

CITY OF LAGO VISTA, TEXAS

ORDINANCE NO. 21-12-02-03

ANNEXATION ORDINANCE

AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS, TO ANNEX APPROXIMATELY 10.46 ACRES OF LAND OWNED BY THE CITY, ADJACENT AND CONTIGUOUS TERRITORY INTO THE INCORPORATED MUNICIPAL BOUNDARIES OF THE CITY OF LAGO VISTA, TEXAS INCLUDING THE FOLLOWING: FINDINGS OF FACT; EFFECTIVE DATE; A REPEALER; SEVERABILITY; AND PROPER NOTICE AND OPEN MEETINGS CLAUSES.

WHEREAS, Chapter 43, Subchapter C-3 of the Texas Local Government Code authorizes a municipality to extend the boundaries of the municipality and annex area adjacent to the municipality in on request of the owners of such property; and

WHEREAS, the City of Lago Vista, Texas (“City”) is a home rule municipality with the rights and privileges thereto; and

WHEREAS, the City is the owner of the subject property and the City Manager on behalf of the City submitted a written request to voluntary annex area consisting of approximately 10.46 acres of land described in Exhibit “A”; and

WHEREAS, the approximately 10.46 acres of land identified in Exhibit “A,” are adjacent and contiguous to the city limits; and

WHEREAS, the City, as the property owner will provide services to property upon annexation; and

WHEREAS, the City Council of the City of Lago Vista (“City Council”) has conducted a public hearing on December 2, 2021, regarding the annexation of the area and has provided all required notices within the timeframes established under Chapter 43 of the Texas Local Government Code; and

WHEREAS, the City Council deems it to be in the best interest of the citizens of the City to annex said territory into the City.

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

1. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the Lago Vista, Texas, and are hereby approved and incorporated into the body of this Ordinance as if copied herein in their entirety.

2. ANNEXATION OF TERRITORY

- A.** The property in the area described in Exhibit "A", which is attached hereto and incorporated herein for all purposes, is hereby annexed and brought into the municipal boundaries (i.e., corporate limits) of the City of Lago Vista, and is made an integral part, hereof.
- B.** The official map and boundaries of the City of Lago Vista are hereby amended and revised so as to include the area annexed, and to reflect the expansion of the City's extraterritorial jurisdiction resulting from such annexation.

3. EFFECTIVE DATE

This ordinance is effective and the annexation achieved herein shall be final and complete upon adoption of this Ordinance on the date set forth below.

4. FILING

- A.** The City Secretary is hereby instructed to include this Ordinance in the records of the City.
- B.** The City Secretary is hereby instructed to have prepared maps depicting the new municipal boundaries and extraterritorial jurisdiction.
- C.** The City Secretary is hereby instructed to file a certified copy of this Ordinance with the Travis County Clerk.

5. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

6. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED this the 2nd day of December 2021, by a vote of 7 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of the City of Lago Vista, Texas.



THE CITY OF LAGO VISTA:

Ed Tidwell, Mayor

ATTEST:

Sandra Barton, City Secretary

Exhibit "A"
DESCRIPTION OF AREA TO BE ANNEXED

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



Dana DeBeauvoir
Dana DeBeauvoir, County Clerk
Travis County, Texas

May 18, 2021 01:19 PM Fee: \$46.00

2021110965

Electronically Recorded

GENERAL WARRANTY DEED

15/ITC 21110965 CPK/JH

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

STATE OF TEXAS

COUNTY OF TRAVIS

DATE:

May 17, 2021

GRANTOR:

Steven E. Frick and E. Carol Frick also known as Carol Frick

GRANTOR'S ADDRESS:

17901 Link Rd., Lago Vista, TX 78645

GRANTEE:

City of Lago Vista

GRANTEE'S ADDRESS:

5803 Thunderbird Dr., Lago Vista, TX 78645

CONSIDERATION:

TEN DOLLARS (\$10.00) cash and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by Grantor.

REAL PROPERTY

(INCLUDING ANY IMPROVEMENTS)
[THE "PROPERTY" HEREIN]:

Being 10.46 acres of land, more or less, situated in the William Hensley Survey, Abstract No. 348, in Travis County, Texas; being all of a called 10.46 acre tract of land described in a Trustee's Deed to Steven E. Frick and E. Carol Frick, recorded in Document No. 2009012707 of the Official Public Records of Travis County, Texas; also being a portion of Tracts 91, 92, and 93, Travis Hollow Section Three, a subdivision of record in Volume 78, Page 394 of the Plat Records of Travis County, Texas. Said 10.46 acres being more particularly described by metes and bounds on Exhibit "A" attached hereto.

RESERVATIONS FROM CONVEYANCE & WARRANTY:

None.

EXCEPTIONS TO CONVEYANCE & WARRANTY:

Those matters permitted by the purchase and sale agreement between Grantor (as seller) and Grantee (as buyer) regarding the Property, but only to the extent those matters are applicable to the Property.

AD VALOREM TAXES:

Ad valorem taxes for the Property for the current year having been prorated between Grantor and Grantee, payment thereof is assumed by Grantee.

CONVEYANCE:

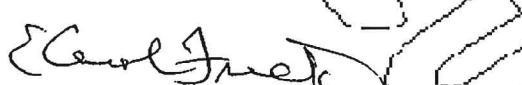
Grantor, for the consideration and subject to the Reservations From Conveyance and Warranty and Exceptions to Conveyance and Warranty set forth above, GRANTS, SELLS, and CONVEYS to Grantee the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, TO HAVE AND HOLD it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, successors, and assigns to WARRANT AND FOREVER DEFEND all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations From Conveyance and Warranty and Exceptions to Conveyance and Warranty set forth above.

TERMS:

When the context requires, singular nouns and pronouns include the plural; and masculine forms include the feminine.

GRANTOR:


Steven E. Frick


E. Carol Frick also known as Carol Frick

NOTARY ACKNOWLEDGMENTS

STATE OF TEXAS

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COUNTY OF TRAVIS

This instrument was acknowledged before me on May 17, 2021, by Steven E. Frick.

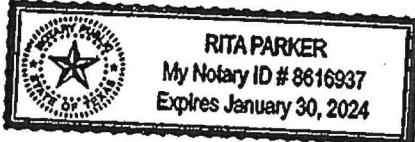
 Notary Public in and for the State of Texas

STATE OF TEXAS

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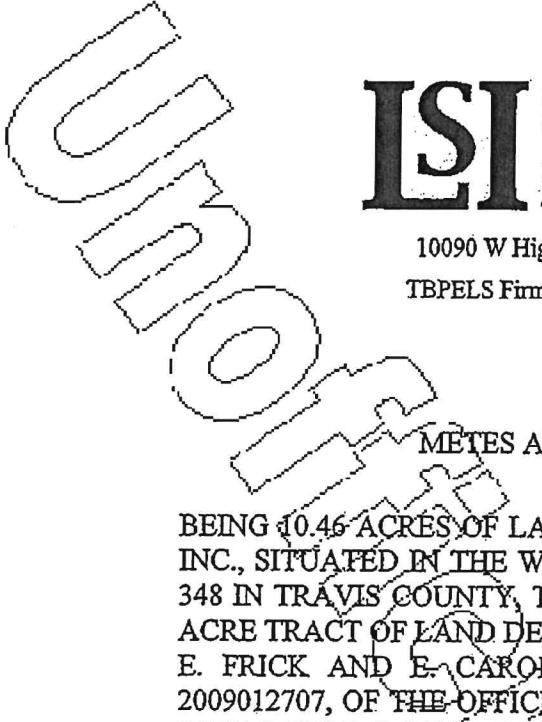
COUNTY OF TRAVIS

This instrument was acknowledged before me on May 17, 2021, by E. Carol Frick also known as Carol Frick.

 Notary Public in and for the State of Texas

After Recording, Please Return to:

Independence Title Company
601 E. Whitestone Blvd., Bldg. 6, Ste. 100
Cedar Park, TX 78613
Attention: Jill Hansen
GF# 2117081



LSI LANDDESIGN★ SERVICES, INC.

10090 W Highway 29 | Liberty Hill, Texas 78642

TBPELS Firm No. 10001800 | 512-238-7901 office

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION

BEING 10.46 ACRES OF LAND, SURVEYED BY LANDDESIGN SERVICES, INC., SITUATED IN THE WILLIAM HENSLEY SURVEY, ABSTRACT NO. 348 IN TRAVIS COUNTY, TEXAS AND BEING ALL OF A CALLED 10.46 ACRE TRACT OF LAND DESCRIBED IN A TRUSTEE'S DEED TO STEVEN E. FRICK AND E. CAROL ERICK, RECORDED IN DOCUMENT NO. 2009012707, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), ALSO BEING A PORTION OF TRACTS 91, 92, AND 93, TRAVIS HOLLOW SECTION THREE, A SUBDIVISION OF RECORD IN VOLUME 78, PAGE 394 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS (P.R.T.C.T.) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch rebar with cap stamped "HARRIS RPLS 1729" found for the Northwest corner of said 10.46 acre tract and the Northeast corner of a called 0.9069 of one acre tract of land described in a Special Warranty Deed to The Bruce J. Colborne and Janet M. Colborne Living Trust, recorded in Document No. 2010016732 of said O.P.R.T.C.T., also being in the existing South right-of-way line of Alfalfa Drive (60° R.O.W. – said Volume 78, Page 394), from which a cotton Spindle found in the North line of said 0.9069 of one acre tract and the existing South right-of-way line of said Alfalfa Drive, bears North 49°29'11" West a distance of 128.85 feet;

THENCE South 49°29'11" East with the North line of said 10.46 of one acre tract and the existing South right-of-way line of said Alfalfa Drive, a distance of 107.74 feet to a 1/2-inch rebar with illegible cap found for a corner of said 10.46 acre tract and the Northwest corner of a called 1.19 acre tract of land described in a Warranty Deed with Vendor's Lien to William Carl Lancaster, recorded in Document No. 2002081824 of said O.P.R.T.C.T., from which a 5/8-inch rebar found for the Northeast corner of said 1.19 acre tract and the Northwest corner of a called 1.05 acre tract of land described in a Warranty Deed to J. Ann Murrow and Gregory Andrew Murrow, recorded in Volume 11012, Page 1043 of the Real Property Records of Travis County, Texas (R.P.R.T.C.T.), bears South 49°29'11" East a distance of 109.80 feet;

THENCE South 32°55'09" West with an Easterly line of said 10.46 acre tract the common West line of said 1.19 acre tract, a distance of 299.83 feet to a 1/2-inch rebar with cap stamped "RPLS 1847" found for an interior corner of said 10.46 acre tract and the Southwest corner of said 1.19 acre tract;

THENCE South 46°27'48" East with a Northerly line of said 10.46 acre tract the common South line of said 1.19 acre tract, a distance of 486.23 feet to a 1/2-inch rebar with cap stamped "LSI SURVEY" set for an interior corner of said 10.46 acre tract and the Southeast corner of said 1.19 acre tract;

THENCE North 31°46'02" East with an East line of said 1.19 acre tract and a common line of said 10.46 acre tract, a distance of 51.39 feet to a 1/2-inch rebar with cap stamped "LSI SURVEY" set for an exterior corner of said 10.46 acre tract, an exterior corner of said 1.19 acre tract and the Southeast corner of a called 0.91 of one acre tract of land described in a Special Warranty Deed with Vendor's Lien to N. S. Interior, Inc., recorded in Document No. 2017043152 of said O.P.R.T.C.T., also being the Southwest corner of a called 1.7389 acre tract of land described in a Warranty Deed with Vendor's Lien to Davis-Tuggle Investments, LLC., recorded in Document No. 2005050663 of said O.P.R.T.C.T., from which a 5/8-inch rebar found for the Northwest corner of said 1.7389 acre tract and the Northeast corner of said 0.91 of one acre tract, also being in the existing South right-of-way line of said Alfalfa Drive, bears North 31°46'02" East a distance of 209.70 feet;

THENCE South 46°33'07" East with the North line of said 10.46 acre and the common South line of said 1.7389 acre tract, a distance of 358.56 feet to a 1/2-inch rebar found for an East corner of said 10.46 acre tract and the common Southeast corner of said 1.7389 acre tract, also being in the West line of Tract 90, said TRAVIS HOLLOW SECTION THREE;

THENCE South 14°08'36" West with the East line of said 10.46 acre tract and the common West line of said Tract 90, a distance of 341.55 feet to a 5/8-inch rebar found for the Southeast corner of said 10.46 acre tract and the common Southwest corner of said Tract 90, also being in the existing North right-of-way line of Sierra Vista Drive (50' R.O.W. - Vol. 49, Pg. 27.), from which a 1/2-inch rebar found in the South line of said Tract 90 and the common existing North right-of-way line of said Sierra Vista Drive, bears South 56°44'36" East a distance of 143.61 feet;

THENCE with the South line of said 10.46 acre tract and the common existing North right-of-way line of Sierra Vista Drive, the following six (6) courses and distances:

1. North 56°44'36" West a distance of 140.09 feet to a 1/2-inch rebar found;
2. North 65°30'58" West a distance of 120.09 feet to a 1/2-inch rebar found;
3. North 53°38'57" West a distance of 121.00 feet to a 1/2-inch rebar found;
4. North 60°36'58" West a distance of 117.05 feet to a 1/2-inch rebar with cap stamped "LSI SURVEY" set;
5. North 71°45'32" West a distance of 260.78 feet to a 1/2-inch rebar with cap stamped "RPLS 1729" found; and

6. South $88^{\circ}18'49''$ West a distance of 99.88 feet to a 1/2-inch rebar with cap stamped "RPLS 1729" found for the Southwest corner of said 10.46 acre tract and the common Southeast corner of Tract 101, said TRAVIS HOLLOW SECTION 3, from which a 1/2-inch rebar found in the South line of said Tract 101 and the common existing North right-of-way line of said Sierra Vista Drive, bears South $88^{\circ}18'49''$ West a distance of 62.54 feet;

THENCE North $32^{\circ}56'34''$ East with the West line of said 10.46 acre tract and the common East line of said Tract 101, a distance of 291.82 feet to a 1/2-inch rebar with cap stamped "LSI SURVEY" set for an interior corner of said 10.46 acre tract and the Northeast corner of said Tract 101;

THENCE North $57^{\circ}33'15''$ West with a South line of said 10.46 acre tract and the common North line of said Tract 101, a distance of 372.86 feet to a 1/2-inch rebar found for a corner of said 10.46 acre tract and the common Southeast corner of Tract 94, said TRAVIS HOLLOW SECTION 3;

THENCE North $32^{\circ}02'10''$ East with the West line of said 10.46 acre tract and the common East line of said Tract 94, a distance of 378.84 feet to a 1/2-inch rebar found for a corner of said 10.46 acre tract and Southwest corner of said 0.9069 of one acre tract;

THENCE South $46^{\circ}35'59''$ East with a North line of said 10.46 acre tract and the common South line of said 0.9069 of one acre tract, a distance of 165.96 feet to a 1/2-inch rebar with cap stamped "LSI SURVEY" set for an interior corner of said 10.46 acre tract and the common Southeast corner of said 0.9069 of one acre tract;

THENCE North $32^{\circ}58'23''$ East with the West line of said 10.46 acre tract and the common East line of said 0.9069 of one acre tract, a distance of 243.39 feet to the **POINT OF BEGINNING** and containing 10.46 acres of land, more or less.

This project is referenced for all bearing and coordinate basis to the Texas State Plane Coordinate System, North American Datum of 1983 (NAD83 - 2011 Adjustment), Central Zone (4203). All distances shown hereon are surface values represented in U.S. Survey Feet based on a grid-to-surface combined adjustment factor of 1.0000732

This property description was prepared from an on-the-ground survey performed under my supervision and is accompanied by a separate plat of even date. The field work was completed in May 2021.

 05/12/2021
Travis S. Tabor

Registered Professional Land Surveyor
State of Texas No. 6428



Job Number: 21-026
Attachments: K:\21026 - COLV 6519 Sierra Vista\CAD\DWGs\21026- 6519 SIERRA VISTA.dwg

LSI

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