

ORDINANCE NO. 264

AN ORDINANCE OF THE CITY OF UHLAND, TEXAS ANNEXING 81.140 ACRES OF LAND, MORE OR LESS, LOCATED IN HAYS COUNTY, AND THE ABUTTING STREETS, ROADWAYS, AND RIGHTS-OF-WAY, FOR A TOTAL FO 84.353 ACRES, INTO THE CORPORATE LIMITS OF THE CITY, AT THE REQUEST OF THE PROPERTY OWNER; APPROVING A SERVICE PLAN FOR THE ANNEXED AREA; MAKING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.

WHEREAS, pursuant to §43.0671 of the *Tex. Loc. Gov't. Code*, the City of Uhlund, Texas, is authorized to annex territory lying adjacent and contiguous to the City upon the landowner's request;

WHEREAS, the owner of the property, as hereinafter described, made a written request for the City to annex such property in compliance with the *Tex. Loc. Gov't. Code*;

WHEREAS, the property is adjacent and contiguous to the present city limits;

WHEREAS, the City Council heard and has decided to grant the owner's request that the City annex said property;

WHEREAS, a public hearing was conducted prior to consideration of this Ordinance in accordance with §43.0673 of the *Tex. Loc. Gov't. Code*;

WHEREAS, notice of the public hearing was published not more than twenty (20) nor less than ten (10) days prior to the public hearing;

WHEREAS, the City intends to provide services to the property to be annexed according to the Service Plan attached hereto as Exhibit "B".

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

SECTION 1. That all of the above premises and findings of fact are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. All portions of the following described property (hereinafter referred to as the "Annexed Property"), not previously annexed into the City, and the abutting streets, roadways and rights-of-way, are hereby annexed into the corporate limits of the City of Uhlund:

Being all of that certain 84.383 acres, more or less, of land situated in the August Reuss Survey Number 86, Abstract Number 398, Hays County, Texas, being a portion of a called 88.265 acre tract of land conveyed to Adora Investments, LLC in Volume 3749, Page 476, Official Public Records of Hays County, Texas, said 81.140 acre tract of land being more particularly shown and described in the Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION 3. That the Service Plan submitted herewith is hereby approved as part of this Ordinance, made a part hereof and attached hereto as Exhibit "B".

SECTION 4. That the future owners and inhabitants of the Annexed Property shall be entitled to all of the rights and privileges of the City as set forth in the Service Plan attached hereto as Exhibit "B", and are further bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be hereafter adopted.

SECTION 5. That the official map and boundaries of the City, heretofore adopted and amended be and hereby are amended so as to include the Annexed Property as part of the City of Umland.

SECTION 6. That the Annexed Property shall be temporarily zoned Agricultural District "A" as provided in the City Zoning Ordinance, as amended, until permanent zoning is established therefore.

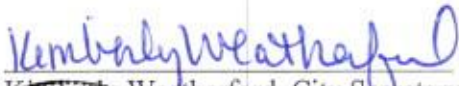
SECTION 7. That if any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8. That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

SECTION 9. That it is hereby officially found and determined that the meeting at which this Ordinance is 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, *Chapt. 551, Tex. Gov't. Code*.

PASSED AND APPROVED on this 14th day of April, 2021.

ATTEST:


Kimberly Weatherford, City Secretary

CITY OF UHLAND, TEXAS


Naomi Schrock, Mayor





CITY OF UHLAND

15 North Old Spanish Trail
Umland, TX 78640
512-398-7399
city@uhlandtx.us

I hereby acknowledge and agree that the attached service plan was negotiated and is the Agreement for Services to be provided by the City of Umland upon annexation in the area referred to as 81.140 acres of land, more or less located in Hays County, and the abutting streets, roadways, and rights of way, for a total of 84.353 acres, into the corporate limits of the City for which I requested the City Annex.

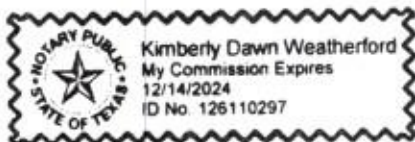
RANCH ROAD DEVELOPMENT

Scott Miller, Manager

ACKNOWLEDGEMENT

STATE OF TEXAS)
COUNTY OF HAYS)

This instrument was acknowledged before me on the 14th day of April, 2021, by Scott Miller, as Manager of Ranch Road Development.



Kimberly Dawn Weatherford
Notary Public, State of Texas

Exhibit "A"
ANNEXED PROPERTY DESCRIPTION

FIELD NOTES

BEING ALL OF THAT CERTAIN 84.353 ACRES OF LAND SITUATED IN THE AUGUST REUSS SURVEY NUMBER 86, ABSTRACT NUMBER 398, HAYS COUNTY, TEXAS, BEING A PORTION OF A CALLED 88.265 ACRE TRACT OF LAND CONVEYED TO ADORA INVESTMENTS, LLC. IN VOLUME 3749, PAGE 476, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, ALSO BEING A PORTION OF THAT EXISTING RIGHT-OF-WAY (R.O.W. VARIES) KNOWN AS GRIST MILL ROAD, SAID 84.353 ACRE TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found at the westernmost corner of said 88.265 acre tract, being at the northernmost corner of a called 116.93 acre tract of land conveyed to Walton Texas, LP. in Volume 3937, Page 662, Official Public Records of Hays County, Texas and on the common line of a called 77.299 acre tract of land conveyed to Deborah Kay Lockhart in Instrument Number 18020513, Official Public Records of Hays County, Texas, for the westernmost corner and the **POINT OF BEGINNING** of the herein described tract of land,

THENCE, N43°31'40"E with the common line of said 88.286 acre tract and said 77.299 acre tract, pass at a distance of 1113.73 feet a 1/2 inch iron rod found at the northernmost corner of said 88.286 acre tract of land, being at the easternmost corner of said 77.299 acre tract of land, same being in the southwest line of said Grist Mill Road, and continuing for a total distance of 1155.38 feet to a calculated point on the northeast line of said Grist Mill Road, also being on the annexation line of The City of Umland, for the northernmost corner of the herein described tract.

THENCE, with the common line of said Grist Mill Road and said annexation line the following two (2) courses and distances, numbered 1 through 2,

- 1) S45°12'04"E, a distance of 2503.99 feet to a calculated point, and
- 2) S45°21'00"E, a distance of 770.34 feet to a calculated point, for the easternmost corner of the herein described tract.

THENCE, S44°39'00"W to, over and across said Grist Mill Road and with said annexation line, a distance of 34.69 feet to a calculated point in the southwest line of said Grist Mill Road, being at the beginning of a curve to the right, and from which a 1/2 inch iron rod found at the easternmost corner of said 88.265 acre tract bears S46°29'00"E, a distance of 203.02 feet,

THENCE, along said curve to the right, with said annexation line, and over and across said 88.265 acre tract, having a radius of 4233.66 feet, an arc length of 1052.29 feet and a chord that bears S44°38'26"W, a distance of 1049.58 feet to a calculated point in the southwest line of said 88.265 acre tract, being in the northeast line of said 116.93 acre tract, for the southernmost corner of the herein described tract of land, and from which a 1/2 inch iron rod found at the southernmost corner of said 88.265 acre tract, being at the easternmost corner of said 116.93 acre tract, bears S46°29'03"E, a distance of 302.92 feet,

THENCE, N46°29'03"W, with the common line of said 116.93 acre tract and said 88.265 acre tract of land, a distance of 3252.48 feet to the **POINT OF BEGINNING** and containing 84.353 acres of land.

Surveyed by:

5/21/2021

Aaron V. Thomason, R.P.L.S. NO. 6214
Carlson, Brigance and Doering, Inc.
REG. #10024900
5501 West William Cannon
Austin, TX 78749
Ph: 512-280-5160 Fax: 512-280-5165
aaron@cbdeng.com



BEARING BASIS: TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD83

SKETCH TO ACCOMPANY FIELD NOTES

POINT OF BEGINNING

ALBERT PACE SURVEY NO. 55
ABSTRACT NO. 367

DEBORAH KAY LOCKHART
(77.299 ACRES)
INSTRUMENT NO.
18020513

N43°31'40"E 1155.38'

1113.73'

APPROXIMATE SURVEY LINE

AUGUST REUSS SURVEY NO. 86
ABSTRACT NO. 398

N46°29'03"W 3252.48'

GRIST MILL ROAD
(R.O.W. VARIES)

S45°12'04"E 2503.99'

84.353 ACRES
ADORA INVESTMENTS, LLC.
(88.265 ACRES)
VOL. 3749, PG. 476

R.O.W. LINE

S45°21'00"E 770.34'

CURRENT ANNEXATION LINE

C1

L1

S46°29'03"E 302.92'

S46°29'00"E 203.02'

STATE HIGHWAY NO. 21
(100' R.O.W.)



SCALE: 1" = 500'

LEGEND

- 1/2" IRON ROD FOUND
- △ CALCULATED POINT

Line Table		
Line #	Length	Direction
L1	34.69	S44°39'00"W

WALTON TEXAS, LP.
(116.93 ACRES)
VOL. 3937, PG. 662

Curve Table						
Curve #	Length	Radius	Chord Direction	Chord Length	Tangent	DELTA
C1	1052.29	4233.66	S44°38'28"W	1049.58	528.87	14°14'28"



[Signature]
5/21/2021

BEARING BASIS: TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD83

Carlson, Brigance & Doering, Inc.

FIRM ID #73791

Civil Engineering
5501 West Williams Cannon
Phone No. (512) 280-3169

REG. # 10024900

Surveying
Austin, Texas 78749
Fax No. (512) 280-5165

Exhibit "B"

**SERVICE PLAN
FOR PROPERTY TO BE
ANNEXED INTO THE CITY OF UHLAND**

WHEREAS, the City of Uhlend, Texas (the "City") intends to institute annexation proceedings for tracts of land described more fully hereinafter (referred to herein as the "subject property");

WHEREAS, *Section 43.0672, Loc. Gov't. Code*, requires the City to negotiate and enter into a written agreement with the owner(s) of land in the area for the provision of services in the area;

WHEREAS, the subject property is not included in the municipal annexation plan and is exempt from the requirements thereof;

WHEREAS, infrastructure provided for herein and that existing are sufficient to service the subject property on the same terms and conditions as other similarly situated properties currently within the City limits and no capital improvements are required to offer services on the same terms and conditions as other similarly situated properties within the City; and

WHEREAS, it is found that all statutory requirements have been satisfied and the City is authorized by *Chapter 43, Loc. Gov't. Code*, to annex the subject property into the City;

NOW, THEREFORE, the following services will be provided for the subject property on the effective date of annexation:

(1) **General Services.** Pursuant to the requests of the owner and this Plan, the following services shall be provided immediately from the effective date of the annexation:

A. Police protection as follows:

Routine patrols of areas, radio response to calls for police service and all other police services now being offered to the citizens of the City.

B. Fire protection and Emergency Medical Services as follows:

Fire protection by the present personnel and equipment of the Caldwell/Hays Emergency Services District No. 1 fire fighting force and the volunteer fire fighting force with the limitations of water available. Radio response for Emergency Medical Services with the present personnel and equipment of Caldwell/Hays Emergency Services District No. 1.

C. Solid waste collection services as follows:

Solid waste collection and services as now being offered to the citizens of the City.

D. Animal control as follows:

Service by present personnel, equipment and facilities or by contract with a third party, as provided within the City.

E. Maintenance of parks and playgrounds within the City.

F. Inspection services in conjunction with building permits and routine City code enforcement services by present personnel, equipment and facilities.

G. Maintenance of other City facilities, buildings and service.

H. Land use regulation as follows:

On the effective date of annexation, the zoning jurisdiction of the City shall be extended to include the annexed area, and the use of all property therein shall be grandfathered; and shall be temporarily zoned "A" Agricultural District with the intent to rezone the subject property upon request of the landowner or staff. The Planning & Zoning Commission and the City Council will consider rezoning the subject property at future times in response to requests submitted by the landowner(s) or authorized city staff.

(2) **Scheduled Services.** Due to the size and vacancy of the subject property, the plans and schedule for the development of the subject property, the following services will be provided on a schedule and at increasing levels of service as provided in this Plan:

A. Water service and maintenance of water facilities as follows:

(i) Inspection of water distribution lines by the utility provider as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of water services, water services to new development and subdivisions will be provided to the subject property, or applicable portions thereof, by the County Line Special Utility District (the "District"). Water utility services will be provided within the subject property on the same basis as provided in other areas of the District. The City reserves the right to negotiate with the owners of the District to acquire the service rights, however, nothing in this service plan shall be construed to obligate the City to provide water services within the territory of the District.

B. Wastewater service and maintenance of wastewater service as follows:

(i) Inspection of sewer lines by the utility provider as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of wastewater services, wastewater services to new development and subdivisions will be provided to the subject property, or applicable portions thereof, by the County Line Special Utility District (the "District"). Wastewater utility services will be provided within the subject property on the same basis as provided in other areas of the District. The City reserves the right to negotiate with the owners of the District to acquire the service rights, however, nothing in this service plan shall be construed to obligate the City to provide wastewater services within the territory of the District.

C. Maintenance of streets and rights-of-way as appropriate as follows:

(i) Provide maintenance services on existing public streets within the subject property and other streets that are hereafter constructed and finally accepted by the City. The maintenance of the streets and roads will be limited as follows:

(A) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.; and

(B) Routine maintenance as presently performed by the City.

(ii) The City will maintain existing public streets within the subject property, and following installation and acceptance of new roadways by the City as provided by city ordinance, including any required traffic signals, traffic signs, street markings, other traffic control devices and street lighting, the City will maintain such newly constructed public streets, roadways and rights-of-way within the boundaries of the subject property, as follows:

(A) As provided in C(i)(A)&(B) above;

(B) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies;

(C) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards; and

(D) Installation and maintenance of street lighting in accordance with established policies of the City;

(iii) The outer boundaries of the subject property abut existing roadways. The property owner agrees that no improvements are required on such roadways to service the property.

(3) **Capital Improvements.** Construction of the following capital improvements shall be initiated after the effective date of the annexation: None. Upon development of the subject property or redevelopment, the landowner will be responsible for the development costs the same as a developer in a similarly situated area under the ordinances in effect at the time of development or redevelopment, subject to the terms of any agreements between the developer and the City that apply to the Property. No additional capital improvements are necessary at this time to service the subject property the same as similarly situated properties.

(4) **Term.** If not previously expired, this service plan expires at the end of ten (10) years.

(5) **Property Description.** The legal description of the subject property is as set forth in the Annexation Ordinance and exhibits attached to the Annexation Ordinance to which this Service Plan is attached.

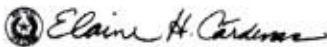
THE STATE OF TEXAS

COUNTY OF HAYS

I hereby certify that this instrument was FILED on the
date and the time stamped hereon by me and was duly
RECORDED in the Records of Hays County, Texas.

21034747 ORDINANCE

06/29/2021 10:55:42 AM Total Fees: \$58.00

 Elaine H. Cárdenas

Elaine H. Cárdenas, MBA, PhD, County Clerk
Hays County, Texas



Hays County

Elaine H. Cárdenas, MBA, PhD, County Clerk
Hays Government Center
712 S. Stagecoach Trail Ste. 2008
San Marcos, Texas 78666
512-393-7330

Receipt: 21-24850

Product	Name	Extended
ORDINANCE	ORDINANCE	\$58.00
	# Pages	10
	Document #	21034747
	Document Info:	CITY OF UHLAND
ORDINANCE	ORDINANCE	\$146.00
	# Pages	32
	Document #	21034748
	Document Info:	CITY OF UHLAND
AGREEMENT	AGREEMENT	\$134.25
	# Pages	29
	Document #	21034749
	Document Info:	CITY OF UHLAND
	Additional Names	1
Total		\$338.25
Tender (Credit Card)		\$338.25
Paid By	CITY OF UHLAND	
BPI #	NA	
Transaction ID	100223479248	

Thank You