

ORDINANCE NO. 2011-09

AN ORDINANCE PROVIDING FOR THE EXTENSION OF THE CITY LIMITS OF THE CITY OF BURNET, TEXAS BY ANNEXING APPROXIMATELY 3.749 ACRES OF LAND OUT OF THE EUGENIO PEREZ, SURVEY NO. 41, ABSTRACT NO. 672 OF BURNET COUNTY, GENERALLY LOCATED WITHIN THE CITY OF BURNET EXTRATERRITORIAL JURISDICTION (ETJ); AND APPROVING A SERVICE PLAN FOR SUCH AREA.

WHEREAS, the City Council of the City of Burnet, Texas, has expressed its intent to annex approximately 3.749 acres of land out of the Eugenio Perez, Survey No. 41, Abstract No. 672, which is located within the extraterritorial jurisdiction of the City of Burnet; and

WHEREAS, the property to be annexed is a fifty foot wide piece of land being a portion of Oak Vista Drive, which is contiguous to the existing corporate limits of the City of Burnet; and

WHEREAS, City staff has prepared a service plan for the provision of services to the area to be annexed; and

WHEREAS, the City Council of the City of Burnet, Texas, has held two public hearings regarding the annexation of the property on August 9, 2011 and August 23, 2011;

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

SECTION 1: The land and territory lying outside of, but adjacent to and adjoining the City of Burnet, Texas, more particularly described as the 3.749 acre tract set forth above and referenced by the tracts of land described in Exhibit "A" attached hereto is hereby annexed to the City of Burnet, Burnet County, Texas, and that the boundary limits of the City of Burnet, Texas, are hereby extended to include the above described territory within the Municipal Limits of the City of Burnet, Texas, and the same shall be inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City of Burnet, Texas, and shall be bound by the acts, ordinances, resolutions and regulations of said City of Burnet.

SECTION 2: If for any reason any section, paragraph, subdivision, clause, phrase, word, or other provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this Council that every section, paragraph, subdivision, clause phrase, word, or provision hereof shall be given full force and effect for its purpose.

SECTION 3. A service plan outlining the provisions of necessary municipal service to the properties described in Exhibit 'B' is hereby approved and the implementation of said plan is hereby authorized. Such plan is attached hereto and incorporated herein as Exhibit 'B'.

SECTION 4: The City Secretary is hereby directed to file with the County Clerk of Burnet County, Texas, a certified copy of this Ordinance.

PASSED AND APPROVED on first reading this the 9th day of September, 2011.

FINALLY PASSED AND APPROVED on this the 23rd day of September, 2011.

CITY OF BURNET, TEXAS

ATTEST:

Gary Wideman, Mayor

Kelly Dix, City Secretary