

ORDINANCE NO. 7722

AN ORDINANCE ANNEXING INTO THE CITY OF AMARILLO, RANDALL COUNTY, TEXAS, ON PETITION OF PROPERTY OWNER, TERRITORY GENERALLY DESCRIBED AS A 91.334 ACRE TRACT LOCATED SOUTHEAST OF THE CITY, WEST OF THE INTERSECTION OF SOUTH GEORGIA STREET AND WEST LOOP 335 SOUTH, SITUATED IN SECTION 231 & 232, BLOCK 2, A.B.&M. SURVEY, AND EXTENDING WEST/SOUTHWEST ADJACENT TO THE NORTHERN LINE OF SECTION 232 FOR A DISTANCE OF 4012.31'; 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, 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, pursuant to Texas Local Government Section 43.028, the owners of the property described in Exhibits A, B, & C (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 D, 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 January 30th of 2018, the second on February 13th of 2018, and the third on March 6th of 2018; 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 Exhibits A, B, & C, 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 D 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 the City of Amarillo 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.

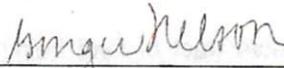
SECTION 7. Filing of Ordinance. The City Secretary is hereby directed to file a certified copy of this ordinance with the County Clerk of Randall County, Texas, the County Tax Assessor of Randall County, Texas, the Randall County Appraisal District, The Texas Secretary of State, the Census Bureau, the 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.

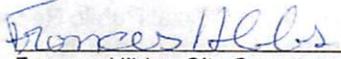
SECTION 9. Open Meeting Act Compliance. The City Council for the City of Amarillo hereby finds and declares that the meetings at which this ordinance was introduced and finally passed were open to the public as required by law and that public notice of the time, place and purpose of said meetings was 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 6th day of March, 2018; and PASSED on Second and Final Reading on this the 13th day of March, 2018.


Ginger Nelson, Mayor

ATTEST:


Frances Hibbs, City Secretary

APPROVED AS TO FORM:


William M. McKamie, City Attorney

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

EXHIBIT "A"

ANNEXATION TO CITY OF AMARILLO

DESCRIPTION

A 91.334 acre tract of land being a portion of a tract of land as described in that certain Warranty Deed recorded under Clerk's File No. 01 16302 of the Official Public Records of Randall County, Texas, a portion of a tract of land as described in that certain Warranty Deed recorded under Clerk's File No. 2013000574 of the Official Public Records of Randall County, Texas, portions of Highway Rights-of-Ways of Loop Highway No. 335, as described in those certain Rights-of-Ways Easements recorded in Volume 315, Page 356 and Volume 357, Page 334, both of the Deed Records of Randall County, Texas, portions of Highway Right-of-Way of Loop Highway No. 335, as described in those certain Highway Right-of-Way Deeds recorded under Clerk's File No.'s 2014000756, 2013021949, 2013021948, and 2013022337, all of the Official Public Records of Randall County, Texas, and a portion of that certain "Vacated" Road Right-of-Way known as Hollywood Road, as described in that certain City of Amarillo's Ordinance No. 6626, recorded under Clerk's File No. 02 19952 of the Official Public Records of Randall County, Texas, all situated in Sections 231 and 232, Block 2, A.B. & M. Survey, Randall County, Texas, said tract of land determined from various surveys by Robert Keys and Associates from April, 2004 to present, and being further described by metes and bounds as follows:

Commencing at the common west corner of said Sections 231 and 232;

Thence N. 89° 49' 42" E., (Directional Control GPS Observation WGS-84), 1270.00 feet along the common line of said Sections 231 and 232 to the northwest and **BEGINNING CORNER** of this tract of land;

Thence N. 89° 49' 42" E., 2760.31 feet along the common line of said Sections 231 and 232 and the existing city limits line of the City of Amarillo, as described in that certain Ordinance No. 6742, dated July 8, 2004, and Ordinance No. 7084, dated March 4, 2008 to the beginning of a curve to the right with a radius of 3944.83 feet;

Thence Northeasterly, along said existing city limits line, an arc distance of 486.82 feet with a chord of N. 86° 17' 35" E., 486.51 feet to the end of said curve;

Thence N. 89° 49' 42" E., 710.81 feet along said city limits line to the northeast corner of this tract of land, from whence the common east corner of said Sections 231 and 232 bears South, 30 feet and East 60 feet;

Thence S. 00° 24' 51" W., 379.54 feet to the most easterly southeast corner of this tract of land being in the east line of Lot 4, Block 1, Gouldy Acres Unit No. 1, a suburban subdivision of the City of Amarillo, according to the map or plat thereof, of record in Volume 776, Page 376 of the Deed Records of Randall County Texas and same being the most easterly southeast corner of a 0.8628 acre tract of land as described in that certain Highway Right-of-Way Deed recorded under Clerk's File No. 2014000756 of the Official Public Records of Randall County, Texas;

Thence N. 45° 13' 57" W., 106.12 feet along the southerly line of said 0.8628 acre tract of land and same being the southerly right-of-way line of said Loop Highway No. 335;

Thence S. 89° 48' 06" W., 635.76 feet along the south right-of-way line of said Loop Highway 335 as described in that certain Highway Right-of-Deed recorded under said Clerk's File No. 2014000756 to the beginning of a curve to the left, with a radius of 3646.81 feet;

Thence Southwesterly, along said curve and southerly right-of-way line of said Loop Highway 335, as described in that certain Highway Right-of-Deed recorded under said Clerk's File No. 2014000756, an arc distance of 551.98 feet with a chord of S. 85° 29' 13" W., 551.45 feet;

Thence S. 00° 15' 46" E., 531.98 feet along the west line of Lot 9, Block 2, of said Gouldy Acres Unit No. 1 to the most southerly southeast corner of this tract of land and same being the beginning of a curve to the left with a radius of 3119.83 feet;

Thence Southwesterly, along said curve, an arc distance of 861.47 feet with a chord of S. 71° 46' 50" W., 858.73 feet to the end of said curve;

Thence S. 63° 49' 15" W., 588.81 feet to the beginning of a curve to the right with a radius of 4519.83 feet;

Thence Southwesterly, along said curve, an arc distance of 1391.26 feet with a chord of S. 72° 40' 57" W., 1385.77 feet to the end of said curve;

Thence N. 00° 08' 00" W., 860.31 feet along the existing city limits line of the City of Amarillo as described in that certain Ordinance No. 5097 dated August 11, 1981;

Thence N. 01° 38' 30" W., 921.33 feet along the existing city limits line of the City of Amarillo as described in that certain Ordinance No. 4398 dated March 25, 1975 to the **POINT OF BEGINNING**.

NOTE: This metes and bounds description is for annexation purposes only, and not surveyed on the ground at this time, but prepared from previous surveys and record documents. It cannot be used for any other purpose.

See Exhibit "B" Sketch,
Job No. 20140210

Robert Keys & Associates

Surveying / Mapping / Planning
7106 S. Bell Street, Amarillo, Texas 79109
Voice: (806) 352-1782 Fax: (806) 352-1942
Texas Firm No. 10034400

EMAIL: rka@keyssurveying.com

Web Site: www.keyssurveying.com

Prepared: December 19, 2017

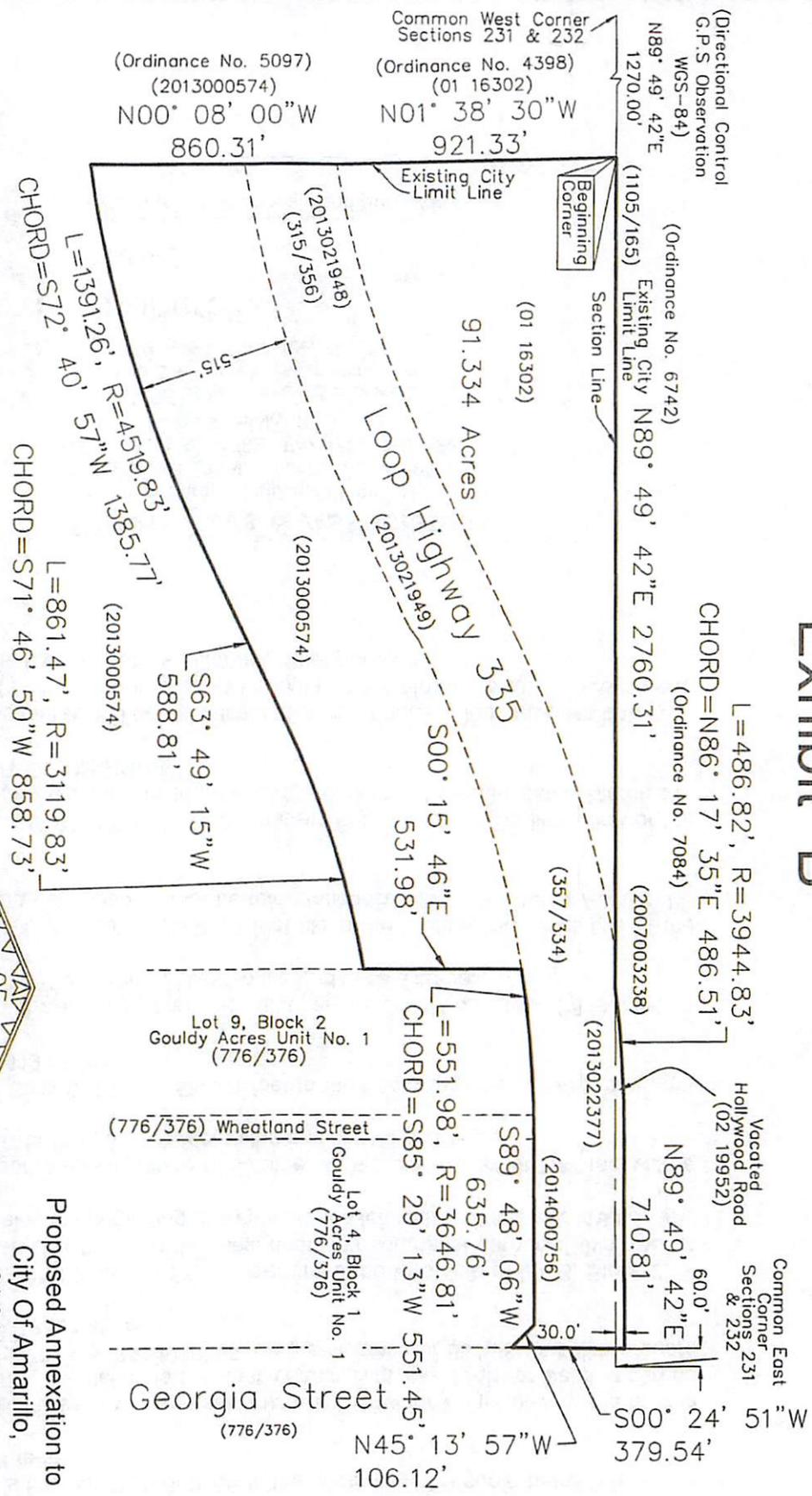


**Robert E.
Keys**

Digitally signed by Robert E. Keys
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Keys and Associates, ou,
email=rkeys@keyssurveying.com,
c=US
Date: 2017.12.19 10:04:33 -0600

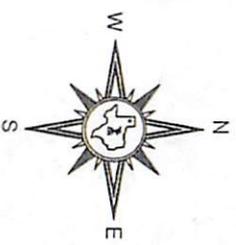
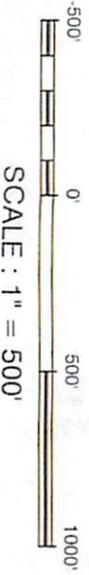
Registered Professional Land Surveyor

Exhibit "B"



Robert E. Keys

Digitally signed by Robert E. Keys
 DN: cn=Robert E. Keys, o=Robert
 Keys and Associates, ou,
 email=keys@keysurveying.com,
 c=US
 Date: 2017.12.19 10:12:33 -0600



Date: December 19, 2017
 Prepared from various surveys
 from April, 2004 to present

Job No. 404029

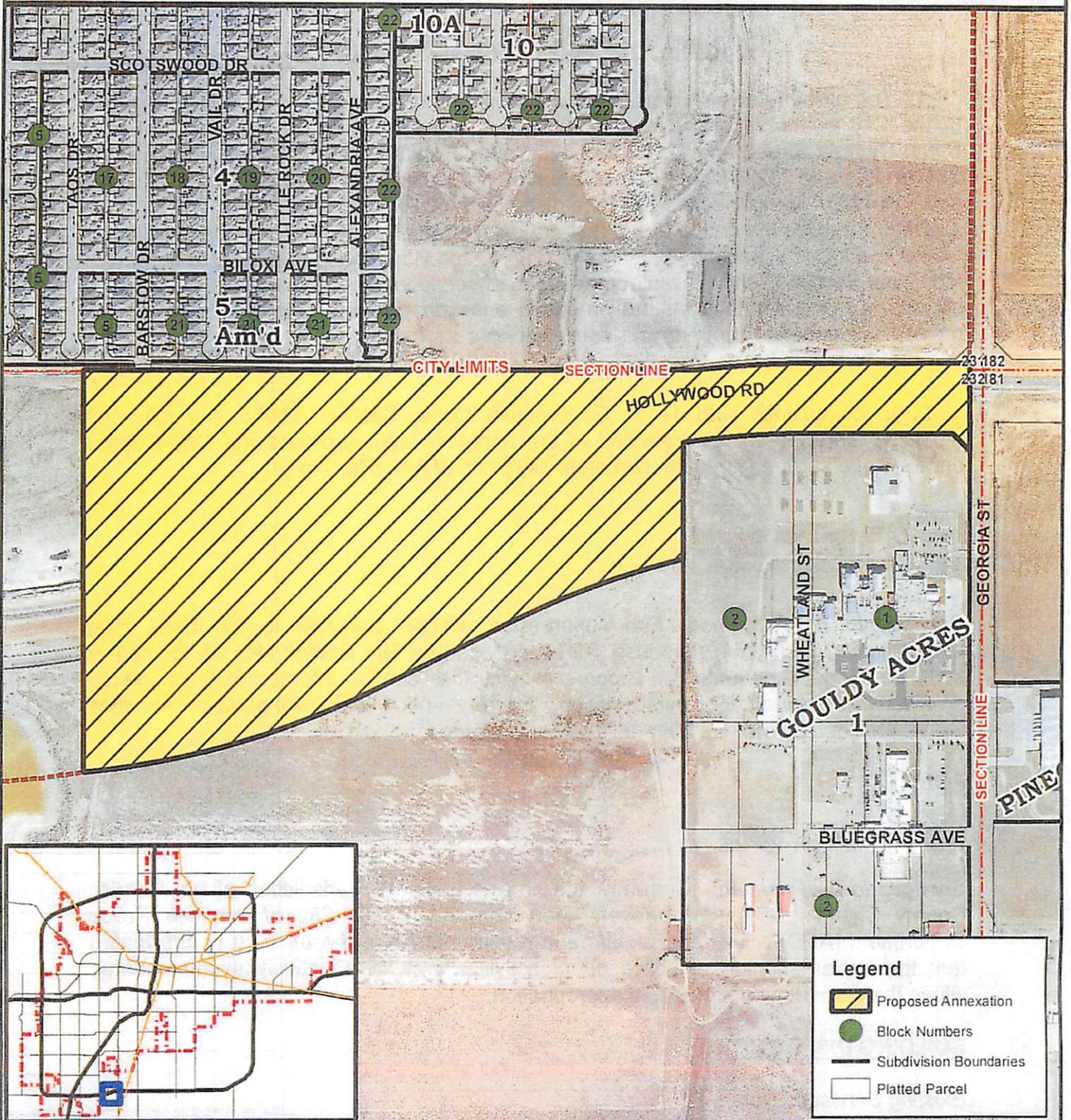


Robert Keys & Associates

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 7106 S. Bell Street, Amarillo, Texas 79109-7003
 Firm No. 10034400 www.keysurveying.com

Proposed Annexation to
 City Of Amarillo,
 91.344 acres
 being a portion of
 Sections 231 & 232, Block 2,
 A. B. & M. Survey,
 Randall County, Texas

EXHIBIT "C"



**CITY OF AMARILLO
PLANNING DEPARTMENT**

ANNEXATION INTO THE CITY OF AMARILLO, RANDALL COUNTY, TEXAS, ON PETITION OF PROPERTY OWNER, TERRITORY GENERALLY DESCRIBED AS A 91.34 ACRE TRACT LOCATED SOUTHEAST OF THE CITY, WEST OF THE INTERSECTION OF SOUTH GEORGIA STREET AND WEST LOOP 335 SOUTH, SITUATED IN SECTION 231 & 232, BLOCK 2, A.B.&M. SURVEY, AND EXTENDING WEST/SOUTHWEST ADJACENT TO THE NORTHERN LINE OF SECTION 232 FOR A DISTANCE OF 4012.31

Scale: 1 inch = 600 feet
Date: 1/17/2018



EXHIBIT D: MUNICIPAL SERVICE PLAN

1. The property owners petitioned to annex their real property, which is contiguous to the City located approximately Southeast of the City, West of the Intersection of South Georgia Street, and West Loop 335 South, Randall County, Texas, described as Section 231 and 232, Block 2, A.B.&M. survey, and extending West/Southwest adjacent to the Northern line of Section 232 for a distance of 4013.31'.

Before publication notice of the first annexation hearing mandated under the Texas Government Code, Section 43.0561, the City of Amarillo, Texas is required to prepare a Municipal Service Plan to inventory the types of services currently provided for Amarillo citizens, existing services for the proposed annexed property, and how the City will provide the annexed property the same services as those property owners within the corporate city limits.

2. In compliance with Texas Government Code, Section 43.056, the following municipal services will be provided in the annexed area, provided the City Council annexes such property into the corporate city limits of Amarillo, Texas.

FIRE

Existing Services: None

Services to be Provided: Fire suppression will be available to the area upon annexation. Primary fire response will be provided by Fire Station No. 12, located at 3100 SW 58th. Adequate fire suppression activities can be afforded to the annexed area within current budget appropriation. Fire prevention and fire inspection 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 Randall County Sheriff's Office. However, upon annexation, the City of Amarillo Police Department (APD) will extend regular and routine patrols to the area. 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: None

Services to be Provided: The Building Safety Department will provide code enforcement services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulated building construction within the City of Amarillo. This

can be provided within the current Department of Building Safety budget and staff appropriations.

PLANNING AND ZONING

Existing Services: None

Services to be Provided: The Planning and Zoning Department's responsibility for regulating development and land use through the administration of the City of Amarillo's 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 Amarillo's Subdivision Ordinance. These services can be provided within the department's current budget and staff appropriations.

LIBRARY

Existing Services: None

Services to be Provided: Upon the effective date of annexation, free library use privileges will be available to anyone residing in this area. These privileges can be provided within the current budget appropriation.

ENVIRONMENTAL HEALTH DEPARTMENT- HEALTH CODE ENFORCEMENT SERVICE

Existing Services: None

Services to be Provided: The Bi-City-County Health District will implement the enforcement of the City of Amarillo's health ordinances and regulations on the effective date of the annexation. Such services can be provided with current Health Department personnel and within the current budget appropriation. In addition, Animal Management and Welfare services will be provided to the area as needed.

STREETS

Existing Services: County & TxDOT Street Maintenance

Services to be Provided: Maintenance to any future street and alley facilities will be provided by the City upon acceptance of that street or alley by the City at the completion of the required warranty period. Any future maintenance will require a budget increase, based upon the number of lane miles of streets and alleys installed as part of future development. Construction of any streets or alleys in the future shall comply with the City of Amarillo's standard specifications.

STORM WATER MANAGEMENT

Existing Services: None

Services to be Provided: Developers will provide storm water drainage at their own expense and will be jointly inspected by the Capital Projects and Public Works Department at time of completion. Construction of all storm water drainage facilities shall comply fully with City of Amarillo Specifications. The City will then maintain the drainage upon approval.

STREET LIGHTING

Existing Services: None

Services to be Provided: The City of Amarillo Traffic Engineering Department will coordinate any request for improved street lighting with the local electric provider in accordance with City of Amarillo Lighting Standards.

TRAFFIC ENGINEERING

Existing Services: None

Services to be Provided: After the effective date of annexation, the City of Amarillo Traffic Engineering Department will provide additional traffic control devices deemed necessary for public safety by that Department. Traffic controls shall be on a level comparable to that provided for other areas of the City with similar roads, topography, land use, population densities, degrees and nature of development, traffic patterns, and other factors influencing the flow of traffic in the area. Traffic counts and other studies will be conducted as warranted in accordance with the City's current policy.

WATER SERVICE

Existing Services: If the property is platted as a whole, as shown on map, an existing 30" water main runs along the north side of the property.

Services to be Provided: If property is subdivided water main extensions would be the responsibility of the developer. Water service to the area will be provided by developer in accordance with the applicable City codes and departmental policy. When other property develops in the adjacent area, water service shall be provided by developer in accordance with extension ordinances. Extension of service shall comply with City codes and ordinances.

SANITARY SEWER SERVICE

Existing Services: If the property is platted as a whole, as shown on map, an existing 42" sanitary sewer main runs along the northeast side of the property.

Services to be Provided: If property is subdivided sanitary sewer extensions would be the responsibility of the developer. Sanitary sewer service to the area of proposed annexation will be provided by developer in accordance with applicable City codes and departmental policy. When property develops in the adjacent areas, sanitary sewer service shall be provided by developer in accordance with the present extension ordinance. Extension of service shall comply with applicable codes and ordinances.

SOLID WASTE SERVICES

Existing Services: None

Services to be Provided: After annexation, solid waste collection shall be provided to the area of annexation in accordance with the present City ordinance. Service shall comply with existing City policies, beginning with occupancy of structures. The use of the City's sanitary landfill will also be provided to all residents of the proposed annexed area on the same basis as those residents currently living within the City limits.

TRANSIT

Existing Services: None

Services to be Provided: The Americans with Disabilities Act service area adopted in 1992 by the COA is defined as the City boundaries west of Lakeside. Expansion requires Amarillo City Transit to pick up and drop off eligible passengers in this area. Fixed route service is not required.

PARKS & RECREATION

Existing Services: None

Services to be Provided: Upon the effective date of annexation, all resident privileges will be available to anyone residing in this area for all city offered parks & recreation programs and services city wide. These privileges can be provided within the current budget appropriation. City View School Park will be the closest neighborhood park, approximately five blocks due North from designated annexation.

MISCELLANEOUS

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

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



Renee Calhoun

201805059

03/28/2018 11:28 AM

Fee: \$6.00

Renee Calhoun, County Clerk

Randall County, Texas

CRD