

ORDINANCE NO. 7678

AN ORDINANCE ANNEXING INTO THE CITY OF AMARILLO, POTTER COUNTY, TEXAS, ON PETITION OF PROPERTY OWNER, TERRITORY GENERALLY DESCRIBED AS A 154.68 ACRE TRACT LOCATED NORTHWEST OF THE CITY NORTHWEST OF THE INTERSECTION OF RAVENWOOD DRIVE AND TASCOSA RD (RM 1061), AND EXTENDING NORTH/NORTHWEST ADJACENT TO THE WESTERNMOST LINE OF TASCOSA RD (RM 1061) FOR A DISTANCE OF 5,562', AND OUT OF AN 883.57 ACRE TRACT SITUATED IN SECTION 24, BLOCK 9, B.S.&F. SURVEY; DESCRIBING THE TERRITORY ANNEXED; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING FOR AMENDMENT OF THE BOUNDARIES AND OFFICIAL MAP OF THE CITY; APPROVING A SERVICE PLAN THEREFORE; SUBJECTING THE PROPERTY SITUATED THEREIN TO BEAR ITS PRO RATA PART OF TAXES LEVIED; PROVIDING RIGHTS AND PRIVILEGES AS WELL AS DUTIES AND RESPONSIBILITIES OF INHABITANTS OF SAID TERRITORY; DIRECTING THE FILING OF THE ORDINANCE IN THE MANNER REQUIRED BY LAW; DIRECTING NOTICE TO SERVICE PROVIDERS AND STATE AGENCIES; PROVIDING A SEVERABILITY CLAUSE; DECLARING COMPLIANCE WITH OPEN MEETINGS ACT; AND, PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Amarillo, Texas is a home-rule municipality authorized by State law and the City Charter to extend its boundaries and to annex area adjacent and contiguous to its corporate limits; and,

WHEREAS, the City of Amarillo's policy is not to pursue involuntary annexations; and,

WHEREAS, annexation enables communities to encompass property at or before development occurs, and development is planned for this property as expressed by the petitioner; and,

WHEREAS, these statements substantiate that surrounding the area is in the public interest, as outlined in Local Government Code Section 43.057, permitting annexation that surrounds an area when a finding is made that doing so is in the public interest; and,

WHEREAS, pursuant to Texas Local Government Section 43.028, the owners of the property described in Exhibit A (hereinafter the "Area") have petitioned the City Council in writing to annex this area into the corporate limits of the City of Amarillo; and,

WHEREAS, the Area is one-half mile or less in width and vacant, without residents; and,

WHEREAS, a service plan has been prepared that provides for the extension of appropriate municipal services to the Area, outlined in Exhibit B, attached hereto and made a part hereof for all purposes; and the City of Amarillo is able to provide such services by any of the methods by which the City extends the services to any other area of the City; and,

WHEREAS, the notice, publication, time periods and other procedural requirements of Chapter C-1 of the Texas Local Government Code have been complied with, including with respect to this annexation that three public hearings have been held at which persons interested in annexation of the Area into the corporate limits of the City were given the opportunity to be heard, the first on July 18th of 2017, the second on August 1st of 2017, and the third on August 22nd of 2017; and,

WHEREAS, the hereinafter described properties and territory lies within the extraterritorial jurisdiction of the City of Amarillo;

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

SECTION 1. Findings of Fact. All of the above premises are hereby found to be true and correct and are incorporated into the body of this ordinance as if fully set forth.

SECTION 2. Annexation. The Area described in Exhibit A, attached hereto and incorporated herein for all purposes, is hereby added and annexed into the City of Amarillo, Texas, and said Area shall hereafter be included within the corporate limits of the City of Amarillo, and the present boundary lines of said City, are hereby altered, extended and amended so as to include said Area within the corporate limits.

SECTION 3. Amendment of Boundaries and Official Map. The official map and boundaries of the City of Amarillo, Texas, heretofore adopted and amended, shall be and are hereby amended so as to include the aforementioned annexed Area.

SECTION 4. Service Plan. The service plan attached hereto as Exhibit B is hereby approved and is incorporated herein for all purposes. The City of Amarillo makes an affirmative determination that this service plan provides for services to the annexed Area which are comparable to other areas within the City of Amarillo with similar land utilization, population density and topography. It is further found that those characteristics of land use, population density and topography which distinguish this Area from other areas of San Angelo are considered a sufficient basis for providing a different level of services in the annexed Area.

SECTION 5. Pro Rata Share of Taxes. The annexed Area, being a part of the City of Amarillo for all purposes, the property situated herein shall bear its pro rata part of taxes levied by the City of Amarillo.

SECTION 6. Rights, Privileges and Duties of Inhabitants. The inhabitants of the annexed Area shall be entitled to the rights and privileges of the other citizens of the City of Amarillo and shall be bound by the Charter, Ordinances, Resolutions and other regulations of the City of Amarillo.

SECTION 7. Filing of Ordinance. The City Secretary is hereby directed to file a certified copy of this ordinance with the County Clerk of Potter County, Texas, the County Tax Assessor of Potter County, Texas, the Potter County Appraisal District, The Texas Secretary of State, the Census Bureau, the Texas Department of Insurance, the Texas Public Utility Commission, the Texas Comptroller of Public Accounts, and all local utility companies, in the manner required by law.

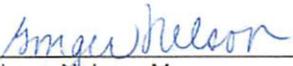
SECTION 8. Severability. If any part, provision, section, subsection, sentence, clause or phrase of this ordinance (or the application of same to any person or set of circumstances) is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining parts of this ordinance (or their application to other persons or sets of circumstances) shall not be affected thereby, it being the intent of City Council in adopting this ordinance, that no part thereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality of any other part hereof, and all provisions of this ordinance are declared to be severable for that purpose.

SECTION 9. Open Meeting Act Compliance. The City Council for the City of Amarillo hereby finds and declares that the meetings at which this ordinance was introduced and finally passed were open to the public as required

by law and that public notice of the time, place and purpose of said meetings was given as required by the Open Meetings Act, Chapter 551 of the Texas Local Government Code.

SECTION 10. Effective Date. This ordinance will become effective on the day of its adoption.

INTRODUCED AND PASSED by the City Council of the City of Amarillo, Texas, on First Reading on this the 22nd day of August, 2017; and PASSED on Second and Final Reading on this the 29th day of August, 2017.



Ginger Nelson, Mayor

ATTEST:



Frances Hibbs, City Secretary

Return to:
FRANCES HIBBS
City Secretary, City of Amarillo
P.O. Box 1971
Amarillo, Texas 79105-1971

FILED and RECORDED

Instrument Number: 2017OPR0014508

Filing and Recording Date: 09/29/2017 11:18:00 AM Pages: 11 Recording Fee: \$0.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Potter County, Texas.



Julie Smith, County Clerk
Potter County, Texas

DO NOT DESTROY - This document is part of the Official Public Record.

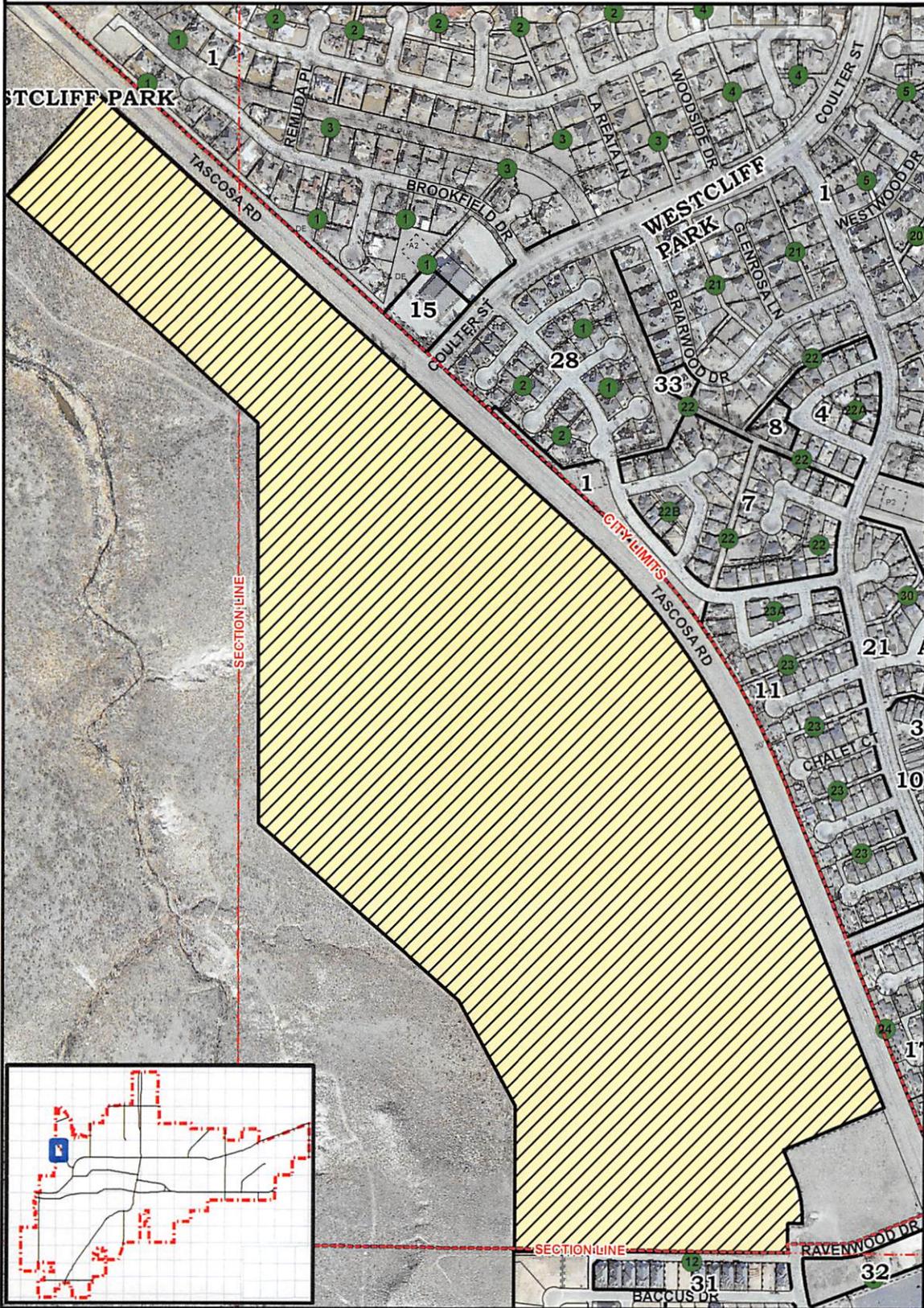
carredondo



AMARILLO CITY
PO BOX 1971
AMARILLO, TX 79105

Re: 2017OPR0014508

EXHIBIT A
PROPOSED ANNEXATION



**CITY OF AMARILLO
 PLANNING DEPARTMENT**

Scale: 1" = 500'
 Date: 12-20-16
 Case No:



AP: I-10 & J-10

DISCLAIMER: The City of Amarillo is providing this information as a public service. The information shown is for information purposes only and except where noted, all of the data or features shown or depicted on this map is not to be construed or interpreted as accurate and/or reliable; the City of Amarillo assumes no liability or responsibility for any discrepancies or errors for the use of the information provided.