

**CITY OF HORSESHOE BAY**

**ORDINANCE NO. ORD 09-12-15A**

**ANNEXATION OF NORTH PARTS OF LOT 12038-C AND 12039-B  
OF HORSESHOE BAY PLAT NO. 12.39**

**AN ORDINANCE PROVIDING FOR THE ANNEXATION OF TWO TRACTS OWNED BY J. MIKE YANTIS AND PATRICIA A. YANTIS, HEREINAFTER MORE SPECIFICALLY DESCRIBED, TO THE CITY OF HORSESHOE BAY, TEXAS FOR ALL MUNICIPAL PURPOSES; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH AREA SHALL BECOME A PART OF THE CITY AND THAT THE INHABITANTS THEREOF, IF ANY, SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND TO BE HEREINAFTER ADOPTED; PROVIDING FOR ZONING OF SUCH PROPERTY IN ACCORDANCE WITH THE CITY'S ZONING ORDINANCE, PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Horseshoe Bay, Texas is a Home Rule municipality as defined by the Texas Local Government Code; and

**WHEREAS**, Chapter 43 of the Texas Local Government Code, V.T.C.A., authorizes municipalities to annex adjacent territory in accordance with the procedures provided for therein; and

**WHEREAS**, the City received a petition for annexation from the owners of the north parts of the two lots as described hereafter; and

**WHEREAS**, notice of the appropriate public hearings was published in a newspaper having general circulation in the City of Horseshoe Bay, Texas and the public hearings were conducted and held in accordance with applicable law; and

**WHEREAS**, the City of Horseshoe Bay, Texas prepared a service plan for the extension of municipal services into the area to be annexed, said service plan being attached hereto as Exhibit "A" and incorporated herein for all purposes;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS:**

## **I. ANNEXATION**

That the hereinafter described tract of land is within the extraterritorial jurisdiction of, and is adjacent to and contiguous to the present corporate limits of the City of Horseshoe Bay, Texas, be, and the same is hereby annexed to the City of Horseshoe Bay, Texas for all municipal purposes and the corporate lines and limits of the City of Horseshoe Bay, Texas are hereby extended to embrace the said tract of land, which is more particularly described and attached hereto as follows:

### **NORTH PARTS OF TWO LOTS ANNEXATION**

The northern parts of Lot No. 12038-C and Lot No. 12039-B of Horseshoe Bay Plat No. 12.39 (500 Lighthouse Drive)

## **II. RIGHTS AND PRIVILEGES**

That the inhabitants, if any, of the property hereby annexed to the City of Horseshoe Bay, Texas shall be entitled to all the rights and privileges of said citizens of the City of Horseshoe Bay, Texas, and shall be bound by the acts, ordinances, codes, resolutions and regulations of the City of Horseshoe Bay, Texas.

## **III. SERVICE PLAN**

That the Service Plan which is attached hereto as Exhibit "A" has been approved and is hereby incorporated herein as part of this Ordinance for all purposes.

## **IV. ZONING**

That pursuant to the provisions of the City's Zoning Ordinance, the 0.20 Acre tract shall be zoned R-1 Single Family Residential.

## **V. MAP AND BOUNDARIES AMENDED**

That the official map and boundaries of the City of Horseshoe Bay, Texas, heretofore adopted and amended be and is hereby amended so as to include the aforementioned territory as part of the City of Horseshoe Bay, Texas.

## **VI. CORRECTION OFFICIAL MAP**

That the Development Services Manager is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City of Horseshoe Bay, Texas to add the territory hereby annexed as required by law.

## **VII. EFFECTIVE DATE**

That this Ordinance shall become effective after its passage.



EXHIBIT A  
SERVICE PLAN

## **ANNEXATION SERVICE PLAN**

### **FOR TWO AREAS IN THE ETJ - A 0.02 ACRE PART OF LOT 12038-C AND A 0.055 ACRE PART OF LOT 12039-B OF HORSESHOE BAY PLAT NO. 12.39, LLANO COUNTY, TEXAS**

#### ***SERVICES TO BE RENDERED AS OF THE EFFECTIVE DATE OF ANNEXATION***

*Pursuant to Section 43.056 of the Texas Local Government Code, each of the below services must be provided on the effective date of annexation of the two Areas:*

#### **1. POLICE PROTECTION**

A. *Existing Services:* Currently the two Areas are the north parts of the two lots, which were not included in the City Limits when the City was established, are under the jurisdiction of the Llano County Sheriff's Office.

B. *Services to be Provided:* The City and its Police Department will provide police protection to the two newly annexed Areas at the same or similar level of service now being provided to other areas of the City. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

#### **2. FIRE PROTECTION**

A. *Existing Services:* Currently the Area is under the jurisdiction of Llano County.

B. *Services to be Provided:* The Horseshoe Bay Fire Department will provide fire protection to the two newly annexed Areas at the same or similar level of service now being provided to other areas of the City. It is anticipated that the implementation of fire suppression activities can be effectively accommodated within the current budget and staff appropriation.

#### **3. EMERGENCY MEDICAL SERVICES**

A. *Existing Services:* Currently, the two Areas are under the jurisdiction of Llano County Emergency Services District No. 1.

B. *Services to be Provided:* The City does not provide emergency medical services. The City is not aware that the annexation of these properties will change or impact emergency medical services provided to the Area by Llano County Emergency Service District No. 1.

**4. SOLID WASTE COLLECTION**

A. *Existing Services:* The City Council is unaware of any existing solid waste services being provided to the two Areas.

B. *Services to be Provided:* Solid waste collection services will now be available to these two Areas, and will continue to be provided to the other parts of the two Lots, which includes the residence at 500 Lighthouse Drive.

**5. BUILDING INSPECTION**

A. *Existing Services:* By Agreement with Llano County, the City provides building inspection services to specific areas in the City's Extraterritorial Jurisdiction (ETJ), including the two Areas to be annexed.

B. *Services to be Provided:* Building inspection services will continue to be available to the two Areas, and will continue to be provided to the other parts of both lots, which includes the residence at 500 Lighthouse Drive.

**6. PLANNING AND ZONING**

A. *Existing Services:* By Agreement with Llano County, the City provides subdivision review and enforcement services to specific areas in the City's Extraterritorial Jurisdiction (ETJ), including the two Areas to be annexed.

B. *Services to be Provided:* Planning & zoning services will continue to be available to the two Areas, and will continue to be provided to the other parts of both lots, which includes the residence at 500 Lighthouse Drive.

**7. WATER SERVICES**

A. *Existing Services:* These Areas do not currently have water service.

B. *Services to be Provided:* Existing City water services will now be available to both of these Areas, and will continue to be provided to the other parts of both lots, which includes the residence at 500 Lighthouse Drive.

**8. SANITARY SEWER SERVICES**

A. *Existing Services:* No sanitary sewer line exists in the two Areas to be annexed.

B. *Services to be Provided:* Sanitary sewer services will now be available to both of these Areas, and will continue to be provided to the other parts of both lots, which includes the

residence at 500 Lighthouse Drive.

**9. MAINTENANCE OF WATER AND WASTE WATER FACILITIES**

A. *Existing Services:* Currently there are no public water and wastewater services provided in the two Areas which need to be maintained.

B. *Services to be Provided:* No change in maintenance of the water and sanitary sewer services is anticipated with the annexation of these two Areas.

**10. MAINTENANCE OF ROADS AND STREETS**

A. *Existing Services:* There are no public roads in the two Areas.

B. *Services to be Provided:* No change in maintenance of the roads and streets is anticipated with the annexation of these two Areas.

**11. MAINTENANCE OF PARKS, PLAYGROUNDS AND SWIMMING POOLS**

A. *Existing Services:* The City Council of the City is not aware of the existence of any public parks, playgrounds or public swimming pools now located in the two Areas proposed for annexation.

B. *Services to be Provided:* No change in maintenance of public parks, playgrounds or public swimming pools is anticipated with the annexation of these two Areas.

**12. MAINTENANCE OF ANY PUBLICLY OWNED FACILITY, BUILDING OR MUNICIPAL SERVICE**

A. *Existing Services:* The City Council of the City is not aware of the existence of any publicly owned facility, building or other municipal service now located in the two Areas proposed for annexation.

B. *Services to be Provided:* No maintenance of any publicly owned facility, building or municipal service is expected to be required after annexation of these two Areas.

**CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS**

Section 43.056(e) of the Texas Local Government Code requires that the City include a program under which the City will initiate after the effective date of the annexation the acquisition or construction of capital improvements necessary for providing municipal services adequate to serve the two Areas. Any capital improvements to be constructed in the two Areas being annexed shall be constructed pursuant to the terms of the City's Ordinances and policies. No construction of capital improvements is contemplated in the two Areas to be annexed.

