

**CITY OF DRIPPING SPRINGS**

**ORDINANCE NO. 1803.92**

**16.0118 ACRES OUT OF THE THOMAS R. JACKSON LEAGUE,  
ABSTRACT NO. 9, IN HAYS COUNTY, TEXAS**

**ANNEXATION ORDINANCE**

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, TO VOLUNTARILY ANNEX BY REQUEST OF THE PROPERTY OWNER OF A SPARSELY OCCUPIED AREA APPROXIMATELY 16.018 ACRES OF LAND INTO THE INCORPORATED MUNICIPAL BOUNDARIES OF THE CITY OF DRIPPING SPRINGS, TEXAS INCLUDING THE FOLLOWING: FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY; AND PROPER NOTICE AND MEETING.

**WHEREAS,** the City of Dripping Springs (“City”) is a Type-A, General Law municipality located in Hays County, Texas with the rights and privileges thereto; and

**WHEREAS,** Section 43.028 of the Texas Local Government Code authorizes a Type-A general law municipality to extend the boundaries of the municipality and annex area adjacent to the municipality by petition of area landowners in accordance with the procedural rules prescribed by Texas Local Government Code Chapter 43; and

**WHEREAS,** the City received a written petition requesting the voluntary annexation of the area described in Exhibit “A” on August 2, 2017; and

**WHEREAS,** the area identified in Exhibit “A,” part of the Thomas R. Jackson League, Abstract No. 9, is adjacent and contiguous to the city limits; and

**WHEREAS,** the area identified in Exhibit “A” is less than one-half mile in width; and

**WHEREAS,** the area identified in Exhibit “A” is vacant; and

**WHEREAS,** the City Council granted the petition and called public hearings on August 15, 2017 by Resolution Number 2017-60; and

**WHEREAS,** the City Council of the City of Dripping Springs (“City Council”) has conducted two public hearings, both held on September 19, 2017 regarding annexation of the area and has provided all required notices within the timeframes established under Chapter 43 of the Texas Local Government Code; and

**WHEREAS,** the City has prepared a service plan for the area to be annexed in accordance with Section 43.065 of the Texas Local Government Code providing for full municipal services to such area, which service plan was made available to the public and is attached hereto as Exhibit “B”; and

**WHEREAS,** the City Council deems it to be in the best interest of the citizens of the City to annex said territory into the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS:**

### **1. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of Dripping Springs, Texas, and are hereby approved and incorporated into the body of this Ordinance as if copied herein in their entirety.

### **2. ANNEXATION OF TERRITORY**

- A.** The property in the area described in Exhibit “A”, which is attached hereto and incorporated herein for all purposes, is hereby annexed and brought into the municipal boundaries (i.e., corporate limits) of the City of Dripping Springs, and is made an integral part, hereof.
- B.** The official map and boundaries of the City of Dripping Springs are hereby amended and revised so as to include the area annexed, and to reflect the expansion of the City’s extraterritorial jurisdiction resulting from such annexation.
- C.** A service plan prepared in accordance with applicable provisions of state law pertaining to annexation is attached hereto as Exhibit “B” and incorporated herein for all intents and purposes.
- D.** The owners and inhabitants of the area herein annexed are entitled to all of the rights and privileges of other citizens of the City of Dripping Springs and are hereby bound by all acts, ordinances and other legal actions now in full force and effect and those that may be hereafter adopted or enacted.

### **3. EFFECTIVE DATE**

This ordinance is effective and the annexation achieved herein shall be final and complete upon adoption of this Ordinance on the date set forth below.

### **4. FILING**

- A.** The City Secretary is hereby instructed to include this Ordinance in the records of the City.

- B. The City Secretary is hereby instructed to have prepared maps depicting the new municipal boundaries and extraterritorial jurisdiction.
- C. The City Secretary is hereby instructed to file a certified copy of this Ordinance with the Hays County Clerk.
- D. The City Secretary is hereby instructed to submit by certified mail a certified copy of the annexation ordinance a map of the entire city that shows the change in boundaries, with the annexed portion clearly distinguished, resulting from the annexation to the Texas Comptroller's Office.

### 5. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.


### 6. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED AND APPROVED** this the 10<sup>th</sup> day of October 2017, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of the City of Dripping Springs, TX.

**THE CITY OF DRIPPING SPRINGS:**



  
\_\_\_\_\_  
Bill Foulds, Mayor Pro Tem

**ATTEST:**

  
\_\_\_\_\_  
Andrea Cunningham, City Secretary

**Exhibit "A"**

**DESCRIPTION OF AREA TO BE ANNEXED (METES & BOUNDS TO FOLLOW)**

16.0118 Acres of Land out of the Thomas R. Jackson League, Abstract No. 9, in Hays County, Texas, being that Certain Tract or Portion of Land Conveyed to Roberta Crenshaw by Deed Recorded in Volume 469, Page 263 of the Real Property Records of Hays County, Texas.

# METES & BOUNDS

August 1, 2017

## FIELD NOTES

**FIELD NOTES FOR A 16.0118 ACRES (697473.8 SQUARE FEET) OF LAND OUT OF THE THOMAS R. JACKSON LEAGUE, ABSTRACT No. 9, IN HAYS COUNTY, TEXAS, BEING THAT CERTAIN TRACT OR PORTION OF LAND CONVEYED TO ROBERTA CRENSHAW BY DEED RECORDED IN VOLUME 469, PAGE 263 OF THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a capped 1/2" iron rod stamped Holt Carson found in the north right-of-way line of Ranch to Market Road 150, also being the southwest corner of this tract of land and the southeast corner of that certain tract of land conveyed to Trudie B. Ross by deed recorded in volume 2598, page 690 of the Official Public Records of Hays County, Texas, from which a concrete monument bears N62°22'12"W at a distance of 421.18'.

**THENCE**, departing the north right-of-way line of Ranch to Market Road 150, with the common line between this tract and said Ross tract, N28°24'10" for a distance of 299.93' to a found 1/2" iron rod, for the northeast corner of the Ross tract and the southeast corner of that certain tract of land conveyed to Joseph E. Biddle & Vicki L. Biddle by deed recorded in document no. 9922254 of the Official Public Records of Hays County, Texas.

**THENCE** with the common line between this tract and the said Biddle tract, the following two (2) courses:  
1) N28°05'35"E for a distance of 115.25' to a point.  
2) N28°38'53"E for a distance of 109.35' to a found 60D nail at the northeast corner of the Biddle tract and the southeast corner of that certain tract of land conveyed to A.H. Benney & Alice Benney by deed recorded in volume 289, page 875 of the Official Public Records of Hays County, Texas.

**THENCE** with the common line between this tract and the said Benney tract, N28°18'56"E for a distance of 269.07' to a point for the northeast corner of the Benney tract and the southeast corner of that certain tract of land conveyed to William R. Adams & Lara Wushin Adams by deed recorded in volume 5170, page 811 of the Official Public Records of Hays County, Texas.

**THENCE** with the common line between this tract and the said Adams tract, N28°24'01"E for a distance of 273.33' to a 1/2" iron rod found at the northwest corner of this tract and the southwest corner of that certain tract of land conveyed to the City of Dripping Springs by deed recorded in volume 3566, page 286 of the Official Public Records of Hays County, Texas;

**THENCE** with the common line between this tract and the said C.O.D.S. Tract, S76°12'26"E for a distance of 631.90' to a capped 1/2" iron rod stamped Holt Carson found at the northeast corner of this tract and the north corner of that certain tract of land conveyed to Holton L. Burns by deed recorded in volume 3152, page 747 of the Official Public Records of Hays County, Texas.

**THENCE** with the common line between this tract and the said Burns tract S28°23'45"W for a distance of 1215.01' to a concrete monument found at the southeast corner of this tract and the southwest corner of the

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Austin, TX 78716

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**Waterloo Surveyors, Inc.**


Office: (512) 481-9602  
J15191

Thomas P. Dixon  
RPLS 4324

said Burns tract and the north right-of-way line of Ranch to Market Road 150, from which a found 1.2" iron rod bears S68°11'15"E at a distance of 589.47';

**T**HENCE with the north right-of-way line of Ranch to Market Road 150 and the south line of this tract, N62°39'28"W for a distance of 611.14' to the **P**OINT OF BEGINNING hereof, containing 16.0118 acres of land, more or less

I, the undersigned do hereby certify that the field notes hereon were prepared from an actual on-the-ground survey under my direct supervision and that they are true and correct to the best of my knowledge



Thomas P. Dixon R.P.L.S. 4324  
Firm # 1012440  
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Phone: 481-9602

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**Exhibit "B"**

**ANNEXATION SERVICE PLAN  
FOR PROPERTY ANNEXED BY ORDINANCE NO. 1803.92  
CITY OF DRIPPING SPRINGS, TEXAS**

**16.0118 ACRES OUT OF THE THOMAS R. JACKSON  
LEAGUE, ABSTRACT NO. 9, IN HAYS COUNTY, TEXAS  
MUNICIPAL SERVICE PLAN**

**A. INTRODUCTION**

The City of Dripping Springs has been petitioned to annex into the City of Dripping Springs the property described below. A map showing the location is attached as *Appendix "A."*

16.0118 Acres of Land out of the Thomas R. Jackson League, Abstract No. 9, in Hays County, Texas, being that Certain Tract or Portion of Land Conveyed to Roberta Crenshaw by Deed Recorded in Volume 469, Page 263 of the Real Property Records of Hays County, Texas.

**B. MUNICIPAL SERVICES TO BE PROVIDED**

**1. POLICE PROTECTION**

The City does not provide municipal police protection, but police protection is provided by the Hays County Sheriff's Office. The City has an agreement for traffic enforcement with Hays County through the Hays County Sheriff's Office.

**2. FIRE SERVICE**

The City does not provide municipal fire services but this area is served by the Hays County Emergency Services District Number 6 (North Hays County Fire/Rescue for fire services and fire prevention activities).

**3. BUILDING INSPECTION/CODE ENFORCEMENT SERVICES**

The Building Inspection Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical, mechanical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of Dripping Springs.

**4. LIBRARIES**

The City does not own a municipal library. A community library is provided by the Dripping Springs Community Library.

**5. ENVIRONMENTAL HEALTH & HEALTH CODE ENFORCEMENT SERVICES**

The City has a septic system/on-site sewage facility ordinance. Complaints of ordinance or regulation violations within this area will be answered and investigated by City personnel, beginning with the effective date of the annexation ordinance.

**6. PLANNING & ZONING**

The planning and zoning jurisdiction of the City will be extended to this area on the effective date of the annexation ordinance. All services provided by the City will be extended to the area on the effective date of the annexation ordinance.

**7. PARKS & RECREATION**

All services and amenities associated with the City's Parks and Recreation activities will extend to this area on the effective date of the annexation ordinance.

**8. STREET & DRAINAGE MAINTENANCE**

The City will provide street and drainage maintenance to public streets in the area in accordance with standard City Policy as the area develops.

**9. STREET LIGHTING**

The City will provide street lighting to the area in accordance with standard City Policy as the area develops.

**10. TRAFFIC ENGINEERING**

The City will provide, as appropriate, street names signs, traffic control devices, and other traffic system design improvements to the area.

**11. SANITATION/SOLID WASTE COLLECTION & DISPOSAL**

The City does not directly provide municipal sanitation/solid waste collection and disposal services. However, the City has granted an exclusive franchise for these services to Progressive Waste Solutions of TX d/b/a Waste Connections of Texas, which will be notified of all newly-annexed parcels.

**12. WATER SERVICE**

The area to be annexed is within the CCN of the Dripping Springs Water Supply Corporation. The Dripping Springs Water Supply Corporation has the exclusive right to provide water service to the annexed area. The City may not provide for a municipal water supply and distribution system in an area serviced by CCN except through written agreement with the Dripping Springs Water Supply Corporation.

**13. SEWER SERVICE**

The City municipal sewage collection treatment and disposal system is limited in geographic scope and ability to serve. Newly-annexed parcels will be included in the Capital Improvements Plan as appropriate, and extended services when deemed feasible in light of topography and other relevant factors. In some instances, the owners of annexed property have expressly waived any demands for sewer service pursuant to development agreements.



**14. MISCELLANEOUS**

All other applicable municipal services will be provided to the area in accordance with policies established by the City of Dripping Springs.

# Appendix "A"

