

**ORDINANCE NO. 2019-10**

AN ORDINANCE OF THE CITY OF TAYLOR, TEXAS PROVIDING FOR THE ANNEXATION OF THE TRACT OF LAND HEREINAFTER MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS TO THE CITY OF TAYLOR, TEXAS FOR ALL MUNICIPAL PURPOSES; AND LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF TAYLOR, TEXAS; PROVIDING FOR EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF TAYLOR, TEXAS, TO INCLUDE THE ANNEXED TRACT; PROVIDING FOR PARTIAL INVALIDITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR FILING WITH THE WILLIAMSON COUNTY CLERK; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Taylor, Texas, is a Home Rule City as defined by the Texas Local Government Code (hereinafter referred to as "LGC"); and

WHEREAS, an area to be annexed more fully described in Exhibit "A", attached hereto and incorporated by reference herein for all purposes, is located within the extraterritorial jurisdiction of and is lying and is adjacent to the present corporate limits of the City of Taylor, Texas ("Area"); and

WHEREAS, under the LGC, the City Charter of Taylor, Texas, and other applicable provisions of Texas law, the City of Taylor, Texas, and the Taylor City Council, as the governing body of the municipality, is authorized to annex the Area; and

WHEREAS, institution of annexation proceedings and the presentation and introduction of this Ordinance in such form as it may be finally passed occurred within the periods of time and methods prescribed by law; and

WHEREAS, the Texas Local Government Code Section 43.028 allows authority of municipalities to annex sparsely occupied areas on petition of area landowners;

WHEREAS, the following described land is one-half mile or less in width, contiguous to the City, and is vacant and without residents or on which fewer than three qualified voters reside; and

WHEREAS, a petition describing the area for annexation by metes and bounds was presented by each person having an interest in the area to the Taylor City Council; and

WHEREAS, the City Council acted on the petition for annexation within the times prescribed by law approving the land for annexation; and

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

SECTION 1.

The above and foregoing preamble is true and correct and is incorporated herein and made a part hereof for all purposes.

SECTION 2.

That the hereinafter described tract of land ("Area") which lies within Williamson County, Texas, and is within the extraterritorial limits of, is adjacent to and is contiguous to the present corporate limits of the City of Taylor, Texas, is hereby annexed to the City of Taylor, Texas, for all municipal purposes and the corporate lines and limits of the City of Taylor, Texas, are hereby extended to include the Area, which is more particularly described by metes and bounds in Exhibit "A".

SECTION 3.

That the Area annexed herein shall bear its pro-rata part of the taxes assessed by the City of Taylor, Texas.

SECTION 4.

That the inhabitants of the Area hereby annexed to the City of Taylor, Texas, shall be entitled to all the rights and privileges of the citizens of the City of Taylor, Texas, and shall be bound by the acts, ordinances, codes, resolutions and regulations of the City of Taylor, Texas.

SECTION 5.

It is not the intention of the City of Taylor, Texas, to annex any territory or area not legally subject to annexation by the City, and should any portion of the Area not be subject to legal annexation by the City of Taylor, Texas, such fact shall not prevent the City from annexing such Area, which is subject to legal annexation by the City, and it is the intention of the City to annex only such territory or area that it may legally annex within the limits of the Area.

SECTION 6.

It is hereby declared to be the intention of the City Council of the City of Taylor, Texas, that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should 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, since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 7.

All rights and remedies of the City of Taylor, Texas, are expressly saved as to any and all violations of the provisions of any Ordinances affecting annexations, which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 8.

The City Clerk of the City of Taylor, Texas, is hereby directed to engross and enroll this Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the City Council of the City of Taylor, Texas, and by filing this Ordinance in the Ordinance records of the City.

SECTION 9.

The City Clerk of the City of Taylor, Texas, is directed to file a certified copy of this Ordinance, together with a copy of the petition, in the office of the County Clerk of Williamson County, Texas.

SECTION 10.

This Ordinance shall be in full force and effect immediately upon passage.

In accordance with Article VIII, Section 1, of the City Charter, Ordinance No. 2019-10 was introduced before the Taylor City Council on the 14th day of March, 2019.

PASSED, APPROVED and ADOPTED this the 28 day of March, 2019.

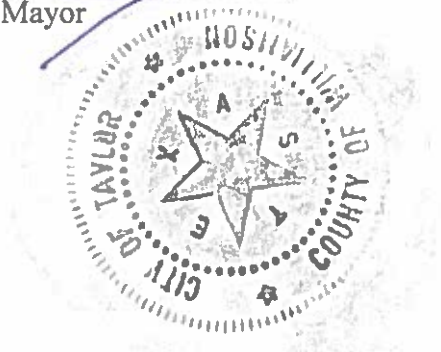

Brandt Rydell, Mayor

ATTEST:


Dianna Barker, City Clerk

APPROVED AS TO FORM:


Ted W. Hejl, City Attorney



File of Typesetting and Address Map 1st address is given



"EXHIBIT A"

A DESCRIPTION OF A 54.04 ACRE TRACT OF LAND, LOCATED IN THE FRANCIS BRADLEY SURVEY, ABSTRACT No. 74 OF WILLIAMSON COUNTY, TEXAS. SAID 54.04 ACRE TRACT, BEING THE REMAINDER OF THAT CERTAIN TRACT OR PARCEL OF LAND DESCRIBED AS CONTAINING 55.70 ACRES OF LAND IN A SPECIAL WARRANTY DEED, RECORDED MAY 14, 2015, FROM LARRY A. SAFARIK AND KATY W. SAFARIK TO ARNIE P. SAFARIK AND PAULA SAFARIK, OF RECORD AS DOCUMENT No. 2015039449, OFFICIAL PUBLIC RECORDS, WILLIAMSON COUNTY, TEXAS. SAID 54.04 ACRE TRACT AS SHOWN ON THE ACCOMPANYING SURVEY DRAWING, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a TxDOT Type II brass disk in concrete (Grid Coordinates: N 10,191,576.13, E 3,225,139.58) found monumenting the north line of said 55.70 acre tract, and the south line of that certain tract or parcel of land described as containing 74.972 acres of land (Tract 2) in a Warranty Deed Reserving Life Estate with Power of Sale, recorded July 19, 2016, from Ester E. Albers Walker to David P. Walker, Sherri L. Walker and Janet Walker Cook, of record as Document No. 2016064700, Official Public Records, Williamson County, Texas, from which the base of a broken TxDOT Type I concrete Monument found, bears, S 68° 43' 09" W, a distance of 36.66 feet;

THENCE, N 68° 35' 46" E, with the north line of said 55.70 acre tract and the south line of said 74.972 acre tract, a distance of 1984.10 feet to a ½ inch iron rod found monumenting the northeast corner of said 55.70 acre tract, said south line of said 74.972 acre tract, and the northwest corner of the remainder of that certain tract or parcel of land described as containing 39.203 acres of land in a General Warranty Deed, recorded November 17, 2016, from Mark M. Stoll to Larry Safarik, and Katy Safarik, of record as Document No. 2016108345, Official Public Records, Williamson County, Texas;

THENCE, S 21° 30' 48" E, with the east line of said 55.70 acre tract, and the west line of said 39.203 acre tract, passing at a distance of 649.27 feet, 0.17 feet right of line, an iron rod with cap stamped "INLAND" found monumenting the southwest corner of the remainder of said 39.203 acre tract and the northwest corner of that certain tract or parcel of land described as containing 10.163 acres of land in a Gift Deed, recorded June 19, 2017, from Larry A. Safarik, and Katy W. Safarik to Kent T. Safarik, and Jennifer Q. Safarik, of record as Document No. 2017055614, Official Public Records, Williamson County, Texas, in all a total distance of 1115.12 feet to an iron rod with cap stamped "INLAND" found monumenting the southeast corner of the remainder of said 55.70 acre tract, the southwest corner of said 10.163 acre tract, the northeast corner of that certain tract or parcel of land described as containing 0.652 acre of land in a Warranty Deed, recorded April 15, 2002, from Arnie P. Safarik, Paula Safarik, Larry Safarik, and Katy Safarik to Williamson County, Texas, of record as Document No. 2002028523, Official Public Records, Williamson County, Texas, and being the north right of way of County Road 412, a varying width right of way, from which an iron rod with cap stamped "INLAND" found monumenting the southwest corner of the remainder of that certain tract or parcel of land described as containing 1.00 acre of land in a General Warranty Deed, recorded January 11, 1979, from Edmond Menk, and Lydia Menk to Kenneth J. Schneider, and Patricia A. Schneider, of record in Volume 743, Page 485, Deed Records, Williamson County, Texas, bears, N 68° 31' 34" E, a distance of 271.67 feet;

THENCE, with said north line of said 0.652 acre tract, also being said north right of way of said County Road 412, over and across said 55.70 acre tract, the following two (2) courses:

1. S 68° 27' 17" W, a distance of 744.70 feet to a ½ inch iron rod with cap stamped "LandDev" set,

2. S 68° 07' 12" W, a distance of 1433.86 feet to a TxDOT Type II brass disk in concrete found, from which a ½ inch iron rod found monumenting an angle point in the north line of said 0.652 acre tract, bears, S 66° 57' 46" W, a distance of 28.86 feet, and

THENCE, departing the north line of said 0.652 acre tract, also being the said north right of way of said County Road 412, over and across said 55.70 acre tract the following two (3) courses:

1. N 61° 07' 24" W, a distance of 53.50 feet to a TxDOT Type II brass disk in concrete found,
2. N 9° 35' 10" W, a distance of 1045.37 feet to a TxDOT Type II brass disk in concrete found, being a point of curvature, and
3. An arc distance of 65.69 feet along a curve to the left, having a radius of 1984.81 feet, a central angle of 1° 53' 46", and a chord which bears N 10° 32' 48" W, a distance of 65.69 feet to the **POINT OF BEGINNING** of the herein described tract and containing 54.04 acres of land, more or less.

THE STATE OF TEXAS


KNOW ALL MEN BY THESE PRESENTS:

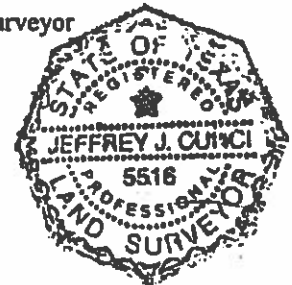
COUNTY OF TRAVIS

That I, Jeffrey J. Curci, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the parcel of land described herein is based upon a survey performed upon the ground under my direct supervision during the months of September, 2018 and January 2019.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 24th day of January 2019 A.D.

LandDev Consulting, LLC
5508 Highway 290 West, Suite 150
Austin, Texas 78735


Jeffrey J. Curci
Registered Professional Land Surveyor
No. 5516 – State of Texas



Bearing Basis: Texas State Plane Coordinates, Central Zone (4203), NAD 83
Coordinates shown hereon are grid values, distances shown hereon have been scaled to surface values by dividing the grid values by a Combined Scale Factor of 0.999879

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1. The above names are arranged in alphabetical order as to the last name of the individual.
2. The numbers refer to the page on which the individual is mentioned in the document.
3. The names of the individuals are given in the order in which they are mentioned in the document.

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ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-14-2010 BY 60322 UCBAW

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