

CITY OF DRIPPING SPRINGS

ORDINANCE No. 2018-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS DISANNEXING AN APPROXIMATELY 7.4307-ACRE PARCEL OF LAND LOCATED IN THE ALEX MCGOWN SURVEY IN THE CORPORATE LIMITS OF THE CITY; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, DISANNEXATION OF TERRITORY, EFFECTIVE DATE, FILING, SEVERABILITY, AND PROPERTY NOTICE & MEETING.

WHEREAS, the City Council of the City of Dripping Springs (“City Council”) seeks to provide for the betterment of the public health, safety and welfare of its residents; and

WHEREAS, the City and Hays County Water Control and Improvement District No. 1 entered into a Strategic Partnership Agreement under Section 43.0751 of the Local Government Code on November 16, 2009; and

WHEREAS, the property was annexed for special purposes by the City pursuant to the Strategic Partnership Agreement; and

WHEREAS, the Hays County Water Control and Improvement District No. 1 has requested that 7.4307 acres of the originally annexed tract to be disannexed; and

WHEREAS, the City Council seeks to disannex the tract as depicted in Exhibit “A” from the corporate limits of the City of Dripping Springs (“City”); and

WHEREAS, the City Council finds that the approximately 7.4307-acre parcel of land located is not necessary for City purposes; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City Council finds that the ordinance proposed is reasonable, necessary, and proper for the good government of the City of Dripping Springs.

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

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. DISANNEXATION OF TERRITORY

- A.** The approximately 7.4307-acre parcel located in the area commonly known as Belterra and adjacent to Holton Drive, and further described in Exhibit "A" is hereby disannexed from the corporate limits of the City but shall remain in the extraterritorial jurisdiction of the City.
- B.** The official map and boundaries of the City are hereby amended and revised so as to exclude the area disannexed.

3. EFFECTIVE DATE

This ordinance is effective and the disannexation achieved herein shall be final and complete upon adoption of this Ordinance, and upon an order entered in the meeting minutes at which this Ordinance is adopted by the Mayor discontinuing the area 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 and to have maps depicting the new municipal boundaries prepared, as necessary.
- B.** The City Secretary is hereby instructed to file a certified copy of this Ordinance with the Hays County Clerk.

5. SEVERABILITY

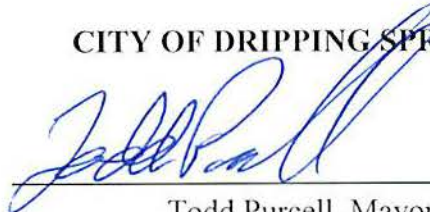
Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

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, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

PASSED AND APPROVED this the 11th day of December 2018, by a vote of 4 (ayes) to 1 (nays) to 0 (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:



Todd Purcell, Mayor

ATTEST:



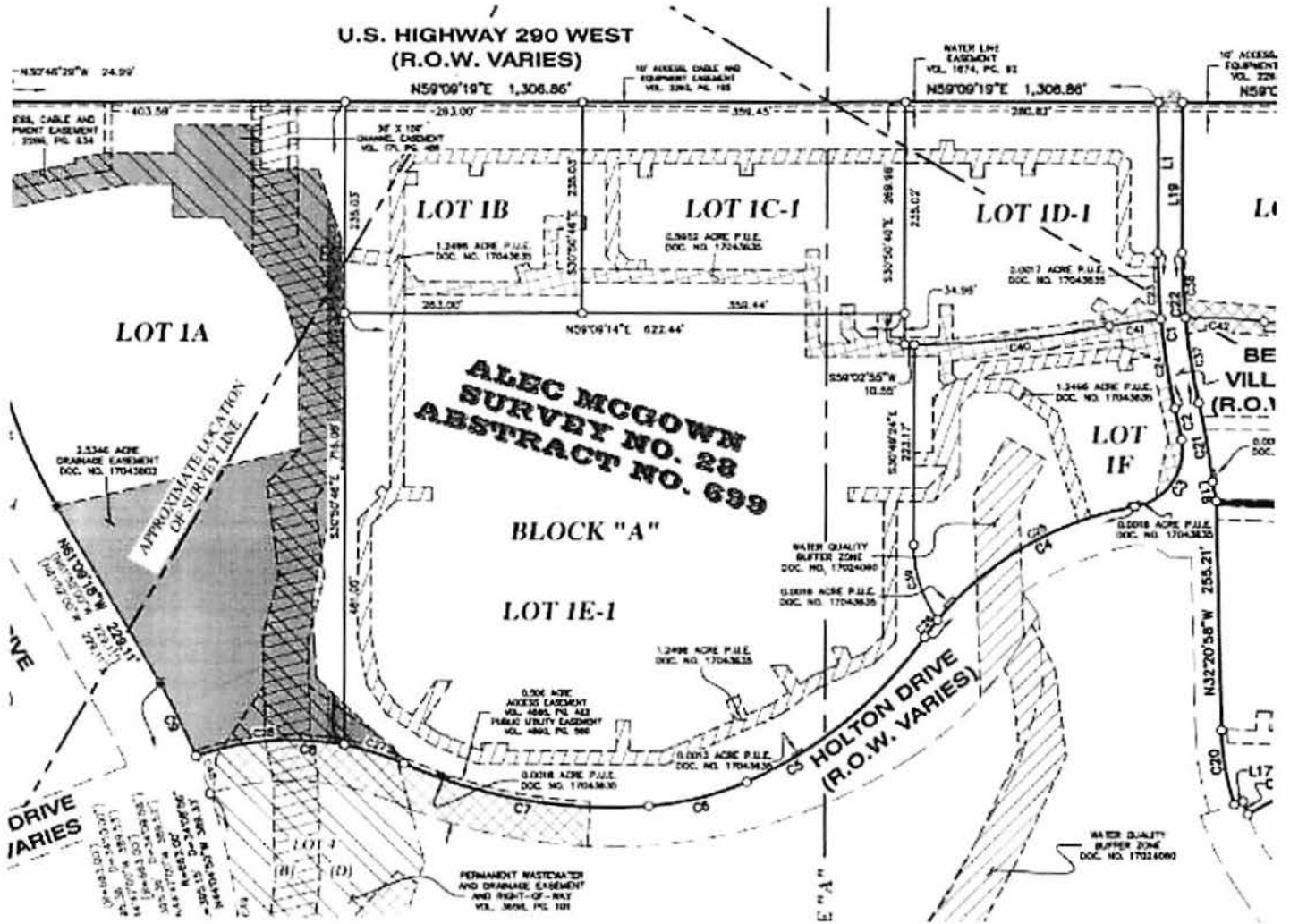
Andrea Cunningham, City Secretary



Exhibit "A"

7.4307 Acres – Lot 1E-1

Lot 1E-1, being 7.4307 acres, described in Resubdivision No. 3 of North Belterra Commercial Subdivision.



Instrument # 18044246 Number of Pages: 4
 Filed and Recorded: 12/19/2018 3:21 PM
 Liz Q. Gonzalez, Hays County Clerk, Texas
 Rec \$38.00 Deputy Clerk: DJONES