

**CITY OF LAGO VISTA**

**ORDINANCE NO. 18-07-05-01**

**CAMPBELL TRACT ANNEXATION ORDINANCE**

AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, TO VOLUNTARILY ANNEX ADJACENT AND CONTIGUOUS TERRITORY INTO THE INCORPORATED MUNICIPAL BOUNDARIES OF THE CITY OF LAGO VISTA, TEXAS INCLUDING THE FOLLOWING: FINDINGS OF FACT; EFFECTIVE DATE; A REPEALER; SEVERABILITY; AND PROPER NOTICE AND MEETING.

**WHEREAS,** Section 43.028 of the Texas Local Government Code authorizes a home rule municipality to extend the boundaries of the municipality and annex area adjacent to the municipality in accordance with the procedural rules prescribed by Texas Local Government Code Chapter 43; and

**WHEREAS,** the City of Lago Vista (“City”) is a home rule municipality with the rights and privileges thereto; and

**WHEREAS,** the City received a written petition of the property owners requesting the voluntary annexation of the area described in Exhibit “A”; and

**WHEREAS,** the properties identified in Exhibit “A,” commonly known as Campbell, are adjacent and contiguous to the city limits; and

**WHEREAS,** the City Council of the City of Lago Vista (“City Council”) has conducted two public hearings on June 21, 2018 regarding annexation of the area and has provided all required notices within the timeframes established under Chapter 43 of the Texas Local Government Code; and

**WHEREAS,** the City has prepared a service plan for the area to be annexed in accordance with Section 43.065 of the Texas Local Government Code providing for full municipal services to such area, which service plan was made available to the public and is attached hereto as Exhibit “B”; and

**WHEREAS,** the City Council deems it to be in the best interest of the citizens of the City to annex said territory into the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAGO VISTA, TEXAS:**

## **1. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the Lago Vista, Texas, and are hereby approved and incorporated into the body of this Ordinance as if copied herein in their entirety.

## **2. ANNEXATION OF TERRITORY**

- A.** The properties in the area described in Exhibit “A”, which is attached hereto and incorporated herein for all purposes, is hereby annexed and brought into the municipal boundaries (i.e., corporate limits) of the City of Lago Vista, and is made an integral part, hereof.
- B.** The official map and boundaries of the City of Lago Vista are hereby amended and revised so as to include the area annexed, and to reflect the expansion of the City’s extraterritorial jurisdiction resulting from such annexation.
- C.** A service plan prepared in accordance with applicable provisions of state law pertaining to annexation is attached hereto as Exhibit “B” and incorporated herein for all intents and purposes.
- D.** The owners and inhabitants of the area herein annexed are entitled to all of the rights and privileges of other citizens of the City of Lago Vista and are hereby bound by all acts, ordinances and other legal actions now in full force and effect and those that may be hereafter adopted or enacted.

## **3. EFFECTIVE DATE**

This ordinance is effective and the annexation achieved herein shall be final and complete upon adoption of this Ordinance on the date set forth below.

## **4. FILING**

- A.** The City Secretary is hereby instructed to include this Ordinance in the records of the City.
- B.** The City Secretary is hereby instructed to have prepared maps depicting the new municipal boundaries and extraterritorial jurisdiction.
- C.** The City Secretary is hereby instructed to file a certified copy of this Ordinance with the Travis County Clerk.

## **5. SEVERABILITY**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or

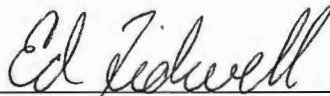
decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

## 6. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

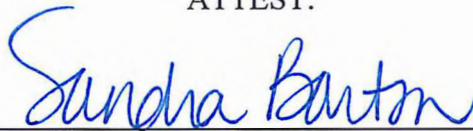
**PASSED AND APPROVED** this the 5<sup>th</sup> day of July 2018, by a vote of 6 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of the City of Lago Vista, Texas.

**THE CITY OF LAGO VISTA:**



Ed Tidwell, Mayor

ATTEST:



Sandra Barton, City Secretary



**Exhibit "A"**  
**DESCRIPTION OF AREA TO BE ANNEXED**

**CRICHTON AND ASSOCIATES, INC.**  
6448 HIGHWAY 290 EAST  
SUITE B-105  
AUSTIN, TX 78723  
512-244-3395 - PHONE

**FIELD NOTES:**

**FIELD NOTES FOR 5.0281 ACRES OUT OF THE MARY F. CAMPBELL SURVEY NO. 98, ABSTRACT NO. 189; AND THE W. A. COOK SURVEY NO. 100, ABSTRACT NO. 2605, TRAVIS COUNTY, TEXAS, SAID TRACT BEING CONVEYED BY THE DEED RECORDED UNDER DOCUMENT NO. 2007199257, CORRECTED BY INSTRUMENT RECORDED UNDER DOCUMENT NO. 2018037756 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, SAID 5.0281 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS DESCRIPTION AS FOLLOWS:**

**BEGINNING** at a 1/2" iron pin found on the North R.O.W. of Boggy Ford Road being the Southeast corner of a 5.060 acre tract conveyed to James Ottwell in Doc. No. 2006043167, Official Public Records of Travis County, Texas for the Southwest corner of this tract and the **POINT OF BEGINNING**.

**THENCE** N17°48'58"E, a distance of 300.94 feet to a 1/2" iron pin found being the Northeast corner of said 5.060 acre tract also being the Southeast corner of a 5.979 acre tract conveyed to James Ottwell in Doc. No. 2006043167 Official Public Records of Travis County, Texas.

**THENCE** N43°20'24"E, a distance of 288.14 feet to a 1/2" iron pin found on the West R.O.W. of Lohmans Ford Road for the Northeast corner of said 5.979 acre tract for the Northwest corner of this tract.

**THENCE** with the West R.O.W. of Lohmans Ford Road the following three (3) courses:

- 1) S36°06'36"E, a distance of 124.91 feet to a 1/2" iron pin found.
- 2) with a curve to the right, whose elements are R =2,571.17 feet, L= 388.07 feet, whose chord bears S31°19'13"E, 387.70 feet to a 1/2" iron pin found.
- 3) S23°19'08"E, a distance of 67.99 feet to a 1/2" iron pin found being the intersection of the West R.O.W. of Lohmans Ford Road and the North R.O.W. of Boggy Ford Road for the Northeast corner of this tract.

**THENCE** with the North R.O.W. of Boggy Ford Road the following five (5) courses:

- 1) S31°48'16"W, a distance of 159.09 feet to a 1/2" iron pin found.
- 2) with a curve to the right, whose elements are R =960.00 feet, L= 43.38 feet, whose chord bears S80°58'54"W, 43.38 feet to a 1/2" iron pin found.
- 3) with a curve to the right, whose elements are R =182.46 feet, L= 85.39 feet, whose chord bears N81°40'45"W, 84.61 feet to a 1/2" iron pin found.
- 4) N69°22'54"W, a distance of 111.79 feet to a 1/2" iron pin found.
- 5) N72°12'09"W, a distance of 290.77 feet to the **POINT OF BEGINNING** and containing 5.0281 acres, more or less.

**BEARING BASIS - STATE PLANE COORDINATES (NAD 83), CENTRAL TEXAS ZONE (4203)**

I hereby certify that the foregoing field notes were prepared from a survey on the ground under my supervision and are true and correct to the best of my knowledge and belief.

Witness my hand and seal, March 20, 2018,

Herman Crichton, R.P.L.S. 4046  
18\_120



**Exhibit "B"**  
**ANNEXATION SERVICE PLAN**  
**FOR PROPERTY ANNEXED BY ORDINANCE 18-07-05-01**  
**CITY OF LAGO VISTA, TEXAS**

**5.09 ACRES OUT OF LAND OUT OF THE MARY F. CAMPBELL SURVEY NUMBER 98. ABSTRACT NUMBER 189 MUNICIPAL SERVICE PLAN**

**A. INTRODUCTION**

The City of Lago Vista has been petitioned to annex into the City of Lago Vista the property described below. The metes and bounds of the location is attached as Appendix "A."

5.09 acres out of the Mary F. Campbell Survey Number 98, Number 189.

**B. MUNICIPAL SERVICES TO BE PROVIDED**

**1. POLICE PROTECTION**

The City provides municipal police protection through a City Police Department and will provide the service to the area once annexed.

**2. FIRE SERVICE**

The City does not provide municipal fire services but this area is served by the Travis County Emergency Services District for fire services and fire prevention activities.

**3. BUILDING INSPECTION/CODE ENFORCEMENT SERVICES**

The Building Inspection Department will provide Code Enforcement Services upon annexation.

**4. LIBRARIES**

Lago Vista Public Library provides library services.

**5. ENVIRONMENTAL HEALTH & HEALTH CODE ENFORCEMENT SERVICES**

Complaints of ordinance or regulation violations within this area will be answered and investigated by City personnel, beginning with the effective date of the annexation ordinance.

**6. PLANNING & ZONING**

The planning and zoning jurisdiction of the City will be extended to this area on the effective date of the annexation ordinance. All services provided by the City will be extended to the area on the effective date of the annexation ordinance.

**7. PARKS & RECREATION**

All services and amenities associated with the City's Parks and Recreation activities will extend to this area on the effective date of the annexation ordinance.

**8. STREET & DRAINAGE MAINTENANCE**

The City will provide street and drainage maintenance to public streets in the area in accordance with standard City Policy as the area develops.

**9. STREET LIGHTING**

The City will provide street lighting to the area in accordance with standard City Policy as the area develops.

**10. TRAFFIC ENGINEERING**

The City will provide, as appropriate, street names signs, traffic control devices, and other traffic system design improvements to the area.

**11. SANITATION/SOLID WASTE COLLECTION & DISPOSAL**

The City does not directly provide municipal sanitation/solid waste collection and disposal services. However, the City has granted an exclusive franchise for these services to Progressive Waste Solutions of TX d/b/a Waste Connections of Texas, which will be notified of all newly-annexed parcels.

**12. WATER SERVICE**

The area to be annexed will be served water by the City of Lago Vista.

**13. SEWER SERVICE**

The area to be annexed will be served by wastewater service by the City of Lago Vista.

**14. MISCELLANEOUS**

All other applicable municipal services will be provided to the area in accordance with policies established by the City of Lago Vista.