

**ORDINANCE NO. 2014-16**

**AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY INTO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY**

**WHEREAS**, the City Council of the City of Boerne, Texas has found it necessary and in the public interest to expand the city limits of the City of Boerne to include the area referred to in this proposed annexation plan, so that the City will grow in an orderly manner, and that the residents both present and future, of the annexed area will be provided services; and

**WHEREAS**, said tract of land is adjacent to the City of Boerne boundaries, or is within the extra-territorial jurisdiction of the City of Boerne, or is already contiguous to the City of Boerne on at least two sides, or the area being annexed is not less than 1000 feet wide in the narrowest point; and

**WHEREAS**, on the 8<sup>th</sup> day of April, 2014, and the 22<sup>nd</sup> day of April, 2014, Public Hearings were held at 6:00 p.m. in the Council Chambers of the Police Department/ Municipal Court building. The purpose of the Public Hearings was to give all interested persons the right to appear and be heard on the proposed annexation of .372 acres of land, more or less, by the City of Boerne, Texas, more fully described in "Exhibit A", attached hereto and made a part hereof.

**WHEREAS**, the City has prepared a Service Plan for said tract of land which is "Exhibit B", attached hereto and made a part hereof.

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

Section 1: That the territory described in "Exhibit A" attached hereto is hereby annexed into the City of Boerne, Kendall County, Texas, and that the boundary limits of the City of Boerne are hereby extended to include the territory described in "Exhibit A" within the city limits and the same shall hereafter be included within the territorial limits of said City, and said land and future inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City, and shall be bound by the acts and ordinances of said City.

Section 2: That the Municipal Service Plan for the herein annexed tract provided for in "Exhibit B", attached hereto is hereby adopted.

Section 3: The City Secretary is hereby directed to file with the County Clerk of Kendall County, Texas, and other appropriate officials and agencies, as required by the State and Federal law and City annexation procedures, a certified copy of this ordinance.

PASSED and APPROVED on first reading this the 13<sup>th</sup> day of May, 2014.

PASSED, APPROVED, and ADOPTED on second reading this the 27<sup>th</sup> day of May, 2014.

APPROVED:

s/s Michael D. Schultz  
Mayor

ATTEST:

s/s Lori A. Carroll  
City Secretary

APPROVED AS TO FORM:

s/s Kirsten B. Cohoon  
City Attorney

Exhibit A

**ANNEXATION PETITION**

TO THE MAYOR AND GOVERNING BODY  
OF THE CITY OF BOERNE, TEXAS:

The undersigned owner(s) of the hereinafter described tract of land, which is vacant and without residents, or on which less than three (3) qualified voters reside, hereby petition your honorable body to extend the present city limits so as to include as a part of the City of Boerne, Texas, the following described territory, to-wit:

1012 Adler St. Boerne, TX 78006

**BEING A 0.372 ACRE TRACT OF LAND SITUATED IN THE M.I. LEAL SURVEY NO. 180, KENDALL COUNTY, TEXAS, OUT OF A 2.563 ACRE TRACT OF LAND RECORDED IN VOLUME 1296, PAGES 132-135, OFFICIAL PUBLIC RECORDS, KENDALL COUNTY, TEXAS. SAID 0.372 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING** at a point in the north right-of-way line of Adler Road, at the southwest corner of the "Detention Pond", Currey Creek, recorded in Volume 4, Pages 367-368, Deeds & Plats Records, Kendall County, Texas, at the southeast corner of the above mentioned 2.563 acre tract and for the southeast corner of the herein described tract;

**THENCE, North 89°44'21" West**, with the north right-of-way line of Adler Road and the south boundary line of the called 2.563 acre tract, a distance of **60.01 feet** to a point for the southwest corner of the herein described tract;

**THENCE, North 01°05'57" East**, departing the north right-of-way line of Adler Road and severing the called 2.563 acre tract, a distance of **271.39 feet** to a calculated point in the south boundary line of a called 8.358 acre tract of land recorded in Volume 216, Pages 278-280, Official Records, Kendall County, Texas, in the north boundary line of the called 2.563 acre tract and for the northwest corner of the herein described tract;

**THENCE, South 86°43'40" East**, with the south boundary line of the called 8.358 acre tract and the north boundary line of the called 2.563 acre tract a distance of, **60.04 feet** to a point at the northwest corner of the called "Detention Pond", Currey Creek, at the northeast corner of the called 2.563 acre tract, at an angle point of the 8.358 acre tract and for the northeast corner of the herein described tract;

**THENCE, South 01°05'57" West**, departing the south boundary line of the called 8.358 acre tract, with the west boundary line of the called "Detention Pond", Currey Creek, and the east boundary line of the called 2.563 acre tract, a distance of **268.24 feet** to the **Point of Beginning** containing **0.372 acres** of land.

I/We certify that the above described tract of land is contiguous to the City of Boerne, Texas, is not more than one-half (1/2) mile in width and that this petition is signed and duly acknowledged by each and every person or corporation having an interest in said land.



Owner's Signature #1

Vicki Stringer

Owner's Printed Name

113 N. Someday Dr., Boerne, TX 78006

Owner's Mailing Address

Owner's Phone No.



Exhibit B

**MUNICIPAL SERVICE PLAN**

**For Annexation of .372 acres located at 1012 Adler Street (PID 14237)**

**By Vicki Stringer**

⌚ **POLICE PROTECTION**

The Boerne Police Department will provide regular and routine patrols in the area as part of its overall patrol activities. The department will respond to any calls for assistance to the area upon annexation. Animal Control services will be available to the area upon annexation.

⌚ **FIRE SERVICE**

Fire service to the area will be provided by the Boerne Volunteer Fire Department upon annexation.

Fire prevention activities will be provided by the Fire Marshal's office in the form of subdivision and building plan review and fire inspections of all commercial structures in the area.

⌚ **BUILDING INSPECTION - CODE ENFORCEMENT SERVICES**

Building inspection activities will be provided upon annexation. The Building Inspection Department will provide consultation with project developers for building code requirements, plan review for structures, issuance of building permits, and on-site inspection services for new construction.

The Building Inspection Department will respond to requests for inspection of suspected City Code violations including, but not limited to, zoning, building codes, sign ordinance, and junk car ordinances.

⌚ **LIBRARY**

All residents of the newly annexed area will be eligible for library services at the Boerne Public Library.

⌚ **SOLID WASTE COLLECTION**

Solid waste collection is contracted for by the City's contracted agent upon annexation.

⌚ **PLANNING AND ZONING**

The planning and zoning jurisdiction of the City will extend to this area on the effective date of the annexation. The Planning and Zoning Commission will initiate permanent zoning of the newly annexed area as soon as possible after annexation.

⌚ **STREET AND DRAINAGE MAINTENANCE**

The effects of this addition on drainage will be addressed under the provisions of the Subdivision Ordinance in effect at the time of platting.

Roads, streets and drainage improvements that have been properly platted, duly dedicated, and accepted by the City of Boerne and/or Kendall County shall be maintained by the Department of Public Works.

⌚ **ELECTRIC SERVICE**

Electric service is provided by the City of Boerne and/or Bandera Electric Co-op, whoever holds the Certificate of Convenience and Necessity in the area of annexation.

⌚ **GAS SERVICE**

Natural gas service from the City of Boerne may be extended to and throughout the property by the petitioner according to City standards. The nearest current natural gas main of substantial size is located

⌚ **WATER SERVICE**

Water service from the City of Boerne may be extended to and throughout the property by the petitioner according to City standards. The nearest current water main of substantial size is located

⌚ **SEWER SERVICE**

Sewer service from the City of Boerne may be extended to and throughout the property by the petitioner according to City Standards. The nearest current sewer main of substantial size is located

⌚ **CAPITAL IMPROVEMENTS**

Cost of any utility mains and appurtenances or other necessary capital improvements necessary for development of the subject property will be borne entirely by the petitioner for this tract.

PETITIONER'S ACKNOWLEDGMENT

**THE STATE OF TEXAS** ' ,

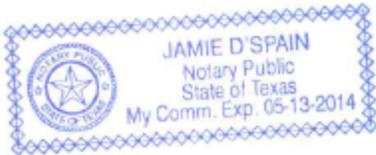
**COUNTY OF KENDALL** ' ,

The undersigned acknowledge that the Municipal Service Plan has been read and the requirements and stipulations contained therein are understood.

4-17-14 Date Wendi Stronger Printed Name

[Signature] Signature

This Municipal Service Plan was acknowledged before me on the 17 day of April, 2014.



[Signature]  
Notary Public In and For the State of Texas