

ORDINANCE NO. 2015-06

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY INTO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY

WHEREAS, the City Council of the City of Boerne, Texas has found it necessary and in the public interest to expand the city limits of the City of Boerne to include the area referred to in this proposed annexation plan, so that the City will grow in an orderly manner, and that the residents both present and future, of the annexed area will be provided services; and

WHEREAS, said tract of land is adjacent to the City of Boerne boundaries, or is within the extra-territorial jurisdiction of the City of Boerne, or is already contiguous to the City of Boerne on at least two sides, or the area being annexed is not less than 1000 feet wide in the narrowest point; and

WHEREAS, on the 13th day of January, 2015, and the 27th day of January, 2015, Public Hearings were held at 6:00 p.m. in the Council Chambers of the Police Department/ Municipal Court building. The purpose of the Public Hearings was to give all interested persons the right to appear and be heard on the proposed annexation of 11.762 acres of land, more or less, by the City of Boerne, Texas, more fully described in "Exhibit A", attached hereto and made a part hereof.

WHEREAS, the City has prepared a Service Plan for said tract of land which is "Exhibit B", attached hereto and made a part hereof.

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

Section 1: That the territory described in "Exhibit A" attached hereto is hereby annexed into the City of Boerne, Kendall County, Texas, and that the boundary limits of the City of Boerne are hereby extended to include the territory described in "Exhibit A" within the city limits and the same shall hereafter be included within the territorial limits of said City, and said land and future inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City, and shall be bound by the acts and ordinances of said City.

Section 2: That the Municipal Service Plan for the herein annexed tract provided for in "Exhibit B", attached hereto is hereby adopted.

Section 3: The City Secretary is hereby directed to file with the County Clerk of Kendall County, Texas, and other appropriate officials and agencies, as required by the State and Federal law and City annexation procedures, a certified copy of this ordinance.

PASSED and APPROVED on first reading this the 10th day of February, 2015.

PASSED, APPROVED, and ADOPTED on second reading this the 24th day of February, 2015.

APPROVED:

s/s Michael D. Schultz
Mayor

ATTEST:

s/s Lori A. Carroll
City Secretary

APPROVED AS TO FORM:

s/s Kirsten B. Cohoon
City Attorney

EXHIBIT "A"

BEING 11.73 acres of land, more or less, out of the A. Lockmar Survey No. 177, Abstract No. 311 in Kendall County, Texas, and being part of a 14.22 acre tract of land conveyed by John Caroline Ammann, Individually and as Independent Executor of the Estate of Anna Dell Ammann, deceased, to Worsham B. Roberson recorded in Volume 228, Page 613 – Kendall County Official Records; said 11.73 acre of land, more or less, being more particularly described as follows:

BEGINNING at a found iron pipe by fence corner for the southeast corner of this tract and the southeast corner of the above referenced Roberson 14.22 acre tract of land;

THENCE generally along existing old fence along the southerly line of the Roberson 14.22 acre tract,

South 89 degrees 17 minutes 00 seconds West, 119.00 feet and South 86 degrees 59 minutes 26 seconds West, 132.59 feet to a found iron pin for the southeast corner of a 0.095 acre tract of land conveyed to the City of Boerne as SIXTH TRACT in Volume 109, Page 192 – Kendall County Deed Records;

THENCE along the northeasterly line of said 0.095 acre tract, North 49 degrees 44 minutes 00 seconds West, 324.60 feet to a found iron pin in fence for its northerly corner;

THENCE North 00 degrees 06 minutes 00 seconds West, 1129.26 feet to a found iron pin, and South 60 degrees 15 minutes 00 seconds West, 78.00 feet is a found iron pin on the apparent easterly line of Old Highway No. 9 – Shooting Club Road (as per the Texas Highway Dept. R.O.W. Map- Old Fredericksburg Road as per Deed, Volume 66, Page 320, exact road name unknown).

THENCE along the apparent easterly line of said old road, North 18 degrees 13 minutes 00 seconds West, 419.55 feet to a cedar post, and continuing generally along old fence, North 19 degrees 27 minutes 00 seconds West, 74.95 feet, and North 19 degrees 56 minutes 00 seconds West, 64.27 feet to an iron pin for the northwest corner of this tract;

THENCE North 89 degrees 39 minutes 00 seconds East, 612.61 feet to a found iron pin in old fence, and continuing generally along said fence, South 00 degrees 30 minutes 00 seconds West, 110.15 feet to a found iron pin by fence corner, and North 89 degrees 30 minutes 00 seconds East, 287.45 feet to a fence corner for the northwest corner of this tract;

THENCE generally along fence, South 00 degrees 01 minutes 00 seconds West, 361.40 to a cedar post fence corner;

THENCE generally along old fence, South 81 degrees 30 minutes 00 seconds West, 188.96 feet to a found iron pin by fence corner, South 06 degrees 19 minutes 00 seconds East, 266.10 feet, and South 06 degrees 26 minutes 00 seconds East, 83.10 feet to the PLACE OF BEGINNING

Exhibit B

MUNICIPAL SERVICE PLAN

For Annexation of 11.762 acres located at 3 Shooting Club Road (PID 14421)

By Richard Doak Field Jr and Karen Cole Field

☛ **POLICE PROTECTION**

The Boerne Police Department will provide regular and routine patrols in the area as part of its overall patrol activities. The department will respond to any calls for assistance to the area upon annexation. Animal Control services will be available to the area upon annexation.

☛ **FIRE SERVICE**

Fire service to the area will be provided by the Boerne Volunteer Fire Department upon annexation.

Fire prevention activities will be provided by the Fire Marshal's office in the form of subdivision and building plan review and fire inspections of all commercial structures in the area.

☛ **BUILDING INSPECTION - CODE ENFORCEMENT SERVICES**

Building inspection activities will be provided upon annexation. The Building Inspection Department will provide consultation with project developers for building code requirements, plan review for structures, issuance of building permits, and on-site inspection services for new construction.

The Building Inspection Department will respond to requests for inspection of suspected City Code violations including, but not limited to, zoning, building codes, sign ordinance, and junk car ordinances.

☛ **LIBRARY**

All residents of the newly annexed area will be eligible for library services at the Boerne Public Library.

☛ **SOLID WASTE COLLECTION**

Solid waste collection is contracted for by the City's contracted agent upon annexation.

☛ **PLANNING AND ZONING**

The planning and zoning jurisdiction of the City will extend to this area on the effective date of the annexation. The Planning and Zoning Commission will initiate permanent zoning of the newly annexed area as soon as possible after annexation.

⌚ **STREET AND DRAINAGE MAINTENANCE**

The effects of this addition on drainage will be addressed under the provisions of the Subdivision Ordinance in effect at the time of platting.

Roads, streets and drainage improvements that have been properly platted, duly dedicated, and accepted by the City of Boerne and/or Kendall County shall be maintained by the Department of Public Works.

⌚ **ELECTRIC SERVICE**

Electric service from the City of Boerne can be extended into and throughout the property by the petitioner according to City standards. Limited single-phase electric service currently exists within the property. The nearest three-phase primary distribution line is located along the south side of Sisterdale Highway.

⌚ **GAS SERVICE**

Natural gas service from the City of Boerne may be extended to and throughout the property by the petitioner according to City standards. The nearest current natural gas main of substantial size is located along the west side of US-87.

⌚ **WATER SERVICE**

Water service from the City of Boerne may be extended to and throughout the property by the petitioner according to City standards. The nearest current water main of substantial size is located along the east side of US-87.

⌚ **SEWER SERVICE**

Sewer service from the City of Boerne may be extended to and throughout the property by the petitioner according to City Standards. The nearest current sewer main of substantial size is located along the west side of US-87.

⌚ **CAPITAL IMPROVEMENTS**

Cost of any utility mains and appurtenances or other necessary capital improvements necessary for development of the subject property will be borne entirely by the petitioner for this tract.

THE STATE OF TEXAS

COUNTY OF KENDALL

The undersigned acknowledge that the Municipal Service Plan has been read and the requirements and stipulations contained therein are understood.

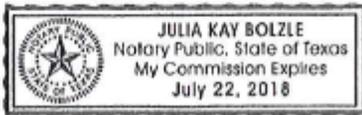
1-7-15
Date

Karen Cole Field
Printed Name

Karen Cole Field
Signature

This Municipal Service Plan was acknowledged before me on the 7th day of

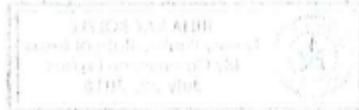
January, 2015



Julia Kay Bolzle
Notary Public In and For the State of Texas

THE STATE OF TEXAS

COUNTY OF KENDALL



The undersigned acknowledge that the Municipal Service Plan has been read and the requirements and stipulations contained therein are understood.

Date

Printed Name

Signature

This Municipal Service Plan was acknowledged before me on the _____ day of

_____, 20__.

Notary Public In and For the State of Texas