

ORDINANCE NO. _____

AN ORDINANCE ANNEXING CERTAIN HEREINAFTER-DESCRIBED ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ROUND ROCK, TEXAS, TO-WIT: 25.327 ACRES DESCRIBED IN EXHIBIT "A", ALL OF SAID PROPERTY BEING SITUATED IN WILLIAMSON COUNTY, TEXAS, AND ALL ADJACENT ROADWAYS BEING FOR ANNEXATION; EXTENDING THE BOUNDARY LIMITS OF ROUND ROCK SO AS TO INCLUDE SAID PROPERTY WITHIN ROUND ROCK'S CITY LIMITS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH PROPERTY SHALL BECOME A PART OF THE CITY AND THAT THE OWNERS AND INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY NOW IN EFFECT AND THOSE WHICH ARE HEREINAFTER ADOPTED; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City of Round Rock, Texas is a duly constituted home-rule municipality and, as such, is authorized to unilaterally annex territory subject to the laws of the State of Texas and subject to its Charter; and

WHEREAS, a determination has been made that the following described territory should be unilaterally annexed: a tract of land containing 25.327 acres of land, (the "Property"), said Property being situated in Williamson County, Texas, and being more particularly described on Exhibit "A" attached hereto and made a part hereof by reference for all purposes; and

WHEREAS, the procedures prescribed by the Charter of the City of Round Rock and the applicable laws of the State of Texas have been duly followed with respect to the Property; and

WHEREAS, the City Council of the City of Round Rock by resolution directed the City's Planning Director to prepare a service plan that provided for the extension of full municipal services to the Property, and such service plan was duly prepared; and

WHEREAS, the City complied with all statutory provisions requiring notice to property owners in the area proposed for annexation, to public entities providing services in the area proposed for annexation, to private entities providing services in the area proposed for annexation, to railroads with rights-of-way in the area proposed for annexation, and to each public school district in the area proposed for annexation; and

WHEREAS, the City complied with all statutory provisions requiring newspaper publication of the first of two statutorily-required public hearings by causing notice to be published in the Round Rock Leader newspaper on March 23, 2013; and

WHEREAS, the City complied with all statutory provisions requiring newspaper publication of the second of two statutorily-required public hearings by causing notice to be published in the Round Rock Leader newspaper on April 13, 2013; and

WHEREAS, the City complied with all statutory provisions requiring website posting of such first and second public hearings; and

WHEREAS, the City Council of the City of Round Rock held the first public hearing concerning annexation of the Property, following lawful posting and publication, on April 11, 2013; and

WHEREAS, the City Council of the City of Round Rock held the second public hearing concerning annexation of the Property, following lawful posting and publication, on April 25, 2013; and

WHEREAS, after considering the public testimony received at each such hearing, the City Council of the City of Round Rock determines that annexation of the Property is proper in all respects and that such action is in the best interests of the community and its citizens; and

WHEREAS, the City Council of the City of Round Rock finds that each and every requirement of law concerning public notices, hearings, and other procedural matters has been fully complied with; and

WHEREAS, the City Council of the City of Round Rock determines that the Property for annexation which is more fully described in Exhibit “A” should be annexed; Now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That all of the above recitations are found to be true and correct and are incorporated into the body of this Ordinance.

II.

That the property described in the attached Exhibit “A”, together with all adjacent roadways, be and is hereby annexed and brought within the corporate limits of the City of Round Rock, Texas, and same is hereby made an integral part hereof; and that the boundary limits of the City of Round Rock be and the same are hereby extended to include the above-described territory within the city limits of the City of Round Rock, and the same shall hereafter be included within the territorial limits of the City of Round Rock.

III.

That the owners and present and future inhabitants of the area herein annexed be entitled to all rights and privileges of other citizens and property owners of the City of Round Rock, and are hereby bound by all acts, ordinances, resolutions and regulations of the City, and all other legal actions now in full force and effect and all those which may be hereafter adopted.

IV.

That the official maps and boundaries of the City of Round Rock, heretofore adopted and amended, be and are hereby amended so as to include the aforementioned territory as part of the City of Round Rock, Texas.

V.

That the Service Plan providing for extension of municipal services to the areas proposed to be annexed, attached hereto and incorporated herein as Exhibit "B", is hereby approved.

VI.

That the appropriate city official of the City of Round Rock is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City to add the territory hereby annexed, as required by law.

VII.

That the City Clerk is hereby directed and authorized to file a certified copy of this Ordinance in the Office of the County Clerks of Williamson County, Texas and Travis County, Texas.

VIII.

That this Ordinance shall become effective after its passage.

IX.

If any section, subsection, sentence, phrase, or word of this Ordinance be found to be illegal, invalid or unconstitutional or if any portion of said property is incapable of being annexed by the City, for any reason whatsoever, the adjudication shall not affect any other section, sentence, phrase, word, paragraph or provision of this Ordinance or the application of any other section, sentence, phrase, word, paragraph or provision of any other ordinance of the City. The City Council declares that it would have adopted

the valid portions and applications of this Ordinance and would have annexed the valid property without the invalid part, and to this end the provisions of this Ordinance are declared to be severable.

X.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this Ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter thereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.

By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this ____ day of _____, 2013.

Alternative 2.

READ and APPROVED on first reading this the ____ day of _____, 2013.

READ, APPROVED and ADOPTED on second reading this the ____ day of _____, 2013.

ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk