

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE EXTENSION OF THE BOUNDARY LIMITS OF THE CITY OF ABILENE, TEXAS, AND THE ANNEXATION OF CERTAIN TERRITORY LYING ADJACENT TO AND ADJOINING THE PRESENT BOUNDARY LIMITS OF THE CITY OF ABILENE.

WHEREAS, Section 4 of the Charter of the City of Abilene, Texas, provides that the City shall have the power, by ordinance, to fix and change the boundaries and limits of the City and to provide for the extension of said boundaries and limits and the annexation of additional territory lying adjacent to the City with or without the consent of the owner of the territory and inhabitants thereof annexed; and,

WHEREAS, notice of public hearings, pursuant to Article 970a, the Texas Municipal Annexation Act, was published in the Abilene Reporter News, a newspaper having a general circulation in the property to be annexed and in the City of Abilene, Texas, on the 23rd day of October, 1983, which date was not more than twenty (20) nor less than ten (10) days prior to the date of the public hearings of November 3, and November 4, 1983, on said annexation; and,

WHEREAS, public hearings before the City Council of the City of Abilene, Texas, where all interested persons were provided with an opportunity to be heard on said proposed annexations, was held at City Hall on the 3rd and 4th days of November, 1983, which dates were not more than forty (40) nor less than twenty (20) days prior to the institution of annexation proceedings (first reading of this ordinance); and,

WHEREAS, said territory lies adjacent to and adjoins the present boundaries of the City of Abilene, Texas; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the following described land and territory lying adjacent to and adjoining the present boundaries of the City of Abilene, Texas, is hereby added and annexed to the City of Abilene, Texas, and said territory hereinafter described shall hereafter be included within the boundary limits of the City of

Abilene, Texas, and the present boundary limits of the City of Abilene, at various points contiguous to the area hereinafter described, are altered and amended so as to include said area within the corporate limits of the City of Abilene, Texas, to-wit:

That area of land described on Exhibit "A" attached hereto

PART 2: That upon passage hereof, the property hereinabove annexed shall be zoned as AO (Agriculture Open Space) District.

PART 3: That, upon final passage hereof, the above described annexed territory shall be a part of the City of Abilene, Texas, and the property situated therein shall bear its pro rata portion of the taxes levied by the City of Abilene, and the inhabitants thereof shall be entitled to all of the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions and regulations of the City of Abilene.

PART 4: That, the City of Abilene's Service Plan For The Proposed Annexation of additional area in the Northwest portion of Abilene, attached hereto as Exhibit "B," was made available to the inhabitants of the area to be annexed, and is hereby approved as a part of this ordinance.

PASSED ON FIRST READING, this the 1st day of December, A.D. 1983.

PART 5: That upon passage of this ordinance on first reading, the City Secretary is hereby directed to publish this ordinance at least one (1) time in the Abilene Reporter News on the 3rd day of December, 1983. This ordinance shall not be considered for final passage until at least thirty (30) days have elapsed after said publication thereof in accordance with Section 4 of the Charter of the City of Abilene, Texas.

PART 6: That upon passage of this ordinance of first reading, the City Secretary is hereby directed to have published at least one (1) time in the Abilene Reporter News, a notice on December 28, 1983, that a public hearing will be held in the Council Chambers of the City Hall in Abilene, Texas, at 9:00 A.M. on the 5th day of January, 1984, to permit the public to be heard prior to the consideration of this ordinance for second and final reading.

PASSED ON SECOND AND FINAL READING, this 5th day of

January, A.D. 1984.

ATTEST:

Patricia A. Patton
CITY SECRETARY

Lee Bull

MAYOR

APPROVED:

Kamy Caycey
CITY ATTORNEY

STATE OF TEXAS
COUNTY OF TAYLOREXHIBIT A

74.341 ACRES

FIELD NOTES

BEING 74.341 acres out of and a part of a 61.286 acre tract and a 17.992 acre tract out of P. Z. Guerra Survey No. 27 and the F. Rodriguez Survey No. 26, Abilene, Taylor County, Texas, and described by metes and bounds as follows:

BEGINNING at a point in Shirley Road for the NE corner of this tract and being the NE corner of said 61.286 acre tract and being the NW corner of a 117.708 Caldwell Tract, from which the SE corner of R. Turner Survey bears S 89°57'17" W 1838.9 feet and the NE corner of the P. Z. Guerra Survey No. 27 a point in the center of Elm Creek bears S 0°10' W at 1821.0 feet and N 89°54'30" E 1781 feet;

THENCE S 0°10' W 1586.62 feet to a point in Shirley Road for the SE corner of said 61.286 acre tract;

THENCE S 66°41' W 25.16 feet to a 3/4" iron rod, found, in fence on the west boundary line of Shirley Road for the NE corner of said 17.992 acre tract;

THENCE S 0°13' W 395.3 feet to a point;

THENCE S 4°13' W 200.5 feet to the P.C. of a curve to the right on a radius of 779 feet, chord bearing S 7°06' W 194.2 feet to a point for the SE corner of said 17.992 acre tract and being the NW corner of a 15 acre tract owned by Roy Herring;

THENCE S 66°41'53" W 973.92 feet to a 3/4" iron rod, for the SW corner of said 17.992 acre tract;

THENCE N 14°54'34" W 2259.90 feet to a 3/8" iron rod for the SW corner of a certain 3.0 acre tract owned by R. Phillips;

THENCE N 70°04' E 2.48 feet to a P.C. of a curve;

THENCE along said curve having a radius of 818.51 feet on a chord bearing of N 77° 27' E 210.40 feet to a 3/8" iron rod for the SE corner of said 3.0 acre tract

THENCE N 11°56' W 125.0 feet to a 3/8" iron rod for the SW corner of a 1.963 acre tract owned by R. Phillips;

THENCE N 88°43'53" E 162.45 feet to a 3/8" iron rod for the SE corner of said 1.963 acre tract;

THENCE N 0°02'43" W 412.58 feet to a point in Shirley Road for the NE corner of said 1.063 acre tract;

THENCE N 89°57'17" E 1200.0 feet to the POINT OF BEGINNING, and containing 74.341 acres of land, more or less.

Certified correct June 1981.

STATE OF TEXAS
COUNTY OF TAYLOR

477.098 ACRES

FIELD NOTES

BEING 477.098 acres of land out of 577.092 acre tract and a part of Robert Turner Survey No. 25 and L. Bowerman Survey No. 84, lying west of U. S. Highway 277/83 & 84 By-Pass and being described by metes and bounds as follows:

BEGINNING at a 3/8" iron rod, set, by an old corner post for the NW corner of the Robert Turner Survey No. 25 and being an interior corner of Survey No. 55, Block 16, T & P R.R. Company Survey;

THENCE N 89°53'39" E 8227.00 feet along an existing property fence on the north line of said Turner Survey No. 25 and south lines of Survey No. 55 and W. W. Sills Survey No. 24 to a 3/8" iron rod, found, for the NE corner of this tract and the NW corner of a 25 acre tract, from which the NE corner of said 577.092 acre tract bears N 89° 53'39" E 1548.19 feet, a 3/8" iron rod, found, by a corner post bears N 89°53'39" E 1547.03 feet;

EXHIBIT A

THENCE S 31°55'23" W along the west boundary line of said 25 acre tract 3337.83 feet to a 3/8" iron rod, found, in an old property line fence for the SW corner of said 25 acre tract and being the SE corner of this tract;

THENCE S 89°49'15" W 4605.14 feet more or less along said old property fence on the common lines of said surveys 25 & 26 to the NW corner of a certain 117.708 acre tract and being the NE corner of a certain 61.286 acre tract in a public road known as Shirley Road;

THENCE S 89°57'18" W along the north boundary line of said 61.286 acre tract, more or less along the center of Shirley Road going west at 1699.88 feet pass the NW corner of said 61.286 acre tract, continuing in all 1840.41 feet to a point for the SW corner of Robert Turner Survey No. 25 in the north line of F. Rodriguez Survey No. 2, from which a corner post at the intersection of the north line of Shirley Road and the west line of a public road running north bears north 19.8 feet and west 28.1 feet;

THENCE N 0°20' W along the west line of Survey No. 25 and east line of Survey No. 55, in said public road at 2722 feet pass a corner post on the north line of said public road where it turns west, continue along an old fence line in all 2833.71 feet to the POINT OF BEGINNING, and containing 477.098 acres of land, more or less.

Certified correct June 1981.

STATE OF TEXAS
COUNTY OF TAYLOR

96.828 ACRES

FIELD NOTES

BEING 96.828 acres out of the west 100 acres recorded in Volume 992, Page 826 Deed Records out of a 577.09 acre tract out of the Robert Turner Survey No. 25 and the L. Bowerman Survey No. 84, Abilene, Taylor County, Texas, and described by metes and bounds as follows:

BEGINNING at a 3/8" iron rod, found, for the SW corner of this tract and being the SW corner of said 100 acre tract on the south boundary line of the R. Turner Survey No. 25, from which the SE corner of R. Turner Survey No. 25 and the NE corner of F. Rodriguez Survey No. 26 a 1/2" iron pipe, found, bears N 89°54' E 863.64 feet;

THENCE N 31°55'23" E 3337.83' along the west boundary line of said 100 acre tract to a 3/8" iron rod, found, for the NW corner of said 100 acre tract and being the NW corner of this tract on the north boundary line of R. Turner Survey No. 25;

THENCE N 89°53'39" E 1547.03 feet to a 3/8" iron rod, found, by a corner post on the west R.O.W. line of U. S. Highway 277/83-84 by-pass for the NE corner of this tract and being the NE corner of said 100 acre tract;

THENCE S 31°57'45" W 3162.97 feet to a 3/8" iron rod, found, for the NE corner of a certain 3.41 acre tract out of said 100 acre tract;

THENCE N 86°00'51" W 536.42 feet to a 12" Mesquite Tree for a corner;

THENCE S 76°17'59" W 798.60 feet to a 3/8" iron rod, found, by a corner post for the SE corner of a certain 22.15 acre tract recorded in Volume 978, Page 752 and being the NE corner of a certain 0.42 acre tract and being the recognized NE corner of Lot 8, Steffens Subdivision of Merchants Pasture;

THENCE S 89°54' W 326.63 feet to the POINT OF BEGINNING, and containing 96.828 acres of land, more or less, and subject to deletion of that portion of the tract currently within the corporate boundaries of the City of Abilene.

Certified correct June 1981.

EXHIBIT A

FIELD NOTES

BEING a 4.77 acre tract out of a 10.45 acre tract out of P. Z. Guerra Survey No. 27, Abilene, Taylor County, Texas, and described by metes and bounds as follows:

BEGINNING at an iron rod, set, in a county road known as Shirley Road for the NW corner of this tract, from which the NE corner of P. Z. Guerra Survey No. 27 bears N 0°10' E 390.92 feet and thence N 89°54'36" E 1775 feet;

THENCE N 89°10'32" W at 582.64 feet pass a 3/8" iron rod, set, on the west line of a 150 foot channel easement and continue in all 657.64 feet to a point in the center-line of said channel for the NE corner of this tract;

THENCE S 0°09'20" W along said centerline 62.37 feet to a point for the beginning of a curve to the right, said curve having a delta of 63°00', a radius of 299.78 feet, a chord bearing of 31°59'28" W, and an arc length of 316.20 feet to a point for the SE corner of this tract;

THENCE S 89°57' W at 195.33 feet pass a 3/8" iron rod, set, in the west line of said channel and continue in all a distance of 489.95 feet to a 3/8" iron rod, set, at a point in said county road;

THENCE N 0°10' E 340.49 feet to the PLACE OF BEGINNING, and containing 4.77 acres of land, more or less, subject to deletion of that portion of the tract currently within the corporate boundaries of the City of Abilene.

Certified correct as surveyed.

STATE OF TEXAS
COUNTY OF TAYLOR

244.952 ACRES

FIELD NOTES

BEING 244.952 acres out of and a part of Lots 7, 8, 9, 10 and 11 of the Steffens Subdivision of Merchants Pasture, and being a part of the J. R. Shipman Survey No. 86, the P. Z. Guerra Survey No. 27, the Franz Rodriguez Survey No. 26, the Robert Turner Survey No. 25, and the L. Bowerman Survey No. 84 and consisting of the following tracts: 117.708 acre Caldwell Tract, a 58.24 acre Hohertz Tract, a 22.15 acre Forbus Tract, a 38.55 acre Childress Tract, a 7.043 acre Mahaffey Tract, a 0.42 acre tract out of said 22.15 acre tract, a 3.41 acre tract out of a 100 acre tract out of the 577.092 acre Stith Estate Tract, and a 3.48 acre tract consisting of all of Lot 1, Block "A", Herring Center, Abilene, Taylor County, Texas, and described by metes and bounds as follows:

BEGINNING at a point on the north boundary line of Francisco Rodriguez Survey No. 2' in a public road known as Shirley Road for the NW corner of this tract, same being the NW corner of a certain 117.708 acre tract recorded in Volume 885, Page 704 Deed Records, Taylor County, Texas, from which a 3/8" iron rod, found, by a 10" corner post bears N 63°25'29" E 7.46 feet the recognized SW corner of the R. Turner Survey No. 25 bears N 89°54'06" W 1838.87 feet;

THENCE N 89°49'15" E, more or less along a fence at 2786.21 feet pass a 1/2" iron pipe found, on the north side of a 12" corner post bears S 0°10'45" E 0.54 feet for the NE corner of said 117.708 acre tract and the NW corner of a certain 58.24 acre tract recorded in volume 978, Page 752 Deed Records at 3402.74 feet pass an old corner post and wire brace marking the recognized NE corner of Block 9 of Steffens Subdivision of Merchants Pasture bears S 0°10'45" E 1.52 feet at 4173.34 feet pass the NE corner of said 58.24 acre tract and being the NW corner of a certain 22.15 acre tract recorded in Volume 978, Page 752 Deed Records at 4605.14 feet pass a 3/8" iron rod, found, for the SW corner of a certain 100 acre tract out of the Stith Estate recorded in Volume 992, Page 826 at 4831.77 feet pass a 3/8" iron rod, found, for the NW corner of a 0.42 acre tract and being the NW corner of a certain 1.74 acre tract recorded in Volume 1146, Page 627, continuing in all 4931.77 feet to a 3/8" iron rod, found, by a corner post for the NE corner of Lot 8, Stephens Subdivision, same being the NE corner of said 0.42 acre tract and the NE corner of said 22.15 acre tract, from which a 3/4" iron pipe, found, for the NE corner of Rodriguez Survey No. 26 bears N 89°54' E 537.01 feet;

EXHIBIT A

THENCE N 76°18' E along an existing fence line at 349.78 feet pass a point for the NE corner of said 1.74 acre tract, continuing in all 798.60 feet to a 12" Mesquite Tree for a corner;

THENCE S 86°00'51" E 536.43 feet along the south boundary line of a gravel road to a 3/8" iron rod on the west boundary line of U.S. Highway 277/83-84 by-pass;

THENCE S 31°57'46" W at 162.80 feet pass a 3/8" iron rod the SE corner of a certain 3.41 acre tract recorded in Volume 1056, Page 748 Deed Records and being the original SE corner of said 100 acre tract out of the Stith Estate, from which a 3/8" iron rod, found, for the SW corner of Bowerman Survey No. 84 on the east bank of Old Elm Creek bears N 89°59'48" W 580.22 feet continuing in all 374.88 feet to a point for the original SE corner of a certain 7.043 acre tract;

THENCE S 88°40' W 395.0 feet to a point in a field;

THENCE S 64°34' W 288.5 feet to a point in a field;

THENCE S 77°55' W 467.1 feet to a 3/8" iron rod by a corner post in old fence on the

east boundary line of Lot 8, Steffens Subdivision and being the SE corner of said 7.043 acre tract, from which the NE corner of Lot 8 bears N 0°02' W 397 feet;

THENCE S 0°02' E 634.85 feet along an old fence to a 3/8" iron rod by a corner post in a curve to the left on the north R.O.W. line of I.S. 20 and being the SE corner of a certain 22.15 acre tract recorded in Volume 978, Page 752 Deed Records, from which the P.C. of said curve bears N 64°58'50" E 69.39 feet;

THENCE along said curve to the left having a property line radius of 2015.85 feet, an arc distance of 387.99 feet on the chord S 58°28'50" W 387.39 feet to a point for the P.T. of said curve;

THENCE S 55°43'03" W 250.04 feet to a point for the P.C. of a curve to the right;

THENCE along said curve having a central angle of 11°00', a radius of 3701.75 feet, an arc distance of 710.69 feet on the chord S 58°28' W 709.59 feet to the P.T. of said curve;

THENCE S 71°39'11" W 682.31 feet to a point;

THENCE S 70°57' W 1699.23 feet to the P.C. of a curve to the left;

THENCE along said curve having a central angle of 4°17', a radius of 11,659.20 feet, an arc distance of 871.62 feet on a chord of S 68°48'30" W 871.42 feet to the P.T. of said curve;

THENCE S 66°40' W 17.38 feet to a point for the SE corner of Lot 2, Block "A", Herring Center as recorded in Volume 11, Page 7, Plat Records, Taylor County, Texas;

THENCE N 23°20' W 150 feet to a point for the NE corner of said Lot 2, Block "A", Herring Center;

THENCE S 66°40' W 175 feet to a point for the NW corner of said Lot 2;

THENCE 23°20' W 150 feet to the NE corner of Lot 3 and the NW corner of Lot 1, Block "A", Herring Center on the south boundary line of a channel easement recorded in Volume 600, Page 547 Deed Records;

THENCE N 66°40' E 213.72 feet along said channel easement to a point on the south boundary line of the Childress 38.55 acre tract;

THENCE S 89°57' W 142.65 feet to a point in the centerline of Elm Creek Channel for the SE corner of a 4.77 acre tract owned by Don and Burl McAlister in a curve to the left, from which the SW corner of said 4.77 acre tract bears S 89°57' W 489.95 feet a 3/8" iron rod;

THENCE along said curve having a radius of 299.78 feet an arc distance of 333.14 feet on a chord of N 31°59'28" E 316.26 feet to the P.T. of said curve;

THENCE N 0°09'20" E 62.36 feet to a point in the centerline of said channel for the NE corner of said 4.77 acre tract;

EXHIBIT A

THENCE N 89°10'32" W at 75.00 feet pass a 3/8" iron rod on the west bank of said channel continuing in all 656.74 feet to a 3/8" iron rod in a county road, known as Shirley Road for the NW corner of said 4.77 acre tract;

THENCE N 0°10' E more or less along the center of Shirley Road 2191.93 feet to the POINT OF BEGINNING, and containing 244.952 acres of land, more or less, save and except a certain 0.912 acre tract as attached, and subject to deletion of that portion of the tract currently within the corporate boundaries of the City of Abilene.

Certified correct June 1981.

Being 203.715 acres of land out of Lots 3 and 4, McDonald Sub-division of W. W. Sills Survey Nos. 23 and 24, Abilene, Taylor County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 6" corner post for the SW corner of this tract and being on the South boundary line of said Sills Survey No. 24, from which the NW corner of W. W. Sills Survey No. 23, bears North 60°48.72 feet and West 1558.41 feet;

THENCE N 0 deg. 38 min. 27 seconds W 1959.63 feet to a 3/8" iron rod set for a corner of this tract and being the SW corner of a 58.409 acre tract;

THENCE N 89 deg. 54 min. 12 seconds E 1189.21 feet to a 3/8" iron rod, set, for a corner of this tract and being the SE corner of a 58.409 acre tract;

THENCE N 13 deg. 33 min. 59 seconds E along the East boundary line of said 58.409 acre tract at 971.95 feet pass the South boundary line of a 7.016 acre tract owned by WTU at 1074.71 feet pass the North boundary line of said WTU Tract continuing in all 1689.11 feet to a 3/8" iron rod, set, for the most NW corner of this tract and being the NE corner of said 58.409 acre tract and being on the Southwest R. O. W. line of FM Highway 2404;

THENCE S 64 deg. 43 min. 06 seconds E 725.47 feet to a concrete R. O. W. marker for the P. C. of a curve to the left;

THENCE along said curve to the left having a central angle of 3 deg. 55 min. 37 seconds and a property line radius of 5783.92 feet an arc distance of 396.43 feet to a concrete R. O. W. marker for the P. T. of said curve;

THENCE S 68 deg. 38 min. 44 seconds E at 342.67 feet pass the North boundary line of WTU 7.016 acre tract at 614.12 feet pass the South boundary line of the WTU Tract continuing in all 1172.43 feet to a concrete R. O. W. marker;

THENCE S 33 deg. 47 min. 26 seconds E 177.98 feet to a corner post on the West boundary line of U. S. Highway 83-84;

THENCE S 8 deg. 43 min. 18 seconds W 262.59 feet to a bronze disc;

THENCE S 22 deg. 51 min. 54 seconds W 732.71 feet to a bronze disc for the P. C. of a curve to the right;

THENCE around said curve to the right having a central angle of 9 deg. 02 min. 12 seconds and a radius of 2758.21 feet, an arc distance of 435.03 feet to the P. T. of said curve, a point, for a corner;

THENCE S 31 deg. 54 min. 06 seconds W 1457.08 feet to a 3/8" iron rod found by a corner post, for the SE corner of this tract;

THENCE S 89 deg. 54 min. 12 seconds W 2480.38 feet to the point of beginning and containing 203.715 acres of land, more or less,

and subject to deletion of that portion of the tract currently within the corporate boundaries of the City of Abilene.

ORDINANCE NO. 1-1984

EXHIBIT "B"

SERVICE PLAN FOR ANNEXATION OF LAND NORTHWEST OF CITY LIMITS

City of Abilene, Texas
Department of Planning and Development

October 18, 1983

EXHIBIT B

On October 13, Abilene's City Council requested that public hearings be conducted to consider the annexation of approximately 1,050 acres of land, contained within two separately owned yet contiguous tracts, to the City of Abilene. This area is located immediately northwest of present city limits, bordered on two sides by Old Anson Road to the east and present city limits, 500 north of I.H. 20, on the south.

Vernon's Texas Civil Statutes, Article 970a, Municipal Annexation Act Section 10, requires that a service plan be adopted by the governing body before such city may institute annexation proceedings. A service plan for the annexation proposed on October 13 is enclosed herein. The service plan addresses the arrangement of public and private land uses proposed October 13th by Mr. McAlister and Mr. Harris for their individual properties being considered for annexation.

The service plan shall be made available for inspection and explained to landowners of the area at public hearings to solicit questions and comments concerning proposed annexation. On completion of public hearings, the service plan shall be attached to the ordinance annexing the area and included as part of that ordinance.

On approval of Abilene's City Council, the plan shall be construed as a contractual obligation, not subject to amendment or repeal unless the City Council determines at public hearings that changed conditions or subsequent occurrences make the plan unworkable or obsolete. If the City Council determines that all or part of the plan is unworkable or obsolete, the City Council may amend the plan to reflect changed conditions or subsequent occurrences. The service plan shall be valid for a period of ten (10) years.

Police

Law enforcement and protection shall be provided following the effective date of annexation in response to calls for assistance. As the area develops, routine patrol, in addition to response to calls for assistance, shall be provided.

Fire Suppression

Existing fire-fighting personnel and equipment shall continue to be available to the area following the effective date of annexation. This service is provided primarily from Fire Station 7 at North 10th and Pioneer and Fire Station 4 on Stamford St. Until the area is subdivided according to the City's subdivision regulations and develops, the sparsity of fire hydrants and water lines in the area at the time of annexation will make fire fighting difficult.

The Fire Department will also respond to complaints concerning (overgrown) weed violations following the effective date of annexation.

EXHIBIT B

Fire Safety

The services of the City Fire Marshall shall be available to present and future residents and businesses in the annexed area following the effective date of annexation.

Refuse Collection

The same twice weekly refuse collection service now provided within city limits will be available to residents and businesses of the annexed area immediately following annexation. Service will be provided in accordance with the same rates and conditions applicable within Abilene city limits. Refuse collection will be extended to future residents and businesses requesting such service in accordance with rates and conditions in effect at the time said service is provided.

Streets

The City of Abilene will assume routine and emergency maintenance of all streets in the annexed area which are not the responsibility of the State Department of Highways and Public Transportation following the effective date of annexation.

As land subdivision occurs adjacent to existing streets, subdividers will be required to provide street improvements in accordance with City of Abilene subdivision regulations. The City government may also participate in major street improvements, possibly involving assessments to adjacent property, as the need is determined by City Council and in accordance with state statute.

All new streets dedicated after annexation will be improved to City of Abilene subdivision and street design standards including paving, curbs, and sidewalks.

Street Name Signs

The configuration of existing streets immediately following annexation will require the installation of three new street name signs. Installation of signs shall be made at the expense of the City government, in accordance with normal practice of the City's Department of Traffic and Transportation.

Traffic Control

All roadway mileage in the annexed area will be maintained by the City of Abilene. Throughout the network of streets existing at the time of annexation, two (2) L-shaped intersections will require appropriate traffic safety devices to be provided by the City.

New traffic signals, signs, pavement markings, and other traffic control devices will be installed at City expense as the need is established by traffic standards employed by the City of Abilene.

EXHIBIT B

Water and Sewer Service

Individual connection with existing water and sewer mains in and adjacent to the annexed area shall be available upon request immediately following annexation. Such service shall be available at the same rates and conditions applicable to other customers within city limits. For example, no municipal water and sewer connections may be made to property not described by duly recorded plat, except in such instances where City of Abilene subdivision regulations specify otherwise.

Extension of water and sewer mains by the City of Abilene shall be as the need is determined by City Council and in accordance with Article 5, Section 32 of the Municipal Code.

Extension of municipal water and sewer mains by subdividers or individual property owners shall be made in accordance with City of Abilene subdivision regulations and Article 5, Chapter 32 of the Municipal Code.

Community Services

The City of Abilene has no immediate plans for acquisition and improvement of park and recreational facilities in the annexed area. However, the development plan submitted October 13 by Mr. McAlister indicates the provision of park land, open spaces, and other public lands. Realization of these facilities is dependent on subdivider dedication in accordance with the development plan.

The City of Abilene's animal control services, including dead animal collection, shall be available to the annexed area immediately following annexation.

Enforcement of the City's environmental health ordinances and regulations shall be provided within the annexed area as development occurs. These include, but are not limited to the following concerns:

- food service
- septic systems
- rat or mice infestation

Building Inspection

Enforcement of the City's construction codes will be provided within the annexed area immediately following annexation. The Building Inspection Department will provide consultation with builders concerning code requirements and review plans for new and rehabilitated structures. On site inspection of building improvements shall be provided for the same fees and with the same conditions applicable elsewhere within city limits. The Building Inspection Department will also be responsible for inspecting mobile home installation, issuing permits for demolition, and responding to complaints concerning dilapidated structures in the annexed area.

EXHIBIT B

Land Use Regulation

Subdivision of land within the proposed annexation area is currently subject to City of Abilene subdivision regulations. These provisions help ensure orderly land development, reduction of flood potential, efficient operation of public facilities and services, and accurate description of property for tax purposes.

On the effective date of annexation, zoning authority of the City of Abilene shall be extended to include the annexed area. All property therein shall be immediately zoned within the Agricultural Open Space (AO) district. This district may be viewed as a "holding zone" until the City Council approves a more intensive zoning classification in response to landowners' requests and/or in accordance with an adopted development plan for the area. Inasmuch as the development plan submitted by Mr. McAlister for his property entails a mix and variety of land uses reliant to a degree on land use planning in order to achieve compatibility between uses, City Council may want to consider placing the property in a Planned Development District classification. This district allows variation from standard zoning regulations in exchange for review and recommendation by the City concerning the developers' plans for the entire property.

ANNEXATION CALENDAR

- October 13 (1) City Council:
Discussion with City Council, Resolution by City Council directing the preparation of Service Plan (Sec. 10, Art. 970a).
- October 18 (2) Planning Department:
(a) Prepare Service Plan prior to publication of Notice of Public Hearings.
(b) Develop with Engineering Department a legal description.
- October 23 (3) City Secretary:
(a) Publish Notice in newspaper of Public Hearings to be held not sooner than 10 nor later than 20 days after Notice.
(b) Notify Railroad by Certified Mail (Sec. 6, Art. 970a).
- November 3 (4) City Council:
Hold 1st Public Hearing on date set in newspaper notice (in Council Chambers).
- November 4 (5) City Council:
Hold 2nd Public Hearing on date set in newspaper notice (in Council Chambers or in annexed area). (Sec. 6, Art. 970a).
- December 1 (6) City Council:
1st reading of Annexation Ordinance (not less than 20 nor more than 40 days after Public Hearings). (Sec. 6, Art. 970a).
- December 3 (7) City Secretary:
Publish Annexation Ordinance in newspaper, one (1) time in form to be passed, including Service Plan and Legal Description. (Sec. 4 of City Charter).
- December 28 (8) City Secretary:
Publish notice in newspaper, one (1) time of Public Hearing for 2nd reading of annexation ordinance. (Sec. 18 of City Charter).
- January 5 (9) City Council:
Hold Public Hearing on date set in newspaper notice, 2nd reading of annexation ordinance, (30 days after 1st reading of annexation ordinance and publication of annexation ordinance in newspaper). (Sec. 4 of City Charter).

January 5 (10) Planning Department:

Prepare Voting Rights data as soon as possible.

January 6 (11) City Attorney:

Submit Voting Rights Submission to U.S. Justice Department.

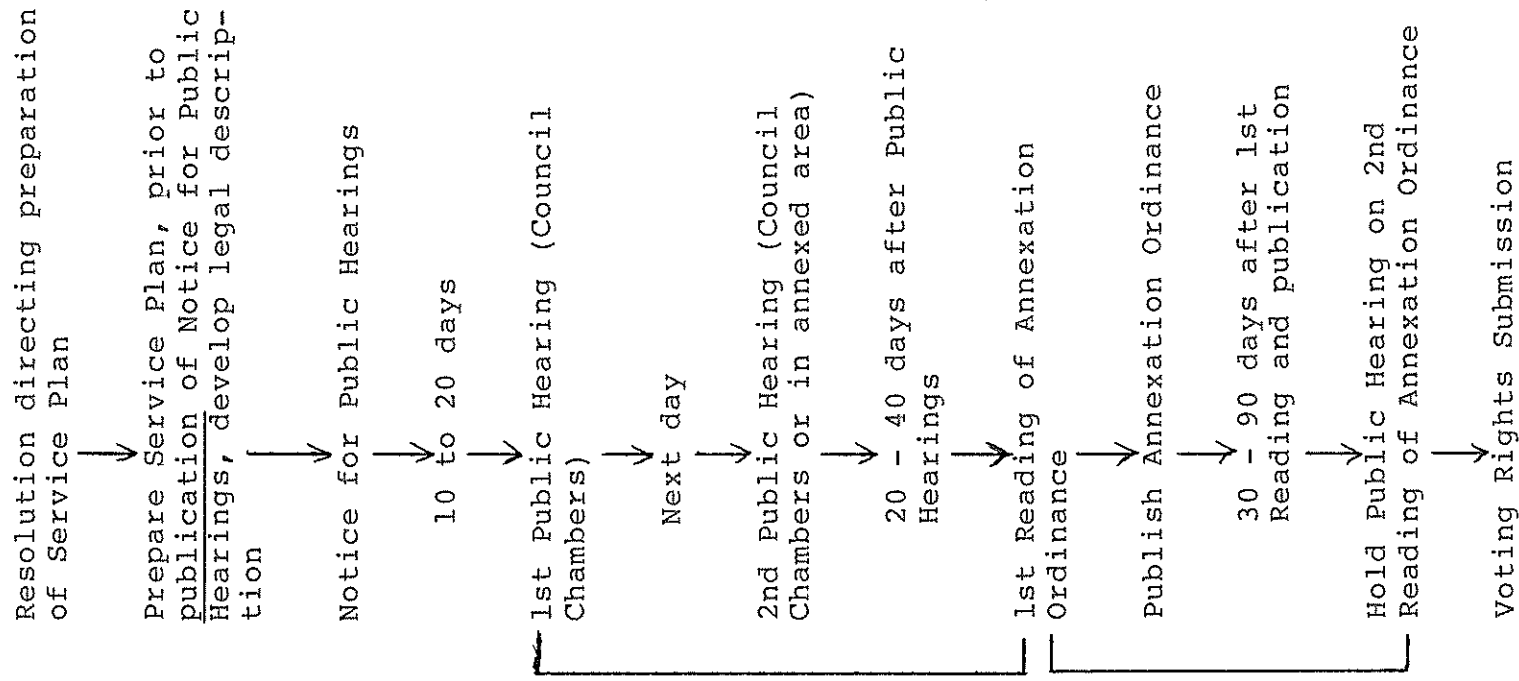
January 6 (12) City Secretary
*file certified
copy of a/c.
w/ County Clerk.*

Prepared by:

Harvey Cargill, Jr.
City Attorney

October 3, 1983

TIME SEQUENCE



Not more than 40 days after 1st Public Hearing

Must complete within 90 days

Prepared by:

Harvey Cargill, Jr.
City Attorney

October 3, 1983