

ORDINANCE NO. 1705

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF LAMPASAS, LAMPASAS COUNTY, TEXAS, AND EXTENDING THE MUNICIPAL CORPORATE LIMITS OF SAID CITY TO INCLUDE THE DESCRIBED PROPERTY WITHIN THE CITY'S BOUNDARY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF THE ANNEXED PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING THOSE INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; AND ADOPTING A SERVICE PLAN FOR THE NEWLY ANNEXED PROPERTY

WHEREAS, the City of Lampasas, Texas is a Home Rule municipal corporation that is duly organized and operating pursuant to its Home Rule Charter and the laws of Texas, and, thus, it is empowered to conduct both voluntary and unilateral annexations of territory, subject to the laws of this State; and

WHEREAS, on or about July 21, 2023, the owner of the Property described herein below, "Owner," voluntarily petitioned the City of Lampasas requesting that the City annex the Property possessed and controlled solely by the Owner, and upon which fewer than three qualified voters currently reside; and

WHEREAS, pursuant to Section 43.052 of the Local Government Code, this voluntary annexation is exempt from the requirements of inclusion in a municipal annexation plan because the property and annexation contains fewer than 100 separate tracts of land on which one or more residential dwellings are located on each tract; and

WHEREAS, the procedures prescribed by the Charter of the City of Lampasas, Texas, and the laws of this State have been duly followed with respect to the following described to-be annexed Property.

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

1. That the following-described Property is hereby annexed to the City of Lampasas, Lampasas County, Texas, and that the boundary limits of the City of Lampasas be and the same are hereby extended to include the described territory within the municipal corporate limits of the City of Lampasas, and the same shall hereafter be included within the territorial limits of the City, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the city of Lampasas and they shall be bound by the acts, ordinances, resolutions, and regulations of said city.

ANNEXED TRACT:

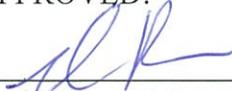
Being 12.74 acres of land out of the James Easley Survey, ABST No. 185, Lampasas County, Texas and being a part of that tract described in a Special Warranty Deed to the David and

Karen Love Living Trust dated November 12, 2018 and recorded in Volume 550, page 125 of the Deed Records of Lampasas County. (the “Annexed “Property” or “Property”)

2. A Service Plan for the Property is adopted and attached hereto as Exhibit A.
3. The City Secretary is hereby directed to file with the County Clerk of Lampasas, Texas, and/or any other appropriate official or agency, as required by law, a certified copy of this Ordinance.

PASSED by an affirmative vote of all members of the City Council on the first and final reading, this the 28^h day of August 2023

APPROVED:



Herb Pearce, Mayor

ATTEST:



Becky Sims, City Secretary

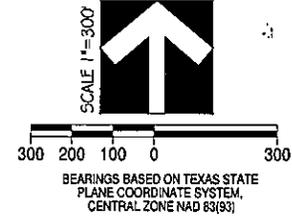
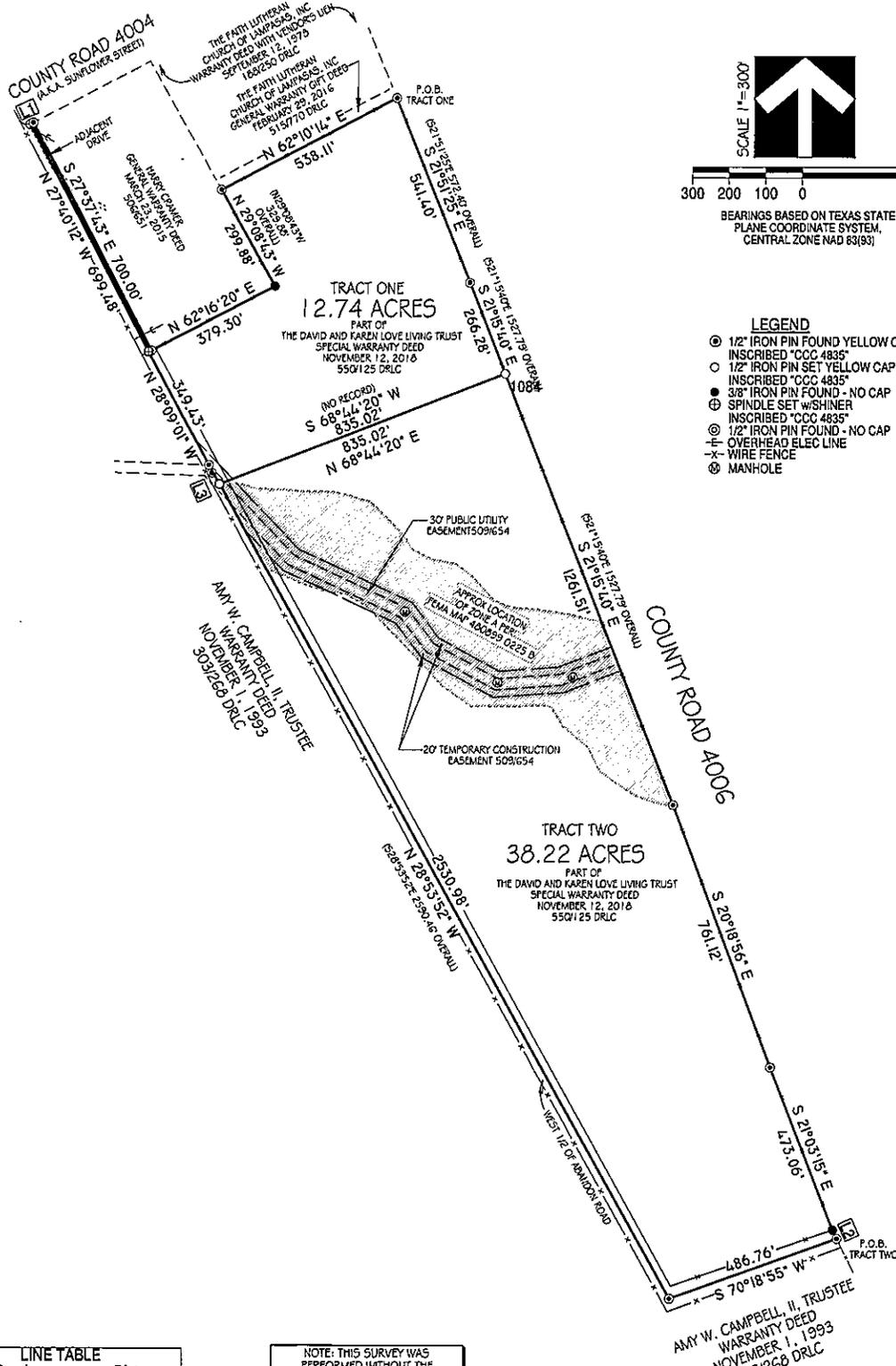
APPROVED AS TO FORM:

Jo-Christy Brown, City Attorney
[Signature of Attorney Provided on Separate Page, to be Attached]

Exhibit A
[Service Plan]

Exhibit A

EXHIBIT **A**



- LEGEND**
- ⊙ 1/2" IRON PIN FOUND YELLOW CAP INSCRIBED "CCC 4835"
 - 1/2" IRON PIN SET YELLOW CAP INSCRIBED "CCC 4835"
 - ⊕ 3/8" IRON PIN FOUND - NO CAP SPINDLE SET W/SHIMMER INSCRIBED "CCC 4835"
 - ⊙ 1/2" IRON PIN FOUND - NO CAP
 - OVERHEAD ELEC LINE
 - x- WIRE FENCE
 - ⊙ MANHOLE

LINE TABLE		
Id	Bearing	Distance
L1	N 62°18'25" E	9.38'
L2	S 25°57'48" E	26.43'
L3	N 28°53'52" W	59.48'

L3 RECORD: N28°53'52"W 2590.46' OVERALL

NOTE: THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT. OTHER EASEMENTS OR RESTRICTIONS NOT SHOWN HEREON MAY APPLY.

NOTE: ALL CALLS ARE RECORD EXCEPTS AS SHOWN

Triple C Surveying Co.
 21214 FM 963 - Lampasas, Texas 76550
 (512) 845-5440 email: admin@triplecsurveying.com
 www.triplecsurveying.com Firm No. 10193916

STATE OF TEXAS
 KNOW ALL MEN BY THESE PRESENTS
 I, CLYDE C. CASTLEBERRY, JR., FOR TRIPLE C SURVEYING CO. HAVE THIS DATE CAUSED TO BE PERFORMED AN ON-THE-GROUND SURVEY UNDER MY SUPERVISION OF THE FOREGOING PLATTED TRACT OF LAND AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES OF AREA, ENCROACHMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY EXCEPT AS SHOWN HEREON.

THIS AREA IS SHOWN TO BE IN ZONE X & A PER FEMA'S FLOOD INSURANCE RATE MAP #480899 0225 B DATED JANUARY 2, 1991 HOWEVER AT PRESENT TIME, NO ELEVATIONS, DRAINAGE OR FLOOD STUDIES HAVE BEEN PERFORMED AND THE INFORMATION IS BASED SOLELY ON SAID MAP/PLAT. THE SURVEYOR DOES NOT ASSUME RESPONSIBILITY AS TO ANY INFORMATION PROVIDED BY SAID MAP/PLAT. THIS FLOOD STATEMENT DOES NOT IMPLY THAT THIS PROPERTY AND/OR STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE.



Witness my hand and seal this the 25th day of January, 2023.

TRACT ONE – 12.74 ACRES

BEING 12.74 acres of land out of the James Easley Survey, Abstract No. 185, Lampasas County, Texas, and being a part of that tract described in a Special Warranty Deed to The David and Karen Love Living Trust dated November 12, 2018 and recorded in Volume 550, Page 125 of the Deed Records of Lampasas County and described by metes and bounds as follows:

BEGINNING at a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found in the west margin of County Road 4006 for the southeast corner of that tract described in a Gist Warranty Deed to The Faith Lutheran Church of Lampasas, Inc. dated February 29, 2016 and recorded in Volume 515, Page 770 of said deed records and being the northeast corner of this tract;

THENCE: with the east line of said Love tract and the west margin of County Road 4006 the following courses and distances:

1. S 21°51'25" E 541.40 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found,
2. S 21°15'40" E 266.28 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" set for the southeast corner of this tract,

THENCE: S 68°44'20" W 835.02 feet across said Love tract to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" set in the west line of said Love tract and being the southwest corner of this tract,

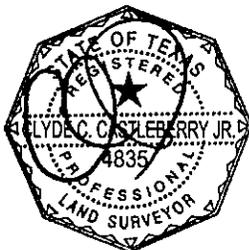
THENCE: with the west line of said Love tract the following courses and distances:

1. N 28°53'52" W 59.48 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found,
2. N 28°09'01" W 349.43 feet to a spindle inscribed "J" found,
3. N 27°40'12" W 699.48 feet to a spindle inscribed "J" found for the most northerly northwest corner of said Love tract and this tract;

THENCE: with the north line of this tract the following courses and distances:

1. N 62°18'25" E 9.38 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found,
2. S 27°37'43" E 700.00 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found,
3. N 62°16'20" E 379.30 feet to a 3/8" iron pin with no cap found,
4. N 29°08'43" W 299.88 feet to a 1/2" iron pin with a yellow plastic cap inscribed "CCC 4835" found,
5. N 62°10'14" E 538.11 feet to the Point of Beginning.

Bearings based on Texas State Plane Coordinate System, Central Zone NAD 83.



Clyde C. Castleberry, Jr.
Registered Professional Land Surveyor No. 4835

Triple C Surveying Co.
PO Box 544
Lampasas, Texas 76550
www.triplecsurveying.com
Firm No. 10193916

**CITY OF LAMPASAS
MUNICIPAL SERVICE PLAN
FOR ANNEXATION OF 12.74 ACRES OF LAND ADJACENT TO THE CITY'S
MUNICIPAL LIMITS**

EXHIBIT B

INTRODUCTION

The City Council of the City of Lampasas has directed that staff proceed with the annexation process of land generally comprised of the following:

- 1) Being 12.74 acres of land out of the James Easley Survey, ABST No. 185, Lampasas County, Texas and being a part of that tract described in a Special Warranty Deed to the David and Karen Love Living Trust dated November 12, 2018 and recorded in Volume 550, page 125 of the Deed Records of Lampasas County

SCHEDULE OF MUNICIPAL SERVICES TO BE PROVIDED

FIRE

Existing Services: Currently, the City of Lampasas Fire Department (with limited staff), as well as, the Lampasas County Volunteer Fire Department responds to this area, due to its close proximity to the City limits.

Services to be Provided: The City of Lampasas Fire Department and Lampasas County Volunteer Fire Department will continue to respond to the area. The level of staff available from the City of Lampasas Fire Department will be consistent with the existing level for staffing as provided for current City residents upon the effective date of the annexation. Primary fire response will be provided by the Fire Station located at 1107 East 4th Street. Adequate fire suppression activities can be afforded to the annexed area within the current budget appropriation. Fire prevention activities will be provided by the Fire Marshal's office as needed.

POLICE

Existing Services: None

Services to be Provided: Currently, the area is under the jurisdiction of the Lampasas County Sheriff's Office. Upon annexation, the City of Lampasas Police Department will extend regular and routine patrols to the area. Law enforcement protection will be provided to this area in the same manner as it is currently provided to other similarly situated land within the corporate limits of the City. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

BUILDING INSPECTION

Existing Services: Provide limited utility, fire and life safety inspection services.

Services to be Provided: The Building and Planning Department will provide permit and inspection services upon the effective date of annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of Lampasas.

PLANNING AND ZONING

Existing Services: None.

Services to be Provided: The Building and Planning Department's responsibility for regulating development and land use through the administration of the City of Lampasas Zoning Ordinance will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Lampasas Subdivision Ordinance. These services can be provided within the department's current staff and appropriation plans and/or budget.

ENVIRONMENTAL HEALTH CODE ENFORCEMENT SERVICES

Existing Services: None.

Services to be Provided: Enforcement of the City of Lampasas' health and sanitation ordinances and regulations, including but not limited to, weed and brush ordinances, junked and abandoned vehicles ordinances and animal control ordinances, shall begin within these areas within sixty (60) days of the effective date of the annexation. These services can be provided within the department's current staff and appropriation plans and/or budget.

LIBRARY

Existing Services: Currently, the Public Library is open to county residents with additional costs of services provided.

Services to be Provided: Free library use privileges will be available to anyone residing in this area. These services can be provided within the department's current staff and appropriation plans and/or budget.

PARKS AND RECREATION

Existing Services: Currently, Park and Recreation facilities are open to all citizens. Local associations and locally sponsored recreational events receive priority use of facilities.

Services to be Provided: Park and Recreation facilities will be available to with no difference in services or costs provided to existing City residents, upon the effective date of annexation.

STREET

Existing Services: State of Texas/Lampapas County

Services to be Provided: Street maintenance to the publicly owned street rights-of-way, not including state owned and maintained rights-of-way, will be provided by the City upon the effective date of the annexation. Routine maintenance will be scheduled as part of the City's annual street maintenance program in accordance with the current policies and procedures. A monthly street maintenance fee will be applied within thirty (30) days of the effective date of annexation, the same rate structure as that of the existing City residents will be applied.

STORM WATER MANAGEMENT

Existing Services: State of Texas Road and Drainage Maintenance; Lampapas County

Services to be Provided: The City of Lampapas Street Department will continue to provide maintenance on existing drainage system, not maintained by the State of Texas upon the effective date of annexation. Routine maintenance will be scheduled as part of the City's annual street maintenance program in accordance with current policies and procedures. Developers will provide storm water drainage at their own expense and will be inspected by the City Engineers at time of completions. The City will then maintain the existing drainage facilities upon approval.

ELECTRIC SERVICE

Existing Services: Currently, the City of Lampapas serves the area to be annexed with electric service for a fee that is greater than that of the residents of the City.

Services to be Provided: The City of Lampapas will continue to provide electric service to the annexed area. Within thirty (30) days of the effective date of annexation, the same rate structure as that of the existing City residents will be applied.

STREET LIGHTING

Existing Service: None

Services to be Provided: The City of Lampapas will coordinate any request for improved street lighting in accordance with standard policy and as plans, appropriations and budget allow.

TRAFFIC ENGINEERING

Existing Services: Roadway signage as provided by the State of Texas; and Lampapas County.

Services to be Provided: The Street Department will be able to provide, after the effective date of annexation, any additional traffic control devices as may be necessary.

The Building Official will provide all properties involved with City street designations and numeric addresses that comply with the City's street system, within 90 days of the effective date of annexation.

WATER SERVICE

Existing Services: City of Lampasas public water supply system at rural cost.

Services to be Provided: The City of Lampasas public water supply will continue to provide water service to the area in accordance with the applicable codes and departmental policy. When other property develops in the area, water service shall be provided in accordance with extension ordinances and City policies. Extension of service shall comply with City codes and ordinances and State law. Within thirty (30) days of the effective date of annexation, the same rate structure as that of the existing City residents will be applied.

SANITARY SEWER SERVICE

Existing Services: No services exist

Services to be Provided: Sanitary sewer service to the area of proposed annexation will be provided in accordance with applicable City codes and departmental policy. When property develops in the area, sanitary sewer service shall be handled in accordance with the present policies, codes and ordinances that apply to all residents of the City.

SOLID WASTE SERVICES

Existing Services: Rural service providers

Service to be Provided: Solid Waste Collection shall be provided to the area of annexation in accordance with the present ordinance. Service shall comply with existing City policies, beginning with occupancy of structures. Within ninety (90) days of the effective date of annexation, solid waste collection services will be provided in the same manner and cost as that of existing City residents.

MISCELLANEOUS

All other applicable municipal services will be provided to the area in accordance with the City of Lampasas' established policies governing extension of municipal services to newly annexed areas.

CAPITAL IMPROVEMENTS, AVAILABILTY AND LEVEL OF SERVICE

The annexed area will be included with all other areas of the City for future planning for any new or expanded facilities, functions, and services to be funded by future capital improvements programs. The priorities assigned by these plans are driven by a desire to maintain an equitable level of service to all areas of the City with the same population density, land used and topography characteristics.