

ORDINANCE NO. 46-1995

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 territory and inhabitants thereof annexed; and,

WHEREAS, notice of public hearings, pursuant to Chapter 43, Texas Local Government Code, 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 11th day of August, 1995, which date was not more than twenty (20) nor less than ten (10) days prior to the date of the public hearings 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, were held at City Hall on the 23rd and the 24th days of August, 1995, 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 described land and territory set out in Exhibit "A", attached hereto and made a part of this ordinance for all purposes, 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 in Exhibit "A", are altered and amended so as to include said area within the corporate limits of the City of Abilene, Texas.

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 and after the effective date of this ordinance, the 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 Wylie Annexation area, attached hereto, 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 28th day of September, A.D. 1995.

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 4th day of October, 1995. 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.

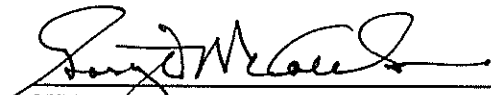
PART 6: That upon passage of this ordinance on first reading, the City Secretary is hereby directed to have published at least one (1) time in the Abilene Reporter News, a notice on November 10, 1995, that a public hearing will be held in the Council Chambers of the City Hall in Abilene, Texas, at 9:00 A.M. on the 16th day of November, 1995, to permit the public to be heard prior to the consideration of this ordinance for second and final reading.

PART 7: That this ordinance shall become effective immediately upon final passage thereof.

PASSED ON SECOND AND FINAL READING, this 16 day of November, A.D. 1995.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:



CITY ATTORNEY

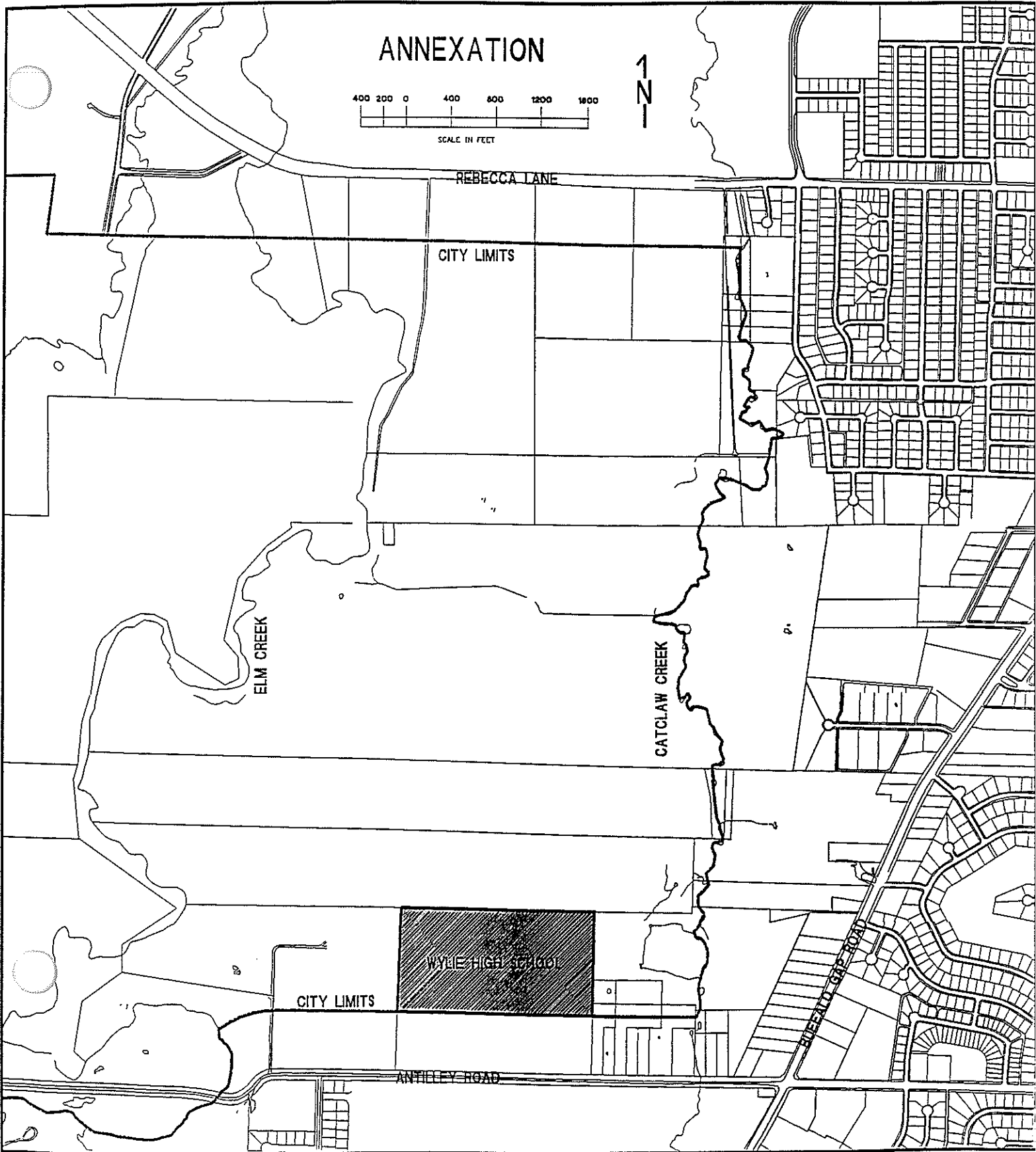
Exhibit A

Legal Description:

Lot 1 Block A Wylie High School Addition less the south 500 feet

EXHIBIT "A"

ATTACHMENT A



Wylie Annexation Service Plan

City of Abilene, Texas
Planning Division

August 1995

Wylie Annexation Service Plan

In 1994, Wylie High School opened at 4502 Antilley Road in Abilene, Texas. The rear portion of the high school building and much of the school campus currently remains outside of the city limits in Taylor County while the front portion of the school building is in the city of Abilene. Wylie High School presently receives most city services. On July 27, 1995, the Abilene City Council directed city staff to begin annexation proceedings for the rear portion of the Wylie High School campus.

Texas Local Government Code, Section 43.506, requires preparation of a service plan that provides for the extension of full municipal services to the area to be annexed. This plan is to provide for services no later than 4-1/2 years after the effective date of the annexation.

Upon approval by the Abilene City Council, the plan shall be a contractual obligation, not subject to amendment or repeal unless the City Council determines at a public hearing that changed conditions or subsequent occurrences make the plan unworkable or obsolete. The City Council may amend the plan to conform to changed conditions or subsequent occurrences. The service plan shall be valid for ten (10) years.

A. Fire Protection

Fire protection will be available to residents of the newly annexed area effective on the date of annexation. All fire protection will be in accordance with the standards established by the City of Abilene Fire Department. Services will include the availability of the City Fire Marshall as well as response to complaints regarding weeds and overgrowth.

B. Police Protection

Police protection will be available to residents of the newly annexed area effective on the date of annexation. Annexation of the area will make one agency fully responsible for the entire campus. At this time no additional police staffing would be required due to the annexation.

C. Community Services

The City of Abilene has no immediate park expansion plans in the annexed area. Any acquisition and improvement of park land will be done in accordance with the Parks Master Plan. The Plan will be used to address any future needs in the annexed area.

Services provided by the City of Abilene's Animal Control Services shall be available to the residents of the area upon annexation.

D. Refuse Collection

The City of Abilene currently provides refuse collection services to the Wylie High School site. Upon annexation there will be no additional burden on the current level of services in the area.

E. Streets

There are currently no streets in the annexation area. Construction of pavement, curbs, and other major improvements to the existing system shall be provided by subdividers of adjacent land, in accordance with the City of Abilene Subdivision Regulations. The City will be widening Antilley Road in the near future, however, the annexation will have no direct impact on this project.

F. Street Name & Traffic Signs

Since there are no streets in the area to be annexed, no street signage will be necessary. Installation of signs for any new streets extended into the area shall be in accordance with the normal practice of the City of Abilene Traffic Engineering and Operations Division.

G. Water Utilities

The City of Abilene currently provides all water services required at the Wylie High School site. Annexation of the campus will provide no additional burden on the current system.

H. Building Inspection

Enforcement of the City's construction codes will be provided within the annexed area immediately following annexation. The Building Inspection Division will provide consultation with developers 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 the City limits. Building Inspection will also be responsible for issuing permits for demolition and responding to complaints concerning dilapidated structures in the annexed area.

I. Land Use Regulations

On the effective date of annexation, the zoning jurisdiction of the City of Abilene shall be extended to include the annexed area, and all property therein shall be immediately zoned within the Agricultural Open Space (AO) District.

J. Acquisition and Construction of Capital Improvements

In accordance with Texas Local Government Code, Section 43.056 (d), construction of capital improvements required for the provision of municipal services adequate to serve the annexed area shall begin within two years after the effective date of annexation. The construction of facilities required shall be accomplished in a continuous process and shall be completed as soon as reasonably possible.