set  $\frac{1}{2}$ " inch iron rod with cap marked Pate Eng and being a southerly corner of Block BB;

**THENCE** with the southerly line of the said Block BB the following six (6) courses and distances;

1.  $N 80^{\circ}15'36'' E$  for a distance of 240.00 feet to a set  $\frac{1}{2}$ " inch iron rod with cap marked Pate Eng at an angle point,
2.  $N 83^{\circ}01'22'' E$  for a distance of 57.07 feet to a set  $\frac{1}{2}$ " inch iron rod with cap marked Pate Eng at an angle point,
3.  $S 88^{\circ}12'39'' E$  for a distance of 56.42 feet to a set  $\frac{1}{2}$ " inch iron rod with cap marked Pate Eng at an angle point,
4.  $S 80^{\circ}28'05'' E$  for a distance of 70.48 feet to a set  $\frac{1}{2}$ " inch iron rod with cap marked Pate Eng at an angle point,
5.  $S 71^{\circ}44'02'' E$  for a distance of 58.23 feet to a set  $\frac{1}{2}$ " inch iron rod with cap marked Pate Eng at an angle point and being on the phase line for the proposed Villages of Hidden Lake Phase Three and Phase Four,
6.  $S 70^{\circ}44'55'' E$  continuing with the southerly line of Block BB Phase Four for a distance of 305.16 feet to a set  $\frac{1}{2}$ " inch iron rod with cap marked Pate Eng at an angle point,

**THENCE** with a westerly line of Block BB of the said Villages of Hidden Lake Phase Four the following three courses and distances;

1.  $S 16^{\circ}17'57'' W$  for a distance of 15.02 feet to a set  $\frac{1}{2}$ " inch iron rod with cap marked Pate Eng at an angle point,
2.  $S 33^{\circ}36'11'' W$  for a distance of 115.25 feet to a set  $\frac{1}{2}$ " inch iron rod with cap marked Pate Eng at an angle point,

3. **S 27°59'21" W** for a distance of **120.03** feet to a set  $\frac{1}{2}$ " inch iron rod with cap marked Pate Eng being the most southerly southwest corner of the said Block BB of the Villages of Hidden Lake Phase Four;

**THENCE** with a southerly line of the said Block BB **S 63°11'00" E** for a distance of **132.75** feet to a set  $\frac{1}{2}$ " inch iron rod with cap marked Pate Eng in the arc of a curve to the left in a cul-de-sac and being in the west right-of-way line of the proposed Lake Edge Court;

**THENCE** with the arc of said curve to the left and the west right-of-way line passing through a central angle of **83°01'56"** to a set  $\frac{1}{2}$ " inch iron rod with cap marked Pate Eng said curve having a radius of **50.00** feet, an arc length of **72.46** feet, and a long chord bearing **S 41°09'30" E** for a distance of **66.28** feet;


**THENCE** departing the said right-of-way line **S 01°05'20" E** for a distance of **17.70** feet to a set  $\frac{1}{2}$ " inch iron rod with cap marked Pate Eng in the south line of the aforementioned 234.064 acre tract and being in the north line of a call 144.291 acre tract out of a call 148.359 acre tract as described in a deed to the City of Pflugerville and recorded under Document No. 2002007069 of the Official Public Records of Travis County, Texas;

**THENCE** with the common line of the 234.064 acre and the 144.291 acre tract **N 62°58'02" W** for a distance of **1059.78** feet to a point marking a northerly corner of the said 144.291 acre tract same being the northeast corner of the aforementioned 47.718 acre tract and being in the south line of the 234.064 acre tract, from which a found  $\frac{1}{2}$ " inch iron rod with cap bears **N 62°58'02" W** for a distance of **0.31** feet;

**THENCE** with the common line of the said 47.718 acre and 144.291 acre tract the following two (2) courses and distances;

1. **N 74°27'36" W** for a distance of **196.67** feet to a calculated point for corner,
2. **N 83°03'09" W** for a distance of **317.75** feet to the **POINT OF BEGINNING** of the herein described tract and containing 8.54 acres of land more or less.

I David Paul Carr a duly Registered Professional Land Surveyor in the State of Texas do hereby certify that the foregoing description was prepared under my supervision and direction in April of 2003 and it is true and correct to the best of my knowledge and belief.

  
David Paul Carr R.P.L.S.  
Texas Registration No. 3997



April 9, 2003  
Date





**EXHIBIT "A"**

**TRACT 2**

**DESCRIPTION OF 0.37 ACRES  
IN THE  
GEORGE M. MARTIN SURVEY NO. 9 ABSTRACT NO. 529  
TRAVIS COUNTY, TEXAS**

Being a 0.37 acre tract of land in the George M. Martin Survey No. 9 Abstract 529 in Travis County, Texas and being out of a call 234.064 acre remnant tract out of a call 293.104 acres as described in a deed to Pflugerville East L.L.C. as recorded under Document No. 2002118297 of the Official Public Records of Travis County, Texas (O.P.R.T.C.T.), also being Lots 27 and 28 of Block N of the proposed Villages of Hidden Lake Phase 4 as shown on the approved preliminary plan for the Villages of Hidden Lake, said 0.37 acre tract being more fully described by metes and bounds with attached sketch as follows:

**COMMENCING** at a ½" inch iron rod found marking the northeast corner of the said 234.064 acre tract, the southeast corner of a call 0.722 acre tract as described in a deed to Karolyn Graf and Dennis Graf and recorded under Document No. 2002118295 O.P.R.T.C.T. and being in the west right-of-way line of Weiss Lane having a variable width right-of-way at this point, from which a ½" inch iron rod found marking the southwest corner of the said 0.722 acre tract bears **N 63°12'34" W** for a distance of **778.66** feet;

**THENCE** with the said west right-of-way line of Weiss Lane **S 27°23'17" W** for a distance of **359.49** feet to a ½" inch iron rod with cap marked Pate Eng set at the **POINT OF BEGINNING** and the northeast corner of the herein described tract;

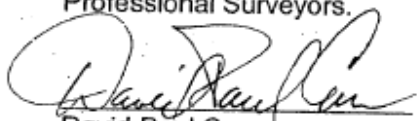
**THENCE** continuing with the said west right-of-way line **S 27°23'17" W** for a distance of **100.35** feet to a ½" inch iron rod with cap marked Pate Eng set and being the southeast corner of the herein described tract;

**THENCE** departing the said west right-of-way line and crossing the 234.064 acre tract the following five (5) courses and distances;

1. **N 59°54'36" W** for a distance of **144.49** feet to a ½" inch iron rod with cap marked Pate Eng set in the arc of an intersecting curve to the left and being the southwest corner of the herein described tract;
2. with the arc of said curve to the left passing through a central angle of **40°50'26"** to a ½" inch iron rod with cap marked Pate Eng set at the Point of Reverse Curvature of a curve to the right, said curve having a radius of **50.00** feet, an arc length of **35.64** feet, and a long chord bearing **N 02°02'00" W** for a distance of **34.89** feet;

3. with the arc of said curve to the right passing through a central angle of **52°01'15"** to a ½" inch iron rod with cap marked Pate Eng set at the Point of Tangency, said curve having a radius of **15.00** feet, an arc length of **13.62** feet, and a long chord bearing **N 03°33'23" E** for a distance of **13.16** feet;
4. **N 29°34'00" E** for a distance of **57.42** feet to a ½" inch iron rod with cap marked Pate Eng set and being the northwest corner of the herein described tract;
5. **S 60°26'00" E** for a distance of **164.72** feet to the **POINT OF BEGINNING** of the herein described tract and containing 0.37 acres of land more or less.

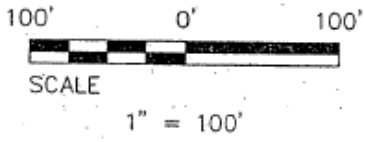
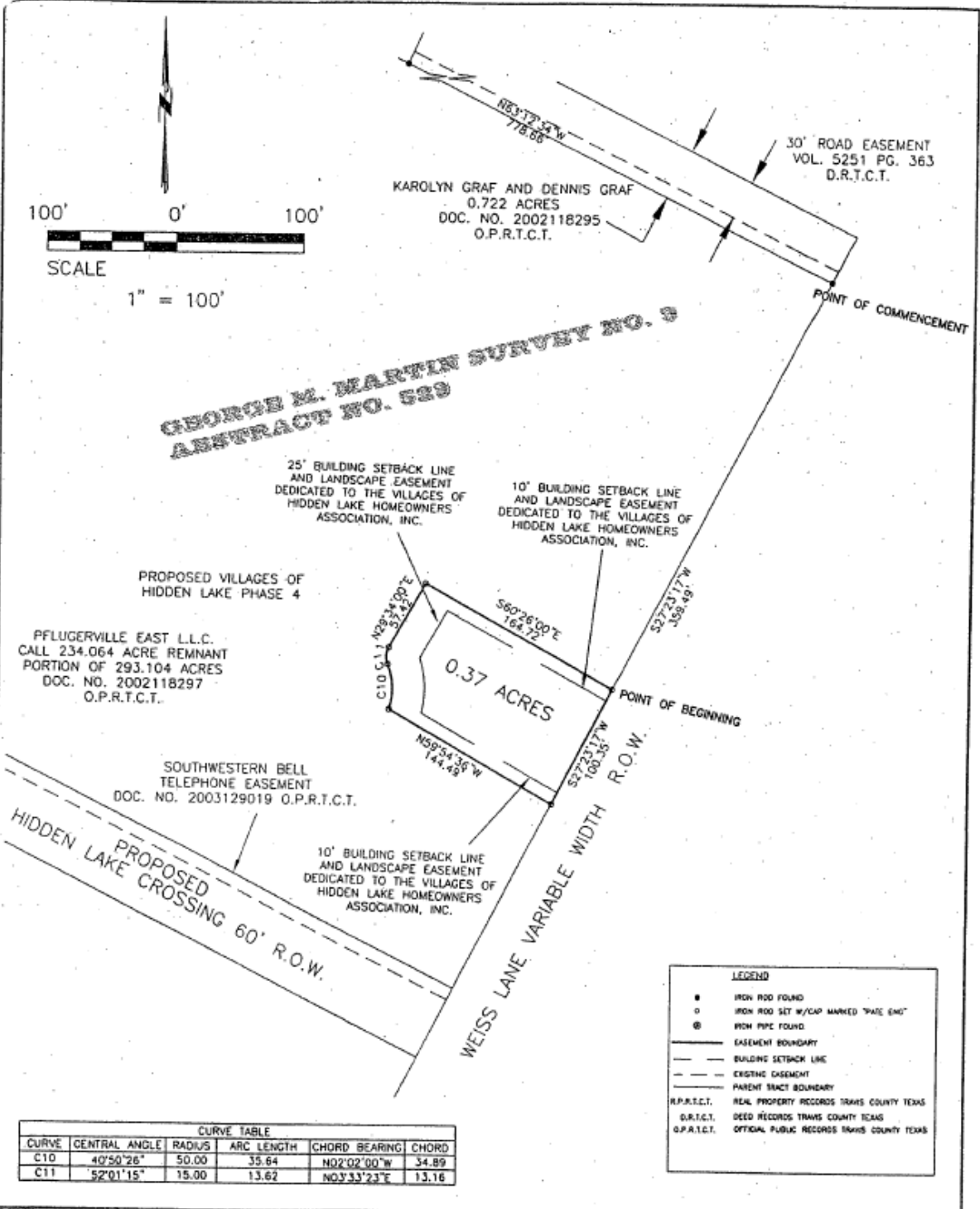
I David Paul Carr a duly Registered Professional Land Surveyor in the State of Texas do hereby certify that the foregoing metes and bounds description with attached sketch represent the results of an on the ground survey performed under my direction and supervision in October 2003, and that it substantially complies with the requirements of a Category 1A Condition III Land Title survey as outlined in the Manual of Practices published by the Texas Society of Professional Surveyors.



David Paul Carr  
Registered Professional Land Surveyor  
Texas Registration No.3997

10/28/03  
Date





**GEORGE M. MARTIN SURVEY NO. 9  
ABSTRACT NO. 529**

KAROLYN GRAF AND DENNIS GRAF  
0.722 ACRES  
DOC. NO. 2002118295  
O.P.R.T.C.T.

30' ROAD EASEMENT  
VOL. 5251 PG. 363  
D.R.T.C.T.

POINT OF COMMENCEMENT

25' BUILDING SETBACK LINE  
AND LANDSCAPE EASEMENT  
DEDICATED TO THE VILLAGES OF  
HIDDEN LAKE HOMEOWNERS  
ASSOCIATION, INC.

10' BUILDING SETBACK LINE  
AND LANDSCAPE EASEMENT  
DEDICATED TO THE VILLAGES OF  
HIDDEN LAKE HOMEOWNERS  
ASSOCIATION, INC.

PROPOSED VILLAGES OF  
HIDDEN LAKE PHASE 4

PFLUGERVILLE EAST L.L.C.  
CALL 234.064 ACRE REMNANT  
PORTION OF 293.104 ACRES  
DOC. NO. 2002118297  
O.P.R.T.C.T.

SOUTHWESTERN BELL  
TELEPHONE EASEMENT  
DOC. NO. 2003129019 O.P.R.T.C.T.

0.37 ACRES

POINT OF BEGINNING

WEISS LANE VARIABLE WIDTH R.O.W.

PROPOSED  
HIDDEN LAKE CROSSING 60' R.O.W.

10' BUILDING SETBACK LINE  
AND LANDSCAPE EASEMENT  
DEDICATED TO THE VILLAGES OF  
HIDDEN LAKE HOMEOWNERS  
ASSOCIATION, INC.

**LEGEND**

- IRON ROD FOUND
- IRON ROD SET W/CAP MARKED "PATE END"
- ⊗ IRON PIPE FOUND
- EASEMENT BOUNDARY
- BUILDING SETBACK LINE
- EXISTING EASEMENT
- PARENT TRACT BOUNDARY
- R.P.R.T.C.T. REAL PROPERTY RECORDS TRAVIS COUNTY TEXAS
- D.R.T.C.T. DEED RECORDS TRAVIS COUNTY TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY TEXAS

**CURVE TABLE**

| CURVE | CENTRAL ANGLE | RADIUS | ARC LENGTH | CHORD BEARING | CHORD |
|-------|---------------|--------|------------|---------------|-------|
| C10   | 40°50'26"     | 50.00  | 35.64      | N02°02'00"W   | 34.89 |
| C11   | 52°01'15"     | 15.00  | 13.62      | N03°33'23"E   | 13.16 |

HIDDEN LAKE\dwg\city\_of\_pflugerville\_easement.dwg Oct 29, 2003-7:47am RobertG

| NO | DATE | REVISIONS | BY |
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PROJECT:  
0.37 ACRE  
GEORGE M. MARTIN SURVEY NO. 9  
ABSTRACT NO. 529  
TRAVIS COUNTY, TEXAS

**PATE ENGINEERS**  
HOUSTON • AUSTIN • DALLAS • FT WORTH  
THE JOHN GARDNER OF BIRMINGHAM  
PH: (512) 341-8888  
FAX: (512) 341-8888

**EXHIBIT "B"**

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

**2012 VOHL/CITY OF PFLUGERVILLE LAND ANNEXATION**

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

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 as applicable 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 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 will provide solid waste collection services as provided throughout the City limits for a fee and as determined through a contract between the City and a private refuse collection company. The solid waste collection services typically 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 if service is retained by a private provider during the first two years following annexation. If service is retained by a private provider during the two years following annexation, the City is not required to provide solid waste collection services.

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, private right-of-ways or State Highway facilities.
3. **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.

### 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 as stated below, 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.

**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.