

ORDINANCE NO. 2023-31

AN ORDINANCE ANNEXING 5.984 ACRES BEING A PORTION OF 10 SPENCER OAD (KAD NO. 14916) AND A PORTION OF WEST STATE HIGHWAY 46 (KAD. NO. 14918) TO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY

WHEREAS, Chapter 43 of the Texas Local Government Code and City Charter of the City of Boerne, Texas, an incorporated city, authorizes the annexation of territory, subject to the laws of this state as of January 1, 2019; and

WHEREAS, the owner of 10 Spencer Road (KAD No. 14916) and West State Highway 46 (KAD No. 14918) have requested that a portion of the areas be annexed into the City of Boerne in the extraterritorial jurisdiction of Boerne, Texas; and

WHEREAS, the City Council of the City of Boerne approved Resolution No. 2023-R59 on August 8, 2023, setting a public hearing for the proposed annexation of 5.984 acres being a portion of 10 Spencer Road (KAD No. 14916) and a portion of West State Highway 46 (KAD No. 14918) by the City and approved the service plan agreement for the area in the City Extraterritorial Jurisdiction (“ETJ”) being considered for annexation into the corporate limits of the City of Boerne; and

WHEREAS, the City held a public hearing on September 12, 2023, to give all interested persons the right to appear and be heard on the proposed annexation; and

WHEREAS, the procedures prescribed by Chapter 43 Texas Local Government Code and/or Charter of the City of Boerne, Texas, and the laws of this state have been duly followed with respect to the following described territory, to wit:

BEING a 5.984 acre tract of land located in the Newton & Taylor Survey No. 179, Abstract No. 360, Kendall County, Texas, and being across a called 5.059 acre tract of land as described of record in Document No. 2021-359757, and a called 20.115 acre tracts of land as described in Document No. 2021-359756, both of the Official Public Records of Kendall County. Said 5.984 acre tract being more fully described in attached Exhibit “A”.

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

Section 1. The facts, findings, recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct and are incorporated herein and expressly made part hereof, as if copied herein verbatim.

Section 2. That the heretofore described property is hereby annexed to the City of Boerne, Kendall County, Texas, and that the boundary limits of the City of Boerne be and the same are hereby extended to include the above described territory within the city limits of the City of Boerne, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the city of Boerne and they shall be bound by the acts, ordinances, resolutions, and regulations of said city.

Section 3. A service plan for the area was hereby adopted by City Council on August 8, 2023, and attached as Exhibit B.

The City Secretary is hereby directed to file with the County Clerk of Kendall County, Texas, a certified copy of this ordinance.

PASSED AND APPROVED on this the first reading the ____ day of September, 2023.

PASSED, APPROVED AND ADOPTED on this the second reading the ____ day of September, 2023.

APPROVED:

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney