

Village of Webberville

Ordinance No. 2021-02

ANNEXATION ORDINANCE

AN ORDINANCE OF THE VILLAGE OF WEBBERVILLE, TEXAS, TO VOLUNTARILY ANNEX BY REQUEST OF THE PROPERTY OWNER APPROXIMATELY 111.049 ACRES OF LAND LOCATED IN LOTS 7-9 OF THE OWEN ACRES SECTION 3 SUBDIVISION, AND RAW ACREAGE SITUATED IN THE DUTY M ACR SURVEY 10, ABSTRACT NO. 10, AS DEPICTED IN EXHIBIT "A", INTO THE INCORPORATED MUNICIPAL BOUNDARIES OF THE VILLAGE OF WEBBERVILLE, TEXAS INCLUDING THE FOLLOWING: FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY; AND PROPER NOTICE AND MEETING.

WHEREAS, the Village of Webberville ("Village") is a Type-A, General Law municipality located in Travis County, Texas with the rights and privileges thereto; and

WHEREAS, Section 43.0671 of the Texas Local Government Code authorizes a Type-A general law municipality to extend the boundaries of the municipality and annex area adjacent to the municipality by petition of area landowners in accordance with the procedural rules prescribed by Texas Local Government Code Chapter 43; and

WHEREAS, the Village received a written petition requesting the voluntary annexation of the area described in Exhibit "A"; and

WHEREAS, the area identified in Exhibit "A," part of the Lots 7-9 of the Owen Acres Section 3 Subdivision, and portions situated in the Duty M Acr Survey 10, Abstract No. 10, is adjacent and contiguous to the village limits; and

WHEREAS, the area identified in Exhibit "A," approximately 111.049 acres includes a portion of land that is located in the City of Austin's extraterritorial jurisdiction and is not being annexed into the Village of Webberville's corporate limits;

WHEREAS, the Village Commission of the Village of Webberville ("Commission") has conducted the required public hearing, held on February 10th, 2021 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 Village has entered into a municipal service annexation agreement for the area to be annexed in accordance with Section 43.0672 of the Texas Local Government Code providing for agreed upon municipal services to such area; and

WHEREAS, the Village Commission deems it to be in the best interest of the citizens of the Village to annex said territory into the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COMMISSION OF THE VILLAGE OF WEBBERVILLE, TEXAS:

1. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the Village Commission of the Village of Webberville, 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 property 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 Village of Webberville, and is made an integral part, hereof.
- B.** The official map and boundaries of the Village of Webberville are hereby amended and revised so as to include the area annexed, and to reflect the expansion of the Village's extraterritorial jurisdiction resulting from such annexation.
- C.** A municipal service agreement was entered into between the village and the property owner with applicable provisions of state law pertaining to annexation.
- D.** The owners and inhabitants of the area herein annexed are entitled to all of the rights and privileges of other citizens of the Village of Webberville 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 Village Clerk is hereby instructed to include this Ordinance in the records of the Village.
- B.** The Mayor is hereby instructed to have prepared maps depicting the new municipal boundaries and extraterritorial jurisdiction.

- C. The Mayor is hereby instructed to file a certified copy of this Ordinance with the Travis County Clerk.
- D. The Mayor is hereby instructed to submit by certified mail a certified copy of the annexation ordinance a map of the village that shows the change in boundaries, with the annexed portion clearly distinguished, resulting from the annexation to the Texas Comptroller's Office.

5. SEVERABILITY

It is hereby declared to be the intention of the Village Commission 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.

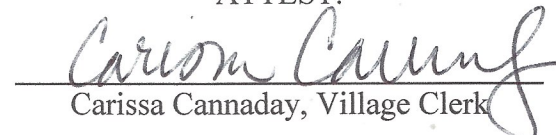
PASSED AND APPROVED this the 10th day of February 2021, by a vote of 3 (ayes) to 0 (nays) to 0 (abstentions) of the Village Commission of the Village of Webberville, Texas.

THE VILLAGE OF WEBBERVILLE:



Hector Gonzales, Mayor

ATTEST:



Carissa Cannaday, Village Clerk



Exhibit "A"
DESCRIPTION OF AREA TO BE ANNEXED

Legal Description:

Approximately 111.049 acres more or less situated in the LOTS 7-9 (8.6AC) OWEN ACRES
SECTION 3 & ABS 10 SUR 10 DUTY M ACR 111.1900 (1-D-1)
(Travis CAD Property ID: 292383).

**The portion of the property to be incorporated with the Village of Webberville's
corporate limits shall not include any portion of the tract that is within the City of
Austin's ETJ.**

