

ORDINANCE NO. 2015 - 22

AN ORDINANCE ANNEXING A SPARSELY OCCUPIED 16.21 (+/-) ACRE TRACT OF LAND WITHIN BASTROP TOWN TRACT A-11 ON PETITION OF DAVID SINGLETON ON BEHALF AREA OF LANDOWNER, RON HEALY, REDHAWK ADVISORS, PURSUANT TO SECTION 43.028 OF THE LOCAL GOVERNMENT CODE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Bastrop, Texas, finds that the requirements of Section 43.028 of the Local Government Code have been met to-wit; that the area to be annexed is:

1. Less than one-half mile in width; and
2. Continuous to the existing City limits of Bastrop; and
3. Has less than three (3) qualified voters residing thereon; and
4. That the owners have properly petitioned the City Council in writing, to annex the 16.21 (+/-) acre area described by metes and bounds in Exhibit "A" and by sketches in Exhibit "B", attached hereto and made a part hereof, and

WHEREAS, the City staff has prepared a Service Plan for the area to be annexed, and said Service Plan is attached hereto as Exhibit "C"; and

WHEREAS, the City Council of the City of Bastrop further finds that the required notices have been given and the required public hearings held, pursuant to Section 43.052 of the Local Government Code:

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

PART 1: That the 16.21 (+/-) acre real property area described in Exhibits "A" and "B" attached hereto and made a part hereof, and it is hereby annexed and the City limits of the City of Bastrop are hereby extended so as to include said tracts of land.

PART 2: The service plan for the annexed area attached hereto as Exhibit "C" are approved as part of this Ordinance.

PART 3: That this Ordinance shall take full force and effect immediately upon passage and approval and in accordance with the laws of the State of Texas.

PART 4: The City Secretary is hereby directed to file a certified copy of this Ordinance, together with a copy of the Owner's Petition, in the office of the

Bastrop County Clerk and to file a certified copy of this Ordinance with appropriate officials and agencies, as required by state and federal law.

READ and APPROVED on First Reading on the 13th day of October, 2015.

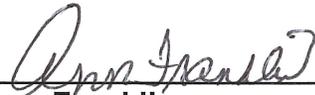
READ and ADOPTED on Second Reading on the 27th day of October, 2015.

APPROVED:



Ken Kesselus
Mayor

ATTEST:



Ann Franklin
City Secretary

EXHIBIT "A"

Legal Description

BEING A 16.21 ACRE TRACT FOR ANNEXATION INTO THE CITY OF BASTROP, TEXAS, SITUATED IN THE TOWN TRACT OF BASTROP, ABSTRACT 11, BASTROP COUNTY, TEXAS, AND BEING OUT OF A CALLED 90.91 ACRE TRACT CONVEYED TO RON HEALY AS RECORDED IN VOLUME 1766, PAGE 165 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS (OPRBCT), SAID 16.21 ACRES BEING MORE PARTICULARLY DESCRIBED, IN TWO PARTS, BY METES AND BOUNDS AS FOLLOWS:

PART ONE – 12.977 ACRES

BEGINNING at a ½-inch iron rod found at a concrete monument lying at the base of a railroad tie fence corner post, said ½-inch iron rod marking the called northwest corner of a called 90.91 acre tract of land described in said Volume 1766, Page 165 (V1766/P165, OPRBCT), and the called northeast corner of a called 58.74 acre tract of land, described as Tract One, in a deed recorded in Volume 1924, Page 521, OPRBCT;

THENCE N 90°00'00" E (V1766/P165, OPRBCT), with the north line of said 90.91 acre tract, for a distance of 378.88' to a point in the center of Piney Creek, said center of Piney Creek being the purported current City Limits of Bastrop, Texas;

THENCE with the centerline of Piney Creek, and said purported current City Limits for the following thirteen (13) courses and distances:

1. S 19°10'59" W a distance of 213.41' to a point,
2. S 03°11'13" W a distance of 109.56' to a point,
3. S 09°06'27" W a distance of 467.31' to a point,
4. S 05°21'21" W a distance of 274.13' to a point,
5. S 15°04'58" W a distance of 62.87' to a point,
6. S 36°40'09" W a distance of 81.17' to a point,
7. S 19°34'20" W a distance of 243.09' to a point,
8. S 06°32'05" W a distance of 112.62' to a point,
9. S 12°56'23" E a distance of 119.08' to a point,
10. S 47°33'29" E a distance of 212.22' to a point,
11. S 42°11'34" E a distance of 227.62' to a point,
12. S 41°22'36" E a distance of 193.12' to a point, and
13. S 22°54'09" E a distance of 168.78' to a point on the common line being the north right-of-way line of the Missouri, Kansas and Texas Railroad (MK&T RR), and a south line of said 90.91 acre tract;

THENCE S 88°57'39" W (V1766/P165, OPRBCT), with said common line of the MK&T RR and said 90.91 acre tract for a distance of 573.60' (V1766/P165, OPRBCT) to a point being the

called southwest corner of said 90.91 acre tract and the called southeast corner of said 58.74 acre tract of land;

THENCE N 00°00'00" W (V1766/P165, OPRBCT), with the common line of said 90.91 acre tract and said 58.74 acre tract, for a distance of 2250.76' (V1766/P165, OPRBCT), to the **POINT OF BEGINNING** and containing 12.977 acres of land, more or less.

PART TWO – 3.234 ACRES

COMMENCING at a ½-inch iron rod found at a concrete monument lying at the base of a railroad tie fence corner post, said ½-inch iron rod marking the called northwest corner of a called 90.91 acre tract of land described in a deed recorded in Volume 1766, Page 165, OPRBCT (V1766/P165, OPRBCT), and the called northeast corner of a called 58.74 acre tract of land, described as Tract One, in a deed recorded in Volume 1924, Page 521, OPRBCT;

THENCE N 90°00'00" E (V1766/P165, OPRBCT), with the north line of said 90.91 acre tract, at a distance of 378.88', crossing the center of Piney Creek, and continuing for a distance of 338.78', being a total distance of 717.66' to a point in the center of Piney Creek, same being the purported current City Limits of Bastrop, Texas, said point being the **POINT OF BEGINNING** hereof;

THENCE N 90°00'00" E (V1766/P165, OPRBCT) with a north line of said 90.91 acre tract, for a distance of 463.45' to a point being an ell corner (V1766/P165, OPRBCT) in the north line of said 90.91 acre tract;

THENCE S 00°00'00" E (V1766/P165, OPRBCT) with a north line of said 90.91 acre tract, for a distance of 25.26' (V1766/P165, OPRBCT) to a point being an interior angle point (V1766/P165, OPRBCT) in the north line of said 90.91 acre tract;

THENCE S 83°00'34" E (V1766/P165, OPRBCT) with a north line of said 90.91 acre tract, for a distance of 125.78' (V1766/P165, OPRBCT) to a point being an interior angle point (V1766/P165, OPRBCT) in the north line of said 90.91 acre tract;

THENCE N 90°00'00" E (V1766/P165, OPRBCT) with a north line of said 90.91 acre tract, for a distance of 135.58' (V1766/P165, OPRBCT) to a point in the center of Piney Creek, same being an interior angle point (V1766/P165, OPRBCT) in the north line of said 90.91 acre tract, said center of Piney Creek being the purported current City Limits of Bastrop, Texas;

THENCE with the centerline of Piney Creek, and said purported current City Limits for the following fifteen (15) courses and distances:

1. S 22°16'34" W a distance of 47.25' to a point,
2. S 06°50'58" W a distance of 46.03' to a point,
3. S 42°26'31" W a distance of 31.78' to a point,
4. S 43°54'44" W a distance of 117.50' to a point,
5. S 57°48'09" W a distance of 115.62' to a point,

6. N 70°04'56" W a distance of 108.45' to a point,
7. N 42°26'50" W a distance of 72.59' to a point,
8. N 69°47'02" W a distance of 31.34' to a point,
9. S 88°01'54" W a distance of 44.28' to a point,
10. N 85°10'23" W a distance of 146.22' to a point,
11. N 80°25'58" W a distance of 61.18' to a point,
12. N 63°26'21" W a distance of 42.73' to a point,
13. N 15°26'10" W a distance of 80.95' to a point,
14. N 02°12'00" W a distance of 57.62' to a point, and
15. N 17°16'52" W a distance of 23.77' to the **POINT OF BEGINNING** and containing 3.234 acres of land, more or less.

AREA SUMMARY:

PART ONE 12.977 acres

PART TWO 3.234 acres

TOTAL 16.211 acres

With respect to the north, west and south lines of the aforementioned, called 90.91 acre tract, all courses and distances cited herein are from record information (V1766/P165, OPRBCT). Courses and distances locating the centerline of Piney Creek are from on the ground survey of the centerline of Piney Creek, using the western line of said 90.91 acre tract as a basis of bearings (N 00°00'00" W).

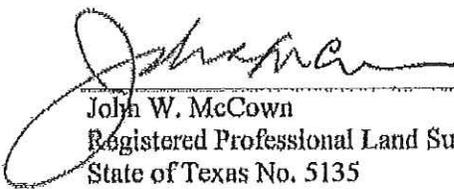
As of this writing, the best information available, from any source, is that the center of Piney Creek, in the area of this description, is the western City Limits of Bastrop, Texas.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

8-3-15

Date

SURVTEX, LLC
600 W. Whitestone Blvd.
Cedar Park, TX 78613
(512) 249-8875 Fax (512) 249-5040
TBPLS Firm No. 10084600


John W. McCown
Registered Professional Land Surveyor
State of Texas No. 5135

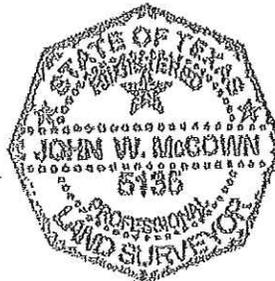
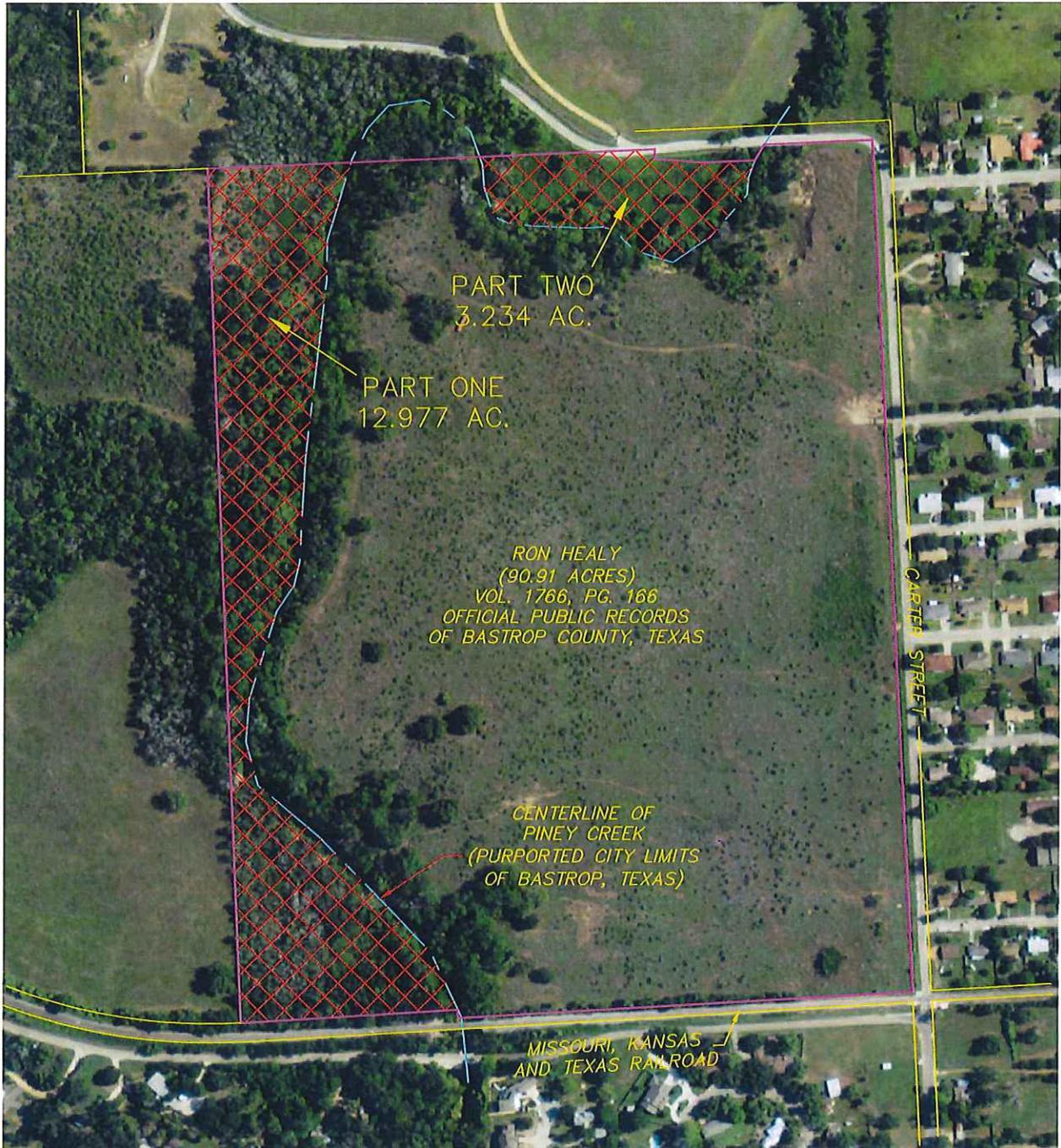


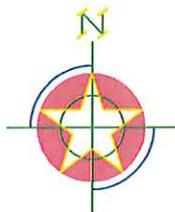
EXHIBIT "B"

OF
16.21 ACRES FOR ANNEXATION INTO THE CITY OF BASTROP, TEXAS



SURVOTEX LLC
PROFESSIONAL SURVEYING AND MAPPING SERVICES

600 W. Whitestone Blvd.
Cedar Park, Texas 78613
(512) 249-8875
Fax (512) 249-5040
TBPLS Firm No. 10084600



SCALE: 1" = 400'

DESCRIPTION

The City of Bastrop has initiated annexation of 16.21 (+/-) acres of land out of the Bastrop Town Tract A-11 on petition of David Singleton on behalf area landowner, Ron Healy, Bastrop County (see attached legal description) at the request of the owner. The Bastrop City limits currently abuts the property along Carter Street.

SCHEDULE OF MUNICIPAL SERVICES

Public Safety – Police, Animal Control, Fire

Current services provided	None
Service availability	All service can be provided with existing staff
Project demand	As it will be zoned A/OS no significant increase in service demand is anticipated from this annexation

Public Health – Solid Waste Service, Sanitary Sewer Service, Water Service, Health Code Enforcement

Current services provided	None
Service availability	Solid waste, water, wastewater and health code services can be provided at this time by extension of service lines from city. This site will be serviced by the city sewer plant.
Projected demand	As it will be zoned A/OS no significant increase in service demand is anticipated from this annexation

Public Welfare – Planning and Zoning, Traffic Engineering, Building Inspection, Storm Drainage, Street Lighting, Road Maintenance, Other Capital Improvements

Current services provided	The City of Bastrop provides planning and zoning services for the surrounding properties
Service availability	There is current capacity to provide services to this area
Project demand	The proposed annexation will be zoned A/OS which does not entail any review or hearings at Planning and Zoning or City Council. Ultimately, This tract should be developed under a planned development zoning district Due to its size and location.

Public Services – Library Services, Parks and Recreation Services, Code Enforcement, Miscellaneous Services

Current services provided	Access to library and park services is not limited to the citizen's of and are currently available to this area.
Service availability	There is current capacity to provide services to this area
Project demand	As the property is being zoned A/OS no increase demand for library or recreational services is foreseen at this time.

FISCAL ANALYSIS

There will be little or no near term costs to the City from the proposed annexation of the property.