

ORDINANCE NO. 2025-02

AN ORDINANCE ANNEXING APPROXIMATELY 0.927 ACRES OF COUNTY ROAD RIGHT-OF-WAY, BEING A PORTION OF THAT CERTAIN 1.382 ACRE TRACT OF LAND CONVEYED TO KENDALL COUNTY IN INSTRUMENT RECORDED IN VOLUME 533, PAGES 728-734, OFFICIAL RECORDS, KENDALL COUNTY, TEXAS, AND A PORTION OF THE REMAINING PIECE OF A 50.78 ACRE TRACT OF LAND (KAD PARCEL# 11550) DESCRIBED IN INSTRUMENT RECORDED IN VOLUME 79, PAGES 225-226, DEED RECORDS, KENDALL COUNTY, TEXAS, 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 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 (Roadway annexation at the request of Kendall County)

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, Kendall County has submitted a written notice to the City of Boerne requesting the annexation of the described county road right-of-way into the city limits of Boerne; and

WHEREAS, pursuant to Section 43.1056(b) of the Texas Local Government Code, Kendall County provided written notice to the City of Boerne more than sixty-one (61) days ago of its intent to annex the right-of-way, and no written objection has been submitted by the City; and

WHEREAS, the City Council of the City of Boerne held a public hearing on the proposed annexation on February 11, 2025, following all required procedures as outlined by the Texas Local Government Code and the City Charter; 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 0.927 acre tract of land located in the J. R. Arocha Survey No. 171, Abstract No. 2, Kendall County, Texas, and being a portion of that certain 1.382 acre tract of land conveyed to Kendall County in Instrument recorded in Volume 533, Pages 728-734, Official Records, Kendall County, Texas, and a portion of the remaining piece of a 50.78 acre tract of land (KAD Parcel #11550) described in Instrument recorded in Volume 79, Pages 225-226, Deed Records, Kendall County, Texas.

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, being approximately 0.927 acres of county road right-of-way, is hereby annexed into 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.

Section 3. That upon annexation, the inhabitants of the described territory shall be entitled to all the rights and privileges of other citizens of the City of Boerne and shall be bound by all of the acts, ordinances, resolutions, and regulations of said City.

Section 4. The annexed right-of-way area will continue to be governed by and subject to the terms of the Municipal Maintenance Agreement between the City of Boerne and the Texas Department of Transportation (TxDOT) dated September 28, 2010, as amended, and any other relevant agreements between TxDOT and the City regarding the maintenance and regulation of the roadway.

Section 5. 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 February, 2025.

PASSED, APPROVED AND ADOPTED on this the second reading the __ day of February, 2025.

APPROVED:

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney