

ORDINANCE NO. 57-10

AN ORDINANCE OF THE VILLAGE OF THE HILLS, TRAVIS COUNTY, TEXAS, RELEASING EXTRATERRITORIAL JURISDICTION TO THE CITY OF LAKEWAY AND ACCEPTING AN AREA TO BE RELEASED BY THE CITY OF LAKEWAY TO THE EXTRATERRITORIAL JURISDICTION OF THE VILLAGE; PROVIDING FOR THE REVISION OF THE BOUNDARY OF THE VILLAGE'S EXTRATERRITORIAL JURISDICTION (ETJ); PROVIDING FOR THE AMENDMENT OF THE VILLAGE'S OFFICIAL MAPS; MAKING FINDINGS OF FACT; PROVIDING FOR THE INTERLOCAL AGREEMENT TO REMAIN IN FULL FORCE AND EFFECT; AND PROVIDING FOR SEVERABILITY, REPEALER, EFFECTIVE DATE, AND NOTICE OF OPEN MEETING.

WHEREAS, the Mayor of the City of Lakeway has submitted to the Board of Aldermen of the Village of The Hills a letter requesting that the Village of The Hills release from its Extra Territorial Jurisdiction (ETJ) the area known as the Villas of the Hills; and,

WHEREAS, the letter from the City of Lakeway states that if the Village of The Hills releases this parcel of land, it would be the intention of the city of Lakeway to annex this area; and,

WHEREAS, the Board of Aldermen appointed a committee of two Aldermen at the Board's regular July 8, 2010 meeting to review this request and report back to the Board their findings, which they did at the Board's August 12, September 9, and September 23 meetings; and

WHEREAS, the Board of Aldermen held a Public Meeting to obtain input on the issue from residents at the Board's regular August 12, 2010 meeting; and

WHEREAS, the Board of Aldermen of the Village of The Hills, Travis County, Texas ("Board") seeks to provide for the public health, safety and welfare of its citizens; and

WHEREAS, section 42.023 of the Texas Local Government Code permits cities to reduce its extraterritorial jurisdiction (ETJ); and

WHEREAS, the Village and the City of Lakeway entered into an Interlocal Agreement and Exchange of Extraterritorial Jurisdiction, providing for the exchange of ETJ and for related matters (the "Interlocal Agreement"); and

WHEREAS, the Board of Aldermen finds that it is in the best interest of the public health, safety and welfare to reduce the Village's ETJ as shown on the attached exhibit.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF THE HILLS THAT:

Article 1: Findings of Fact

All of the above premises are hereby found to be true and correct legislative and factual findings of the Board of Aldermen and are hereby approved and incorporated into the body of this ordinance as if copied in their entirety.

Article 2: Extraterritorial Jurisdiction

- A.** That the Village releases the geographic area known as “The Villas” depicted on the plat attached hereto and incorporated herein for all purposes as Exhibit “A” from the extraterritorial jurisdiction (ETJ) of the Village of the Hills to the City of Lakeway.
- B.** That the Village’s official maps showing the boundaries of the Village and its ETJ shall be corrected to reflect the release of the ETJ and the resulting new ETJ boundary as approved by this Ordinance.
- C.** That the Village accepts the geographic area known and referred to as the “Access Tract,” comprised of 3.054 acres of land out of the Texas Central Railroad Company Survey No. 195, Travis County, which tract is more fully described by metes and bounds and shown on the plat attached hereto and incorporated herein for all purposes as Exhibit “B”, as ETJ of the Village of the Hills. This acceptance shall be effective immediately upon the release and disannexation of such area from the City of Lakeway.

Article 3: Interlocal Agreement

The Interlocal Agreement shall be and remain in full force and effect according to its terms, conditions and provision.

Article 4: Severability

Should any sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjusted or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance in whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

Article 5: Repealer

The provisions of this ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent that such

inconsistency is apparent. This ordinance shall not be construed to require or allow any act which is prohibited by any other ordinance.

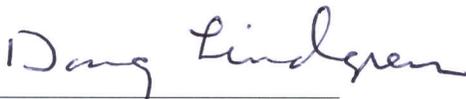
Article 6: Effective Date

This Ordinance shall take effect immediately from and after its passage and publication as may be required by law.

Article 7: 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.

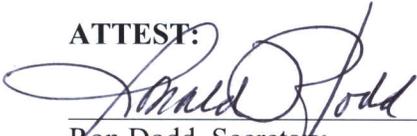
PASSED AND APPROVED this 12 day of October, 2010.



Doug Lindgren, Mayor
Village of The Hills, Texas



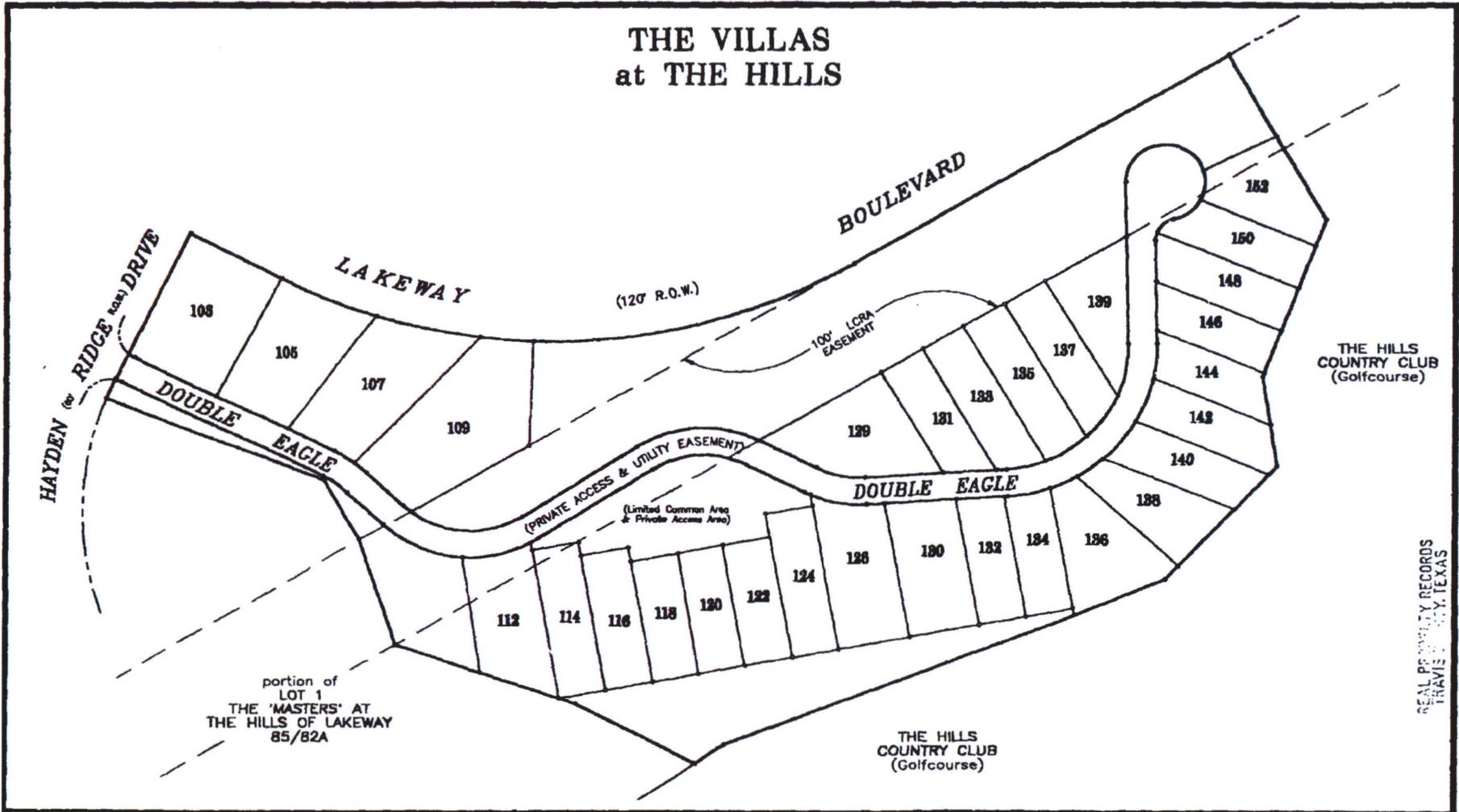
ATTEST:



Ron Dodd, Secretary
Village of The Hills, Texas

EXHIBIT "A"

THE VILLAS at THE HILLS



REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12887 0011

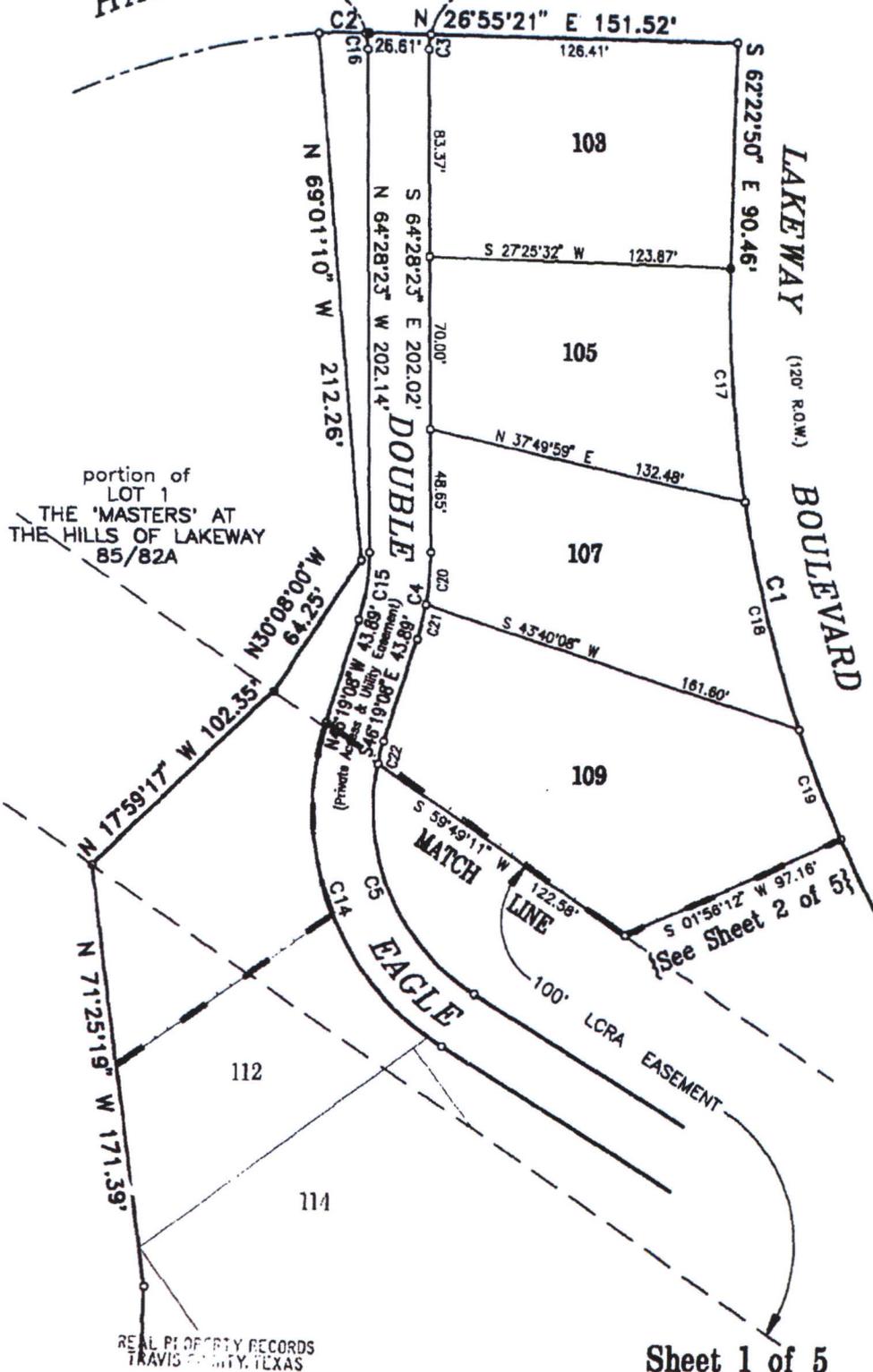
Job No: 94-171 Date: 02/19/97

THE VILLAS at THE HILLS

Scale: 1"=50'



HAYDEN (60' RIDGE R.O.W.) DRIVE



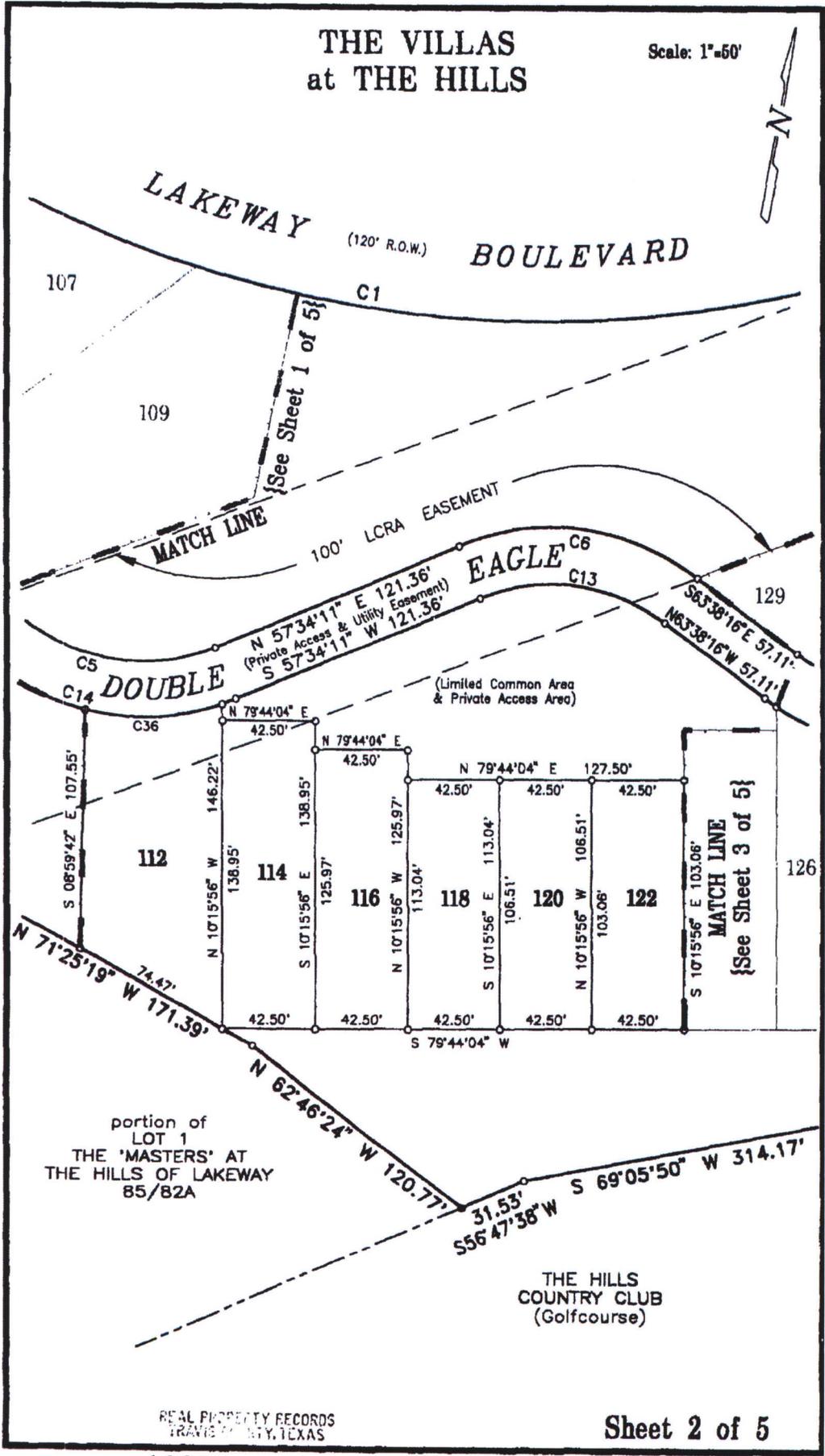
Sheet 1 of 5

12887 0012

Job No. 94-177 Date: 02/19/97

THE VILLAS
at THE HILLS

Scale: 1"=50'



portion of
LOT 1
THE 'MASTERS' AT
THE HILLS OF LAKEWAY
85/82A

THE HILLS
COUNTRY CLUB
(Golfcourse)

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

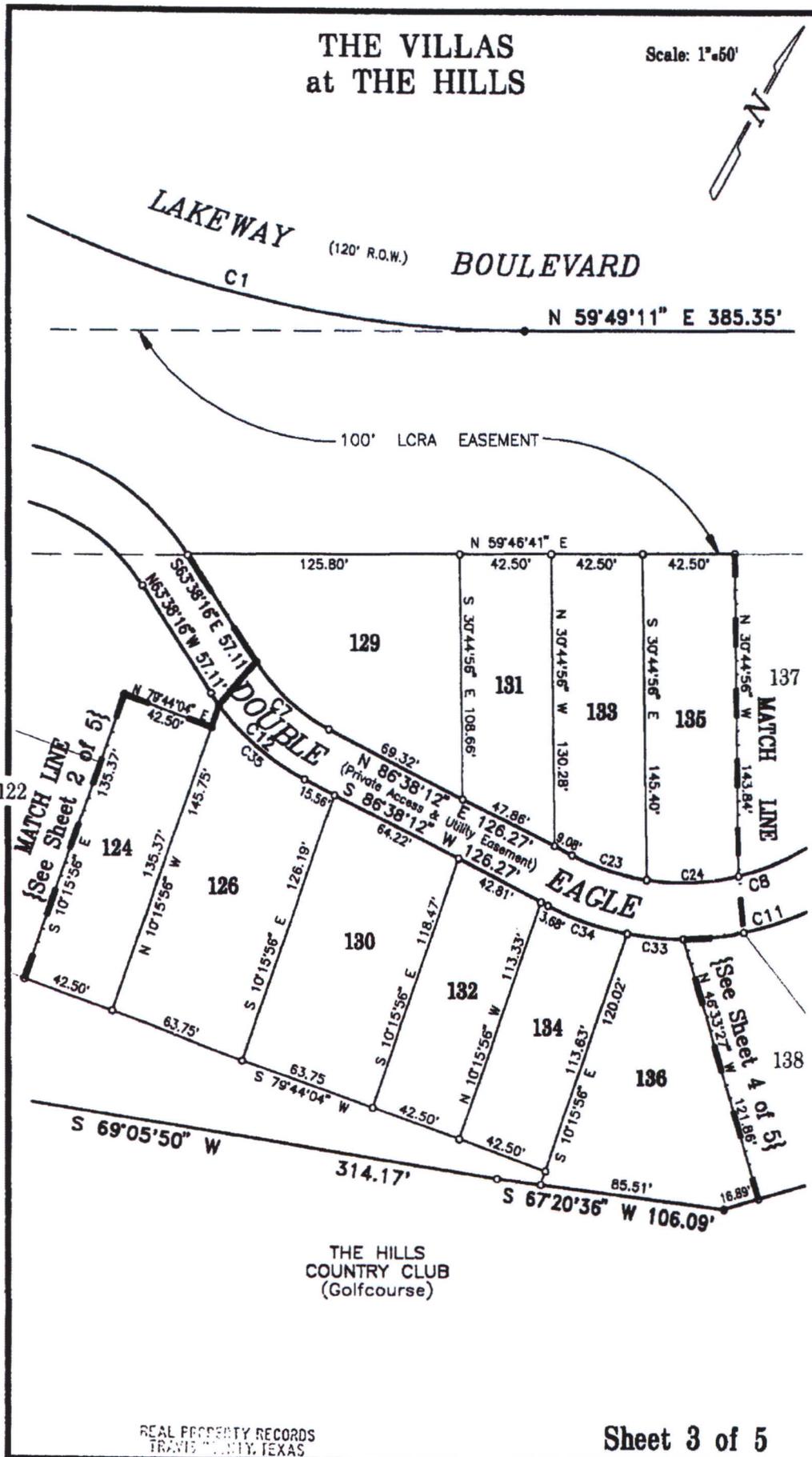
Sheet 2 of 5

12887 0013

Job No. 94-177 Date: 02/19/97

THE VILLAS at THE HILLS

Scale: 1"=50'



REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

Sheet 3 of 5

12887 0014

Job No. 94-177 Date: 02/19/91

THE VILLAS at THE HILLS

CURVE	CHD BEARING	DELTA	CHORD	ARC	TANG	RADIUS
C1	S 88°28'35" W	57°18'34"	518.09	538.25	294.06	538.12
C2	S 25°02'21" W	04°17'29"	20.81	20.82	10.41	277.93
C3	S 57°31'28" E	13°53'51"	8.05	8.08	3.05	25.00
C4	S 55°23'46" E	18°09'15"	35.50	35.65	17.97	112.50
C5	S 84°22'29" E	76°08'41"	107.87	116.23	68.50	87.50
C6	N 86°57'58" E	58°47'33"	110.44	115.44	63.38	112.50
C7	S 78°30'02" E	29°43'32"	44.89	45.40	23.22	87.50
C8	N 42°52'37" E	87°31'09"	158.38	174.90	109.65	114.50
C9	S 51°07'14" E	259°31'27"	53.81	158.53	42.08	35.00
C10	N 38°52'47" E	78°31'26"	25.58	27.76	16.64	20.00
C11	S 42°52'37" W	87°31'09"	192.97	213.09	133.59	139.50
C12	N 78°30'02" W	29°43'32"	57.71	58.37	29.86	112.50
C13	S 86°57'57" W	58°47'33"	85.90	89.79	49.30	87.50
C14	N 84°22'29" W	76°08'41"	138.70	149.44	88.07	112.50
C15	N 55°23'45" W	18°09'14"	27.61	27.72	13.98	87.50
C16	N 72°03'07" W	15°09'28"	6.58	6.61	3.33	25.00
C17	N 67°53'44" W	10°03'12"	94.30	94.42	47.33	538.12
C18	S 77°58'07" E	10°05'33"	94.67	94.79	47.52	538.12
C19	N 85°32'41" W	05°03'36"	47.51	47.52	23.78	538.12
C20	N 59°00'39" W	10°55'30"	21.42	21.45	10.76	112.50
C21	N 49°56'01" W	07°13'43"	14.19	14.19	7.11	112.51
C22	N 49°22'55" W	08°07'33"	9.35	9.36	4.68	87.50
C23	N 77°31'30" E	18°13'23"	38.28	38.42	18.36	114.50
C24	S 57°42'50" W	21°23'55"	42.52	42.76	21.63	114.50
C25	N 35°17'50" E	23°28'04"	46.51	46.83	23.75	114.50
C26	S 11°20'56" W	24°27'48"	48.52	48.88	24.82	114.50
C27	N 05°20'41" E	46°24'50"	27.58	28.35	15.01	35.00
C28	N 53°35'48" E	50°05'28"	29.83	30.60	16.36	35.00
C29	S 05°46'41" W	13°19'15"	32.36	32.43	16.29	139.50
C30	S 21°12'04" W	17°31'31"	42.50	42.67	21.50	139.50
C31	S 39°08'23" W	18°21'06"	44.49	44.68	22.53	139.50
C32	S 54°08'52" W	11°39'51"	28.35	28.40	14.25	139.51
C33	S 65°18'14" W	10°38'48"	25.89	25.92	13.00	139.51
C34	S 78°37'55" W	16°00'32"	38.85	38.98	19.62	139.50
C35	N 80°08'47" W	22°38'46"	51.44	51.78	26.23	112.50
C36	S 77°12'38" W	32°28'14"	62.91	63.76	32.76	112.50
C37	N 09°43'27" E	21°12'46"	7.36	7.40	3.75	20.00

LINE DIST BEARING
T1 15.22 N 64°02'34" E

FILED

97 MAR 10 PM 1:16

TRAVIS COUNTY, TEXAS

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on
the date and at the time stampset herein by me; and
was duly RECORDED, in the Volume and Page of the
named RECORDS of Travis County, Texas, on

MAR 10 1997



COUNTY CLERK
TRAVIS COUNTY, TEXAS

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

Sheet 5 of 5

12887 0016

Job No.: 94-177 Date: 02/19/97

EXHIBIT "B"

EXHIBIT "B" ACCESS TRACT

METES AND BOUNDS DESCRIPTION OF ACCESS TRACT

3.054 acres of land, a portion of that 23.871 acres of land out of the Texas Central Railroad Company Survey No. 195 in Travis County, Texas, as conveyed in Deed from M&S Properties to John McCarthy, as recorded in the Real Property Records of Travis County, Texas, at Volume 12678, Page 1857, the said 3.054 acres of land being more particularly described as follows:

BEGINNING at a 1/2" iron pin in the south right-of-way line of Lakeway Boulevard, said point also being the northern most corner of the 23.871 acre tract of land as recorded in the Real Property Records of Travis County, Texas, at Volume 12678, Page 1857, said corner also being the western most corner of a 3.632 acre tract owned by the Lakeway Church as recorded in the Real Property Records of Travis County, Texas, at Volume 4658, Page 2055,

THENCE, leaving the south right-of-way line of Lakeway Boulevard, S 2° 13' 03" W 755.56 feet to a point which is also in the southwest boundary of the said 23.871 acre tract of land and said point is also in the boundary line of a tract owned by the Lakeway Land Company as recorded in the Real Property Records of Travis County, Texas, at Volume 4175, Page 1424,

THENCE, along the common line between the herein described 3.054 acre tract and the Lakeway Land Company tract N 58° 23' 36" W 354.15 feet to 1/2" iron pin, with the 1/2" iron pin being at the common corner of the herein described 3.054 acre tract, the said Lakeway Land Company tract and a corner of Lot 2103 of the Lakeway Section 16-A Subdivision as recorded in the Plat Records of Travis County, Texas, at Plat Book 59, Page 19.

THENCE, along the common line between the herein described 3.054 acre tract and the said Lot 2103 of Lakeway Section 16-A the following four courses:

1. N 22° 21' 17" E 105.17 feet to a 1/2" iron pin,
2. N 23° 56' 59" E 202.49 feet to a 1/2" iron pin,
3. N 33° 49' 39" E 116.31 feet to a 1/2" iron pin,
4. N 24° 11' 26" E 118.86 feet to a 1/2" iron pin,

with the said 1/2" iron pin being at the common corner of the herein described 3.054 acre tract, the said Lot 2103 of Lakeway Section 16-A and the southern right-of-way line of Lakeway Boulevard,

..

THENCE, along the common line between the herein described 3.054 acre tract and the southern right-of-way of Lakeway Boulevard the following two courses:

- 1 N 46° 09' 39" E 62.28 feet to a 1/2" iron pipe,
- 2 Along a curve to the right, an arc distance of 63.56 feet, with said curve having a radius of 298.10 feet, a central angle of 12° 14' 23", with a chord bearing at N 52° 16' 50" E a distance of 63.56 feet to a 1/2 inch iron pin,

with the said 1/2" iron pin being at the POINT Of BEGINNING, and containing 3.054 acres of land more or less.

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	298.17'	63.68'	31.96'	63.56'	S 52°16'36" W	12°14'23"

LAKEWAY CITY LIMITS

LOT 2103
LAKEWAY SECTION 16-A
PLAT BOOK 59, PAGE 19

LAKEWAY
(120' R.O.W.)
BOULEVARD

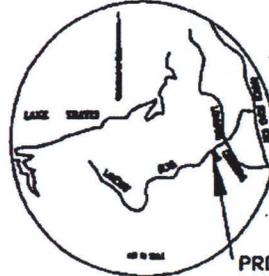
N 22°21'17" E 105.17'
N 23°56'59" E 202.49'
N 33°49'39" E 118.86'
N 24°11'26" E 116.31'
N 46°09'39" E 62.28' C1

ACCESS TRACT
3.054 ACRES OF 23.871 ACRE TRACT
VOL. 12678, PAGE 1857

LAKEWAY LAND COMPANY
N 58°23'36" W 354.15'
VOLUME 4174, PAGE 1424

TEXAS CENTRAL RAILROAD
COMPANY SURVEY NO. 195

755.56'
S 02°13'03" W



PROJECT LOCATION

JOHN MCCARTHY
20.817 ACRES OF 23.871 ACRE TRACT
VOL. 12678, PAGE 1857

LAKEWAY CHURCH
3.632 ACRES
VOLUME 4658, PAGE 2055

10 0 30 50
SCALE IN FEET

DRAWING PREPARED TO ILLUSTRATE THE
HURST CREEK ACCESS TRACT AND HAS BEEN
PREPARED USING INFORMATION FROM A
MARCH 20, 1996, SURVEY PREPARED
BY ROY D SMITH, RPLS

HURST CREEK HUD ACCESS TRACT	
DATE PREPARED	3/21/96
ACCESS TRACT BOUNDARIES	
DATE	10/10/96

ALAN V. THOMPSON ENGINEERING CONSULTANTS, INC.
1500 LAKEWAY DRIVE, SUITE 7
AUSTIN, TEXAS 78734
PHONE: (512) 841-9900
FAX: (512) 841-9904

ALAN V. THOMPSON ENGINEERING CONSULTANTS, INC.



Alan V. Thompson
10-10-96