

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING, FOR FULL PURPOSES, A TRACT OF LAND TOTALING APPROXIMATELY 33.0 ACRES OF LAND SITUATED IN THE T.S. BARNES SURVEY NO. 46, ABSTRACT NO. 67, IN TRAVIS COUNTY, TEXAS, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, GENERALLY LOCATED SOUTH OF E. PECAN STREET AND WEST OF SH 130; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; AND TO BE ZONED AGRICULTURE / DEVELOPMENT RESERVE (A); TO BE KNOWN AS THE RNDC 2020 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 33.0 acres of land situated in the T.S. Barnes Survey No. 46, Abstract No. 67, 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; and

WHEREAS, in accordance with Texas Local Government Code, Section 43.0672, the City has negotiated and entered into a written agreement dated October 23, 2020, with the owners 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 November 24, 2020, for all interested persons to attend and be heard in accordance with Texas Local Government Code § 43.0673; and

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

Tract of land totaling approximately 33.0 acres situated in the T.S. Barnes Survey No. 46, Abstract No. 67, of the Real Property Records of Travis County, Texas.



EXHIBIT "A"

County: Travis
Project: RNDC/HeliosWay
Half AVO: 36677.004

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October 1, 2020

A METES AND BOUNDS DESCRIPTION OF 33.000 ACRES (APPROX. 1,437,469 SQUARE FEET) OUT OF AND A PORTION OF THE T.S. BARNES SURVEY NO. 46, ABSTRACT NO. 67, IN TRAVIS COUNTY, TEXAS, BEING ALL OF THE 33.000 ACRE TRACT CONVEYED TO REPUBLIC NATIONAL DISTRIBUTING COMPANY, L.L.C IN DOCUMENT NO. 2019196373 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 33.000 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 5/8-inch iron rod found in the southwest right-of-way line of East Pecan Street (right-of-way width varies), described in Document No. 2007185109 of the Official Public Records of Travis County, Texas, O.P.R.T.C.T., at the most northerly corner of a called 75.30 acre tract of land conveyed to TACK Development, Ltd in Document No. 2003232092, O.P.R.T.C.T., also being the most easterly corner of the 165.15 acre tract of land conveyed to Hagn & Timmerman, LTD. in Volume 10398, Pages 907,901, 915 and 919, R.P.R.T.C.T.;

THENCE South 28°16'34" West, with the common line of the said 165.15 acre Hagn & Timmerman tract and the said 75.30 acre TACK Development, Ltd. tract, at a distance of 1448.04 feet passing a 1/2-inch iron rod with cap stamped "Halff Associates, Inc." set for the most northerly corner of a 0.4513 acre Driveway Easement recorded in Document No. 2019193775 of the Official Public Records of Travis County, Texas, also being the most easterly corner of a 1.416 acre Driveway Easement also recorded in Document No. 2019193775 of the Official Public Records of Travis County, Texas, in all, a distance of 1528.09 feet to a 1/2-inch iron rod with cap stamped "Halff Associates, Inc." to the most westerly corner of the said 0.4513 acre Driveway Easement, also being the most southerly corner of the said 1.416 acre Driveway Easement, **POINT OF BEGINNING** and most easterly corner of the herein described tract of land;

THENCE South 28°16'34" West, with the southeast line of the said 33.000 acre Republic National Distributing Company, L.L.C. tract, being the northwest line of the said 75.30 acre TACK Development, Ltd. tract, a distance of 1865.71 feet to a 1/2" iron rod with "G&R Surveying" cap found in the northeast line of a called 2.56 acre tract of land conveyed to the City of Pflugerville in Volume 9236, Page 954, R.P.R.T.C.T. for the most southerly corner of the said 33.000 acre Republic National Distributing Company, L.L.C. tract and most southerly corner of the herein described tract of land, being the most westerly corner of the said 75.30 acre TACK Development, Ltd. tract;

THENCE with the common lines of the 33.000 acre Republic National Distributing Company, L.L.C. tract and the said 2.56 acre City of Pflugerville tract, the following two (2) courses and distances:

1. North 62°10'08" West, a distance of 732.56 feet to a 1/2-inch iron rod with cap stamped "Halff Associates, Inc." set for angle point hereof;
2. North 62°28'49" West, a distance of 32.79 feet to a PK nail with shiner marked "RCS, Inc." found in asphalt for the westerly corner of the said 33.000 acre Republic National Distributing Company, L.L.C. tract and most westerly corner of the herein described tract of land, being a common corner with the said 2.56 acre City of Pflugerville tract, and being in the southeast line of a called 19.00 acre tract of land conveyed to the City of Pflugerville in Volume 9236, Page 954, R.P.R.T.C.T.;

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THENCE North 27°46'38" East, with the common line of the said 33.000 acre Republic National Distributing Company, L.L.C. tract and the said 19.00 acre City of Pflugerville tract, a distance of 538.05 feet to a 1/2-inch iron rod found at the most easterly corner of the said 19.00 acre City of Pflugerville tract, being a common corner with the said 165.15 acre Hagn & Timmerman tract;

THENCE crossing the said 165.15 acre Hagn & Timmerman tract with the lines of the said 33.000 acre Republic National Distributing Company, L.L.C. tract, the following two (2) courses and distances:

1. South 62°13'22" East, a distance of 15.00 feet to a 1/2-inch iron rod with cap stamped "Half Associates, Inc." set;
2. North 27°46'38" East, a distance of 1385.55 feet to a 1/2-inch iron rod with cap stamped "Half Associates, Inc." set at the most westerly corner of the said 1.416 acre Driveway Easement, for the most northerly corner of the said 33.000 acre Republic National Distributing Company, L.L.C. tract and herein described tract of land;

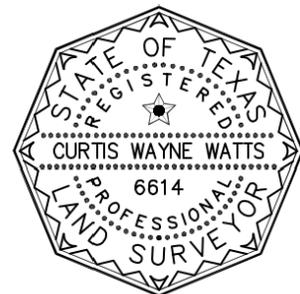
THENCE, with the northeast line of the said 33.000 acre tract, being the southwest line of the said 1.416 acre Driveway Easement tract, the following two (2) courses and distances:

1. With a curve to the left, having a radius of 871.64 feet, a delta angle of 13°39'32", an arc length of 207.79 feet and a chord which bears South 52°52'02" East, a distance of 207.30 feet to a 1/2-inch iron rod with cap stamped "Half Associates, Inc." set for point of tangency;
2. South 59°41'48" East, a distance of 562.60 feet to the **POINT OF BEGINNING** and containing 33.000 acres of land, more or less, within these metes and bounds.

NOTE: Basis of bearings is the Texas Coordinate System of 1983, Central Zone 4203 (NAD83/2011). All distances shown hereon are surface and may be converted to grid by dividing by the surface adjustment factor of 1.0001. Units: U.S. Survey Feet. Date of Field Survey: October 22, 2019.

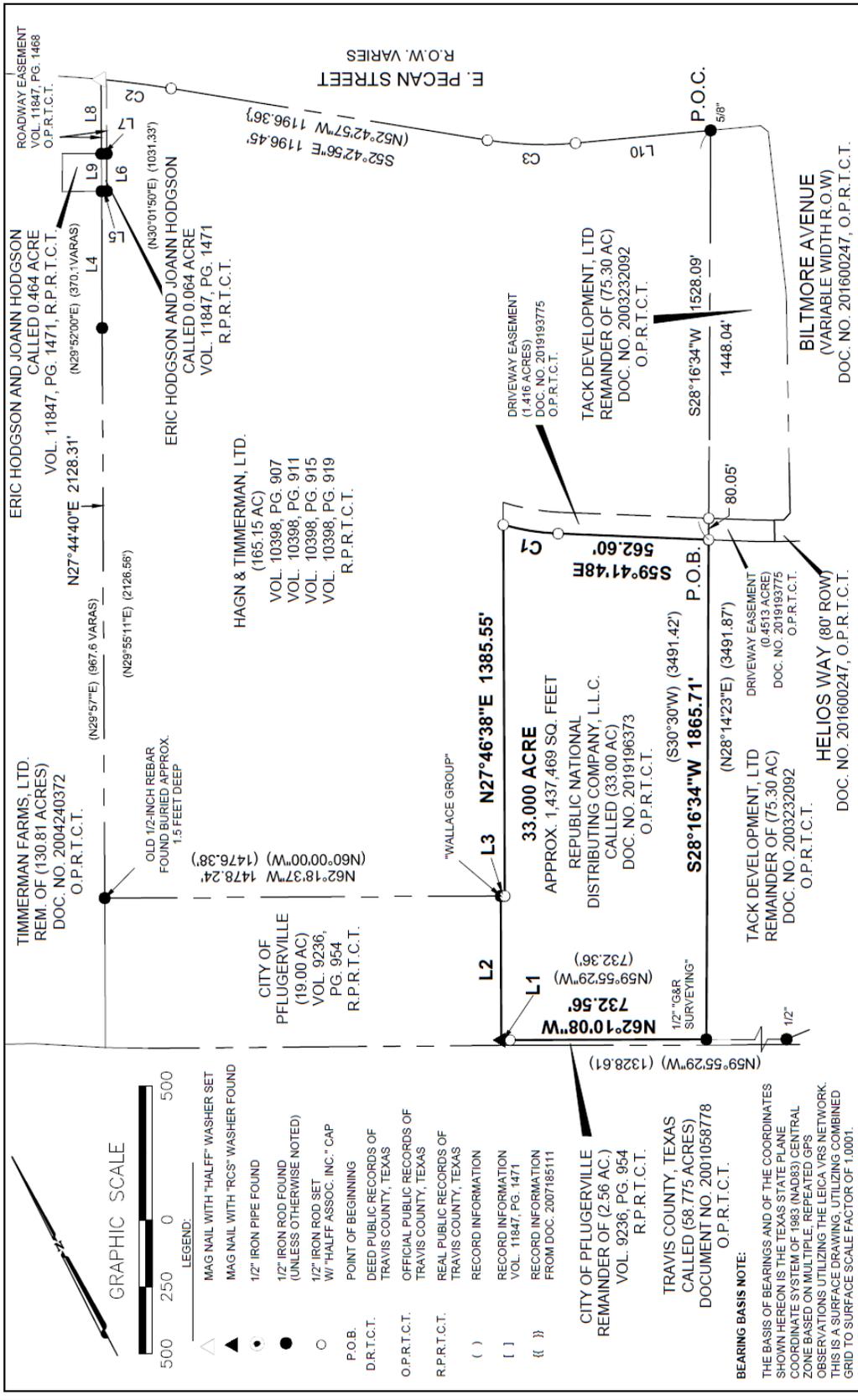
I, Curtis Wayne Watts, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

10/01/2020



Curtis Wayne Watts, R.P.L.S.
Registered Professional Land Surveyor
Texas Registration No. 6614
Half Associates, Inc., TBPLS Firm No. 10029607
9500 Amberglan Blvd., Bldg. F, Suite 125
Austin, Texas 78729 512-777-4600

Date



GRAPHIC SCALE



LEGEND:

- △ MAG NAIL WITH "HALFF" WASHER SET
- ▲ MAG NAIL WITH "RCS" WASHER FOUND
- 1/2" IRON PIPE FOUND
- 1/2" IRON ROD FOUND (UNLESS OTHERWISE NOTED)
- 1/2" IRON ROD SET W/ "HALFF ASSOC. INC." CAP
- POINT OF BEGINNING
- P.O.B. DEED PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- D.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. REAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. RECORD INFORMATION
- () RECORD INFORMATION VOL. 11847, PG. 1471
- [] RECORD INFORMATION FROM DOC. 2007185111
- (|) RECORD INFORMATION

CITY OF PFLUGERVILLE
REMAINDER OF (2.56 AC.)
VOL. 9236, PG. 954
R.P.R.T.C.T.

TRAVIS COUNTY, TEXAS
CALLED (68.775 ACRES)
DOCUMENT NO. 2001058778
O.P.R.T.C.T.

BEARING BASIS NOTE:

THE BASIS OF BEARINGS AND OF THE COORDINATES SHOWN HEREON IS THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983 (NAD83) CENTRAL ZONE BASED ON MULTIPLE, REPEATED GPS OBSERVATIONS UTILIZING THE LEICA VRS NETWORK. THIS IS A SURFACE DRAWING, UTILIZING COMBINED GRID TO SURFACE SCALE FACTOR OF 1.0001.

Project No.:	36677.04
Issued:	10/01/2020
	36677.04
	ANNEXATION2
	04 of 05

ANNEXATION EXHIBIT
T.S BARNES SURVEY NO. 46, ABSTRACT NO. 67
TRAVIS COUNTY, TEXAS

9500 AMBERGLEN BLVD., BLDG. F, SUITE 125
AUSTIN, TEXAS 78759
TEL: (512) 777-4600
FAX: (512) 252-9141

[] RECORD INFORMATION
 VOL. 11847, PG. 1471
 {{ }} RECORD INFORMATION
 FROM DOC. 2007185111

LINE	BEARING	DISTANCE
L1	N62°28'49"W (N60°14'10"W)	32.79' (32.80')
L2	N27°46'38"E (N30°30'00"E)	538.05' (538.05')
L3	S62°13'22"E	15.00'
L4	N27°44'20"E (N30°01'50"E)	510.72'
L5	S62°48'14"E (S59°58'10"E)	19.94' [20.00']
L6	N27°46'21"E (N30°01'50"E)	139.89' [140.00']
L7	N62°35'31"W (N59°58'10"W)	19.98' [20.00']
L8	N27°44'20"E (S30°01'50"W)	277.56** [380.41]**
L9	N27°44'20"E (N30°01'50"E)	139.97' [140.00']
L10	S67°23'40"E (S67°23'41"E)	506.53' {506.49'}

NOTE:
 THERE MAY BE ADDITIONAL EASEMENTS OF RECORD
 NOT SHOWN HEREON WHICH MAY AFFECT THE
 SUBJECT PROPERTY

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	871.64'	13°39'32"	207.79'	S52°52'02"E	207.30'
C2	3912.00' {3912.00'}	3°51'57"	263.94' {263.92'}	N54°38'54"W {N54°38'55"W}	263.89' {263.87'}
C3	1288.00' {1288.00'}	14°40'48"	330.01' {329.98'}	S60°03'18"E {S60°03'19"E}	329.10' {329.08'}

**DISTANCE OF 380.41' - DISTANCE OF 102.85 FEET IN DOC. NO. 2007158111 = 277.56'



10/01/2020

C. Watts

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36677.04 ANNEXATION2
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ANNEXATION EXHIBIT
 T.S BARNES SURVEY NO. 46, ABSTRACT NO. 67
 TRAVIS COUNTY, TEXAS

9600 AMBERGLEN BLVD., BLDG. F, SUITE 125
 AUSTIN, TEXAS 78729
 TEL (512) 777-4900
 FAX (512) 252-8141

EXHIBIT "B"

SERVICE PLAN AGREEMENT FOR PROPERTY ANNEXED