

ORDINANCE NO. 17-2013

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 AND CONTIGUOUS TO 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 and contiguous to the City with the consent of the owner of the territory annexed;

WHEREAS, on December 10, 2012, a property owner of 55.88 acres of property filed a Petition for Annexation with the City of Abilene; and

WHEREAS, the City Council discussed said Petition for Annexation at its meeting of December 20, 2012, and recommended that the 55.88 acre tract be studied and considered for annexation into the City of Abilene.

WHEREAS, the Council held public hearings on March 14, 2013 and March 28, 2013.

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

PART 1: That the territory set out on Exhibit "A", attached hereto and made a part of this ordinance for all purposes, lying adjacent to and contiguous to the present boundaries of the City of Abilene, Texas, is hereby added and annexed to the City of Abilene, Texas, and said territory described in Exhibit "A" shall 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 final passage, the property annexed shall be zoned as AO, Agricultural Open Space.

PART 3: That upon final passage hereof, the annexed territory shall cause an area to be entirely surrounded by the City of Abilene, and said action of surrounding the area is in the public interest.

PART 4: That upon final passage hereof, 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 5: That, the City of Abilene's Service Plan for the proposed 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 25<sup>th</sup> day of April, 2013.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 1<sup>st</sup> day of March, 2013, the same being for public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 9<sup>th</sup> day of May, 2013, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance to become effective as provided for ordinances of annexation in the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING, this the 9<sup>th</sup> day of May, 2013.

ATTEST:

  
CITY SECRETARY

  
MAYOR

APPROVED:  
  
CITY ATTORNEY

## **ANNEXATION SERVICE PLAN**

55.88 acres located south of Beltway South (FM 707) and east of the  
Beltway Park Baptist Church property

Pursuant to the provisions of the Texas Local Government Code, Chapter 43, the following service plan is hereby adopted for the annexation of a 56-acre area requested by the property owner.

### **Police Protection**

The Abilene Police Department will be able to provide police services to the planned annexation area. Currently, the Abilene Police Department provides all law enforcement services to the property directly north of the proposed annexation. Inclusion of the proposed property will not require any additional resources, or make any measurable impact on Abilene Police Department services in the area.

### **Fire Protection**

The Abilene Fire Department will be able to provide emergency response services to the planned annexation area. Fire protection, including emergency response calls, will begin immediately upon the effective date of annexation, using existing personnel and equipment. All services currently provided by the Abilene Fire Department would be available to this area.

### **Streets – Operation and Maintenance**

Currently the tract of land is undeveloped. There are no public facilities (streets, drainage facilities, etc) to be maintained within the parcel.

### **Traffic Control Devices**

Since there are no streets, there is no need to install and maintain traffic control devices and street lights. When the land is developed, these items will be installed in accordance with the City's standards.

### **Street Lights**

Currently there are no streets. Installation of street lighting consistent with the City's policy will be available following annexation.

### **Solid Waste Collection**

Collection of refuse by the City of Abilene's Solid Waste Division will be available immediately upon annexation. Businesses and institutions may make arrangements for City or private refuse collection.

### **Parks, Recreation, and other Community Services and Facilities**

A review of the requested annexation area indicates that it will present no adverse service impacts to any of the services or facilities offered by the Community Services Department.

### **Water and Wastewater Facilities**

Currently the annexation area under consideration as addressed by the Annexation Service Plan has no water/sewer service. Upon annexation the developer of the Area would be allowed to connect to the existing public water utility infrastructure. The developer would be required to provide the necessary on site and off site water utility infrastructure to meet all local, state and federal requirements.

FIELD NOTES  
FOR  
55.88 ACRES OUT OF THE  
WILLIAM E. VAUGHN SURVEY NO. 104, A-418  
TAYLOR COUNTY, TEXAS

Being 55.88 acres out of the William E. Vaughn Survey No. 104, Abstract No. 418, Taylor County, Texas. Said 55.88 acres being part of a 42 acre tract conveyed to Reuben Rouse, et ux by Warranty Deed recorded in Volume 960, Page 273, Taylor County Deed Records; part of an 18 acre tract conveyed to Reuben Rouse in Deed recorded in Volume 1777, Page 556, Taylor County Official Public Records; and part of a 20.4 acre tract conveyed to Reuben Rouse by Warranty Deed recorded in Volume 1377, Page 728, Taylor County Deed Records. Said 55.88 acres being more particularly described by metes and bounds as follows:

**BEGINNING** at a point on the east line of a 4.139 acre tract out of aforesaid 42 acre tract as described in Volume 2716, Page 313, Taylor County Official Public Records at the existing south line of the City Limits of Abilene, Taylor County Texas. Said City Limits described in City Ordinance No. 53-1980, dated May 28, 1980.

**THENCE** South 88 degrees 48 minutes 00 seconds East with the existing south line of the City Limits of Abilene for a distance of 935.81 feet.

**THENCE** South 83 degrees 21 minutes 39 seconds East with the existing south line of the City Limits of Abilene for a distance of 105.26 feet.

**THENCE** South 89 degrees 20 minutes 54 seconds East with the existing south line of the City Limits of Abilene for a distance of 38.30 feet to the east line of aforesaid 18.0 acre tract.

**THENCE** South 00 degrees 01 minutes 00 seconds West for a distance of 637.81 feet to the northwest corner of aforesaid 20.4 acre tract.

**THENCE** South 89 degrees 26 minutes 00 seconds East for a distance of 778.50 feet to the northwest corner of a 4.0 acre tract as described in Volume 3100, Page 861, Taylor County Official Public Records.

**THENCE** South 01 degrees 24 minutes 00 seconds West for a distance of 311.00 feet to the southwest corner of aforesaid 4.0 acre tract.

**THENCE** South 89 degrees 26 minutes 00 seconds East for a distance of 560.00 feet to the southeast corner of aforesaid 4.0 acre tract.

**THENCE** North 01 degrees 24 minutes 00 seconds East for a distance of 251.00 feet to a point on the south line of a 60 foot road easement also described in aforesaid Volume 1377, Page 728, Taylor County Deed Records.

**THENCE** South 89 degrees 13 minutes 20 seconds East for a distance of 60.04 feet to the northeast corner of aforesaid 20.4 acre tract.

**THENCE** South 01 degrees 24 minutes 00 seconds West for a distance of 706.00 feet to the southeast corner of aforesaid 20.4 acre tract.

**THENCE** North 89 degrees 43 minutes 03 seconds West for a distance of 2462.13 feet to the southeast corner of the Beltway Park Addition, Section 1 as shown on plat recorded in Plat Cabinet 2, Slide 393-C, Taylor County Plat Records.

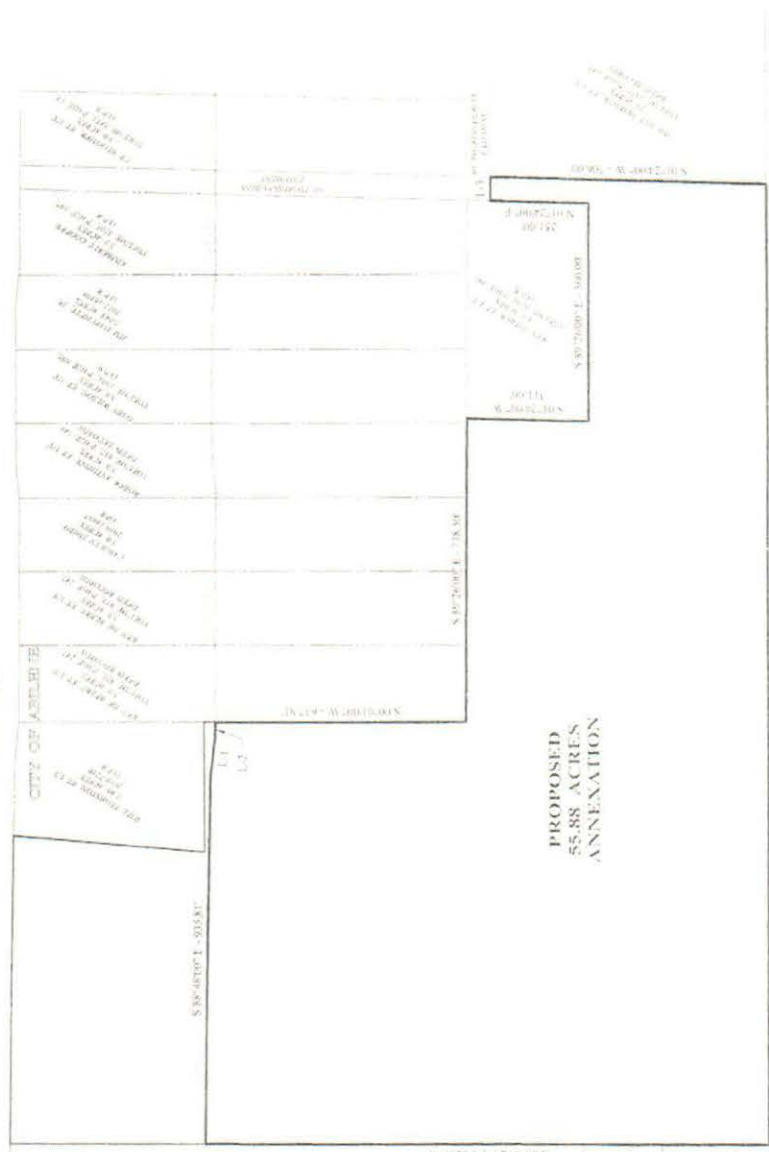
**THENCE** North 00 degrees 09 minutes 45 seconds East for a distance of 1437.70 feet to the point of beginning and containing 55.88 acres of land.

*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.*



0 100 200  
SCALE IN FEET

LINE TABLE		
NUMBER	DESCRIPTION	DISTANCE
1-1	S 83°21'37" E	105.26
1-2	S 89°20'34" E	35.20
1-3	S 89°13'27" E	60.03



**PROPOSED  
55.88 ACRES  
ANNEXE**

**ITEM 707**  
PROPOSED LOT LAYOUT

12/20/04  
10/22/05

**ERRIOTEC/HIBBS & TODD, INC.**  
CONSULTANTS AND ENGINEERS

