AGENDA

CITY COUNCIL
CITY OF LEANDER, TEXAS

Pat Bryson Municipal Hall
201 North Brushy Street ~ Leander, Texas

Thursday ~ December 20, 2012 at 7:00 PM

Mayor – Christopher Fielder
Place 1 – Andrea Navarrette **Place 4 – Michell Cantwell (Mayor Pro Tem)**
Place 2 – Kirsten Lynch **Place 5 – Jason Dishongh**
Place 3 – Simon Garcia **Place 6 – David Siebold**
City Manager – Kent Cagle

1. Open meeting, Invocation, Pledges of Allegiance

2. Roll Call

3. Staff Comments:

4. Citizen Comments: Three (3) minutes allowed per speaker
   Please turn in speaker request form before the meeting begins.

5. Update on the Greater Leander Chamber of Commerce from Tanya Clawson

6. Presentation on a Draft Strategic Plan for the Leander Public Library

CONSENT AGENDA: ACTION

7. Approval of the minutes: Regular Meeting: December 6, 2012

8. Second reading of an Ordinance on annexation of a 1.26 acre parcel, more or less, located in Williamson County, Texas, generally located to the southwest of the intersection of RM 2243 and Ronald W. Reagan Boulevard including the abutting streets, roadways, and rights-of-way

9. Second reading of an Ordinance on annexation of a 2.02 acre parcel, more or less, located in Williamson County, Texas, generally located to the southwest of the intersection of RM 2243 and Ronald W. Reagan Boulevard including the abutting streets, roadways, and rights-of-way

PUBLIC HEARING: ACTION

10. **a. Public Hearing** on Zoning Case # 12-Z-029: Consider a zoning change for 18.732 acres, more or less, for two parcels generally located at the southwest corner of the intersection of Bagdad Road and Vista Ridge Drive from MF-2-B, Multi-Family to SFL-2-B, Single Family Limited, Leander, Williamson County, Texas
    Applicant: Geoff Guerrero on behalf of SDC West Brook Partners, LP

    b. Action on Zoning Case #12-Z-029: amending Ordinance #05-018, the Composite Zoning Ordinance for two parcels generally located at the southwest corner of the intersection of Bagdad Road and Vista Ridge Drive, Leander, Williamson County, Texas

11. **a. Public Hearing** on Subdivision Case #12-CP-007: Consider a Concept Plan for Northside Meadow for 72.10 acres, more or less generally located at the northwest corner of Old 2243 W and US Hwy.183, approximately 600 feet west of N. US Hwy. 183 and 1,100 feet north of Old 2243 W, Leander, Williamson County, Texas.
Applicant: Jenn Dermanci P.E. with Doucet & Associates on behalf of HEB Grocery Company, LP

b. Action on Subdivision Case #12-CP-007: a Concept Plan for Northside Meadow, Leander, Williamson County, Texas

REGULAR AGENDA

12. Consider Assignment of Development Agreement for Nameless Valley Ranch (Crystal Falls West) executed by Lookout Partners, L.P. and Key Deer Holdings, L.P., a Texas limited partnership collectively and Taylor Morrison of Texas, Inc.

13. Consider Assignment of Facilities Agreements for Travis County MUD Districts # 19, 20 & 21, executed by Lookout Partners, L.P. and Key Deer Holdings, L.P., a Texas limited partnership collectively and Taylor Morrison of Texas, Inc.

EXECUTIVE SESSION

14. Convene into Executive Session pursuant to Section 551.074, Tex. Gov't Code, to discuss and evaluate performance of City Manager pursuant to employment contract

15. Reconvene into open session for discussion and possible action concerning performance of City Manager

16. Council Members Closing Statements

17. Adjournment

CERTIFICATION

This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. At any time during the meeting the Council reserves the right to adjourn into executive session on any of the above posted agenda items in accordance with the sections 551.071 [litigation and certain consultation with attorney], 551.072 [acquisition of interest in real property], 551.073 [contract for gift to city], 551.074 [certain personnel deliberations] or 551.076 [deployment/ implementation of security personnel or devices]. The City of Leander is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. **Please call the City Secretary at 512/ 528-2743 for information.** Hearing impaired or speech disabled persons equipped with telecommunications devices for the deaf may call 512/ 528-2800. I certify that the above agenda for this Meeting of the City Council of the City of Leander, Texas, was posted on the bulletin board at City Hall, in Leander, Texas, on the 14th day of December, 2012 by 5:00 pm pursuant to Chapter 551 of the Texas Government Code.

Debbie Haile

Debbie Haile, TRMC, City Secretary

City of Leander

Executive Summary

December 20, 2012

Subject: Presentation on a Draft Strategic Plan for the Leander Public Library

Background: Earlier this year a strategic planning exercise was initiated by Library Systems & Services (LSSI) who is contracted to manage the library. The strategic planning process included a community survey, open house and a plan was drafted. Tonight, Library Director Priscilla Donovan, and Library Foundation President, Gary Anderson, will present highlights of the draft plan to the Council.

Ms. Donovan and Mr. Anderson will be pleased to entertain questions and feedback from the Council and after comments are received the plan will be revised and brought to the Council for adoption consideration next year.

Financial Consideration: None

Recommendation: None

Attachments: Draft Strategic Plan

Prepared by: Stephen Bosak, Parks & Recreation Director

Leander Public Library

Strategic Plan FY 2013 - FY 2015

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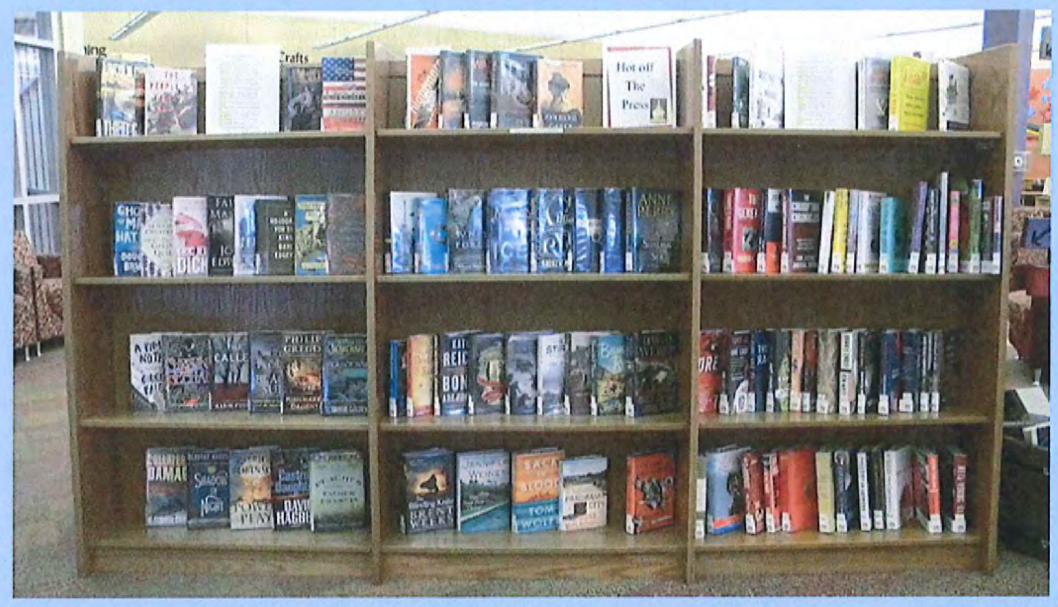


Introduction

As the population of Leander continues to grow and change, it is of utmost importance for the library to keep attuned to the needs of the community. Established in 1987, the Leander Public Library moved into a state-of-the-art facility at its current location in 2006, which has become a vital resource the community relies upon for a myriad of informational needs. Formulating a strategic plan is fundamental to ensuring the goals of the library continue to meet those needs.

The goals and objectives of this strategic plan for FY 2013 – FY 2015 were selected by coalescing the City of Leander's goal for the library, the library's mission, resources and capabilities in our ever-changing hi-tech world, community input, and library staff recommendations. A three year timeframe was chosen to remain responsive to the anticipated growth of the community and encourage exploration of collaborative partnerships and technological solutions to stretch resources. Recognizing the importance of monitoring the Library's progress towards achieving its goals, the staff will collect data on key indicators. During the period of this plan the library will be measuring two types of indicators: the number of units of service – such as items circulated and Internet access sessions; the number of users who participate in or use various services – such as programs, story hours, and overall attendance at the library.

Strategic Planning Process

The strategic planning process began with an inventory of the Leander Public Library's current resources and services.

- The library is open to the public 74 hours each week and houses a collection of more than 45,000 items including books, audiobooks (including downloadable audiobooks), films, music, and online resources such as Mango Languages and Chilton's Auto Repair.
- Twenty-four public computers provide Internet access and Microsoft Office 2010 applications, and wi-fi is available within and around the library proper.
- Eight weekly programs include daily story times for young children, Bow-Wow Buddies reading therapy dog, and GED classes.
- Teen gaming nights, adult book club, and Leander Writers' Guild are among the six monthly programs.
- Special events such as Teddy Bear Bash, Winter Wonderland, and the Summer Reading Program are held annually.
- The library utilizes RFID technology for circulation and upgraded the integrated library system software a year ago.
- The Texas State Library and Archive Commission sets the library's service population at 26,521, about 54% of which are registered patrons, and the library welcomes about 10,000 visitors each month.

For the next step in the planning process, a survey was developed to gather input from the library community. Residents were provided the opportunity to weigh in on the importance of various library service priorities as well as to let us know why they use or don't use the library. Two hundred survey responses helped us to determine which priorities were extremely important to our library users. Below are the recommendations for focusing our efforts in the next three years:

1. **Create Young Readers: Early Literacy** – Children from birth to five will have programs and services designed to ensure that they will enter school ready to learn to read, write, and listen.

2. **Stimulate Imagination: Reading, Viewing, and Listening for Pleasure** – Residents who want materials to enhance their leisure time will find what they want when and where they want them and will have the help they need to make choices from among the options.

3. **Satisfy Curiosity: Lifelong Learning** – Residents will have the resources they need to explore topics of personal interest and continue to learn throughout their lives.

4. **Visit a Comfortable Place: Physical and Virtual Spaces** – Residents will have safe and welcoming physical places to meet and interact with others of to sit quietly and read and will have open and accessible virtual spaces that support networking.

Using this information, we drafted the plan that follows. This strategic plan, which meshes the City of Leander's goals for its library with the library's mission to provide service to the community, will serve as a guide to meeting our community's needs now and in the near future.

Goals and Objectives

Goal 1. CREATE YOUNG READERS: Early Literacy - Children from birth to age five will have programs and services designed to ensure that they will enter school ready to learn to read, write, and listen.

George's story time on Monday mornings.

Objective 1A: By FY 2013, 2000 preschool children and their caregivers will participate in programs and activities that promote early literacy, with participation growing by 3% annually.

Objective 1B: By the end of FY 2013, circulation of Easy and Board Books will increase from 26438 to 27000 and continue to increase by 3% annually.

Objective 1C: By FY 2014 the library will explore partnerships with children's support agencies and hold at least two events that promote early literacy.

"Where the Wild Things Are" puppet show.

Objective 1D: By FY 2014, the library will offer outreach services at off-site locations, such as story times at childcare organizations.

Goal 2. STIMULATE IMAGINATION: Reading, Viewing, and Listening for Pleasure - Residents who want materials to enhance their leisure time will find what they want when and where they want them and will have the help they need to make choices from among the options.

Objective 2A: In FY 2013, circulation of print and media items among adults will increase from 58,105 to 60,000 and increase by 2% annually.

Objective 2B: In FY 2013, circulation of print and media items among children and teens will increase from 65,523 to 68,000 and increase by 2% annually

Objective 2C: By FY 2014, at least 200 people will participate in book clubs, writing clubs, or other meetings hosted by the library that enhance leisure activities, with participation increasing by 5% annually.

Summer Reading Program fun.

Objective 2D: By 2013, the library will offer information in various formats, including print, digital, and online, and continue to research other emerging formats suitable for library service as demand warrants and funding permits.

Goals and Objectives

Goal 3. SATISFY CURIOUSITY: Lifelong Learning – Residents will have the resources they need to explore topics of personal interest and continue to learn throughout their lives.

Objective 3A: In FY 2013, the library will circulate at least 20,000 items from a well-balanced non-fiction collection in various formats that appeals to a wide range of community and information needs, and increase by 2% annually.

Objective 3B: In FY 2013, 300 adults will participate in library programs that promote and enhance personal development, and participation will increase by 3% annually.

Objective 3C: In FY 2013, 100 teens will participate in programs or group activities at the library, and participation will increase by 5% annually.

Objective 3D: By FY 2014, 1000 school-age children will utilize materials and resources to support their learning and school assignments, and participation will increase by 3% annually

Objective 3E: In FY 2013 – FY 2015, 35 displays or exhibits will highlight trending issues and topics of interest annually.

Banned Books Week display

Objective 3F: By FY 2015, annual user surveys will indicate that 90% of users find library resources that meet their interests and learning needs.

Goal 4. VISIT A COMFORTABLE PLACE: Physical and Virtual Spaces – Residents will have safe and welcoming physical places to meet and interact with others or to sit quietly and read and will have open and accessible virtual spaces that support networking.

Objective 4A: In FY 2013, the Study Rooms will be utilized at least 1300 times and maintain this level through FY 2015.

Objective 4B: By FY 2014, the library will offer at least four family and community-oriented programs annually.

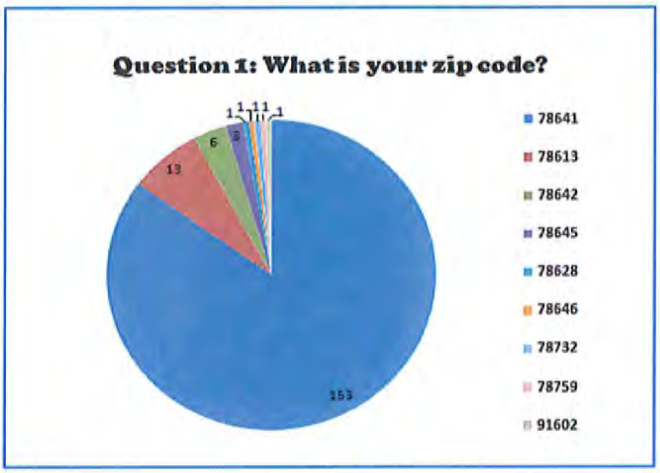
A close look at critters during Summer Reading.

Objective 4C: In FY 2013 – FY 2015, the library will evaluate technology needs annually, providing appropriate hardware solutions and software services to meet user demand.

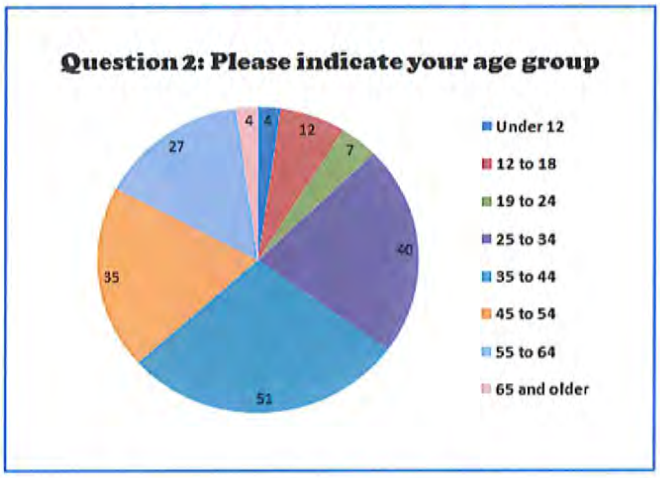
Objective 4D: Throughout FY 2013 – 2015, the library's website will be evaluated for user-friendliness and community accessibility and it, along with calendars, blogs, and social networking sites will be updated with timely information at least monthly.

Appendix

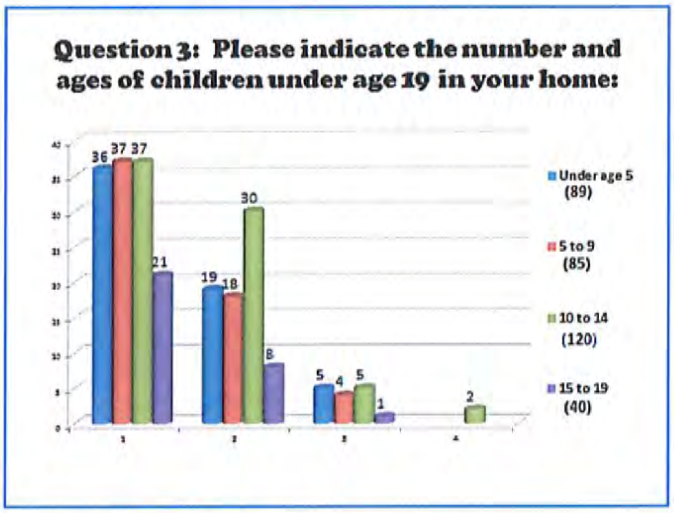
Leander Public Library Community Survey Questions and Responses



1. Seventy-five percent (75%) of respondents live in Leander.

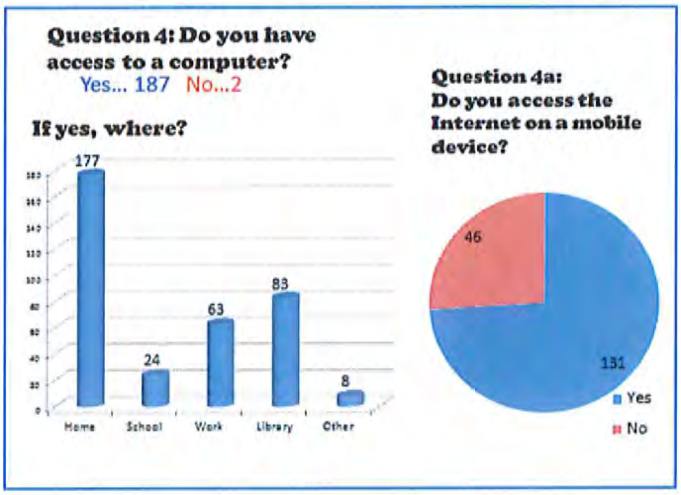


2. More responses came from the 35 – 44 age group than any other.



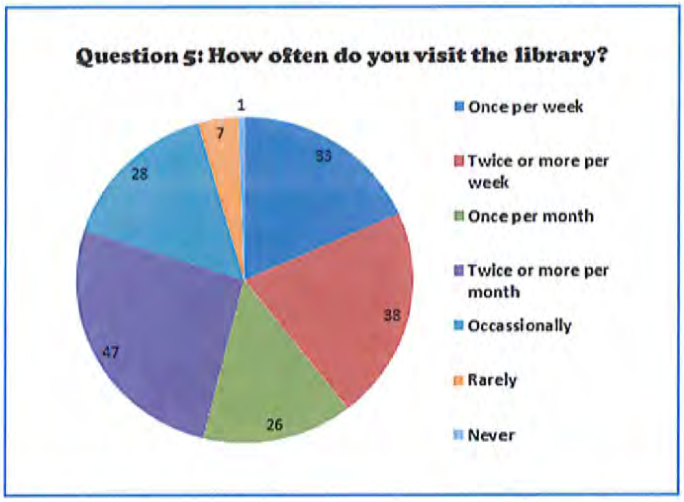
3. Three hundred thirty-four (334) children were represented by those filling out the survey.

Appendix

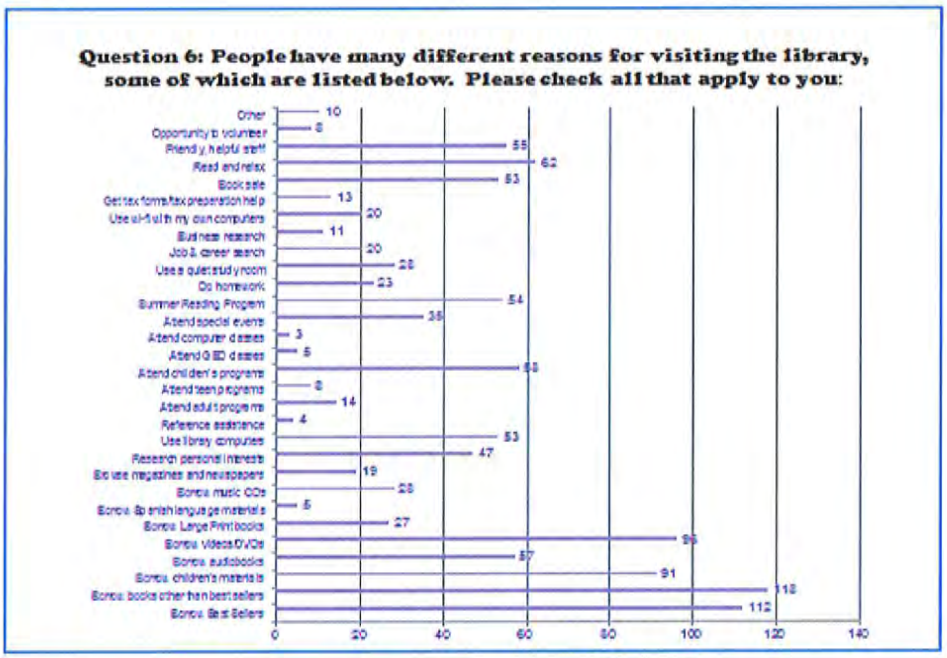


4. Nearly all (99.8%) responders have access to a computer and most use it at home.

4a. Three-quarters (75%) of responders access the Internet on a mobile device.

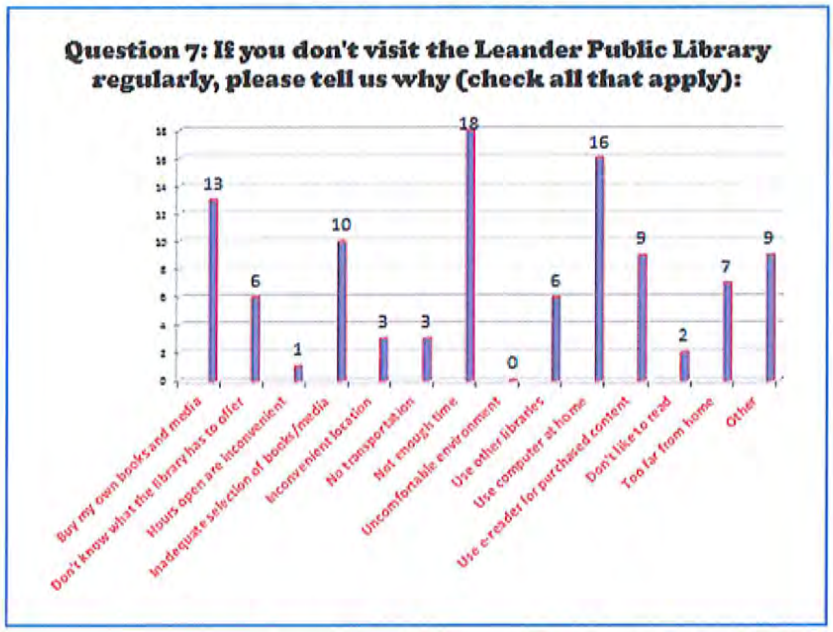


5. More responders visit the library twice or more per month.

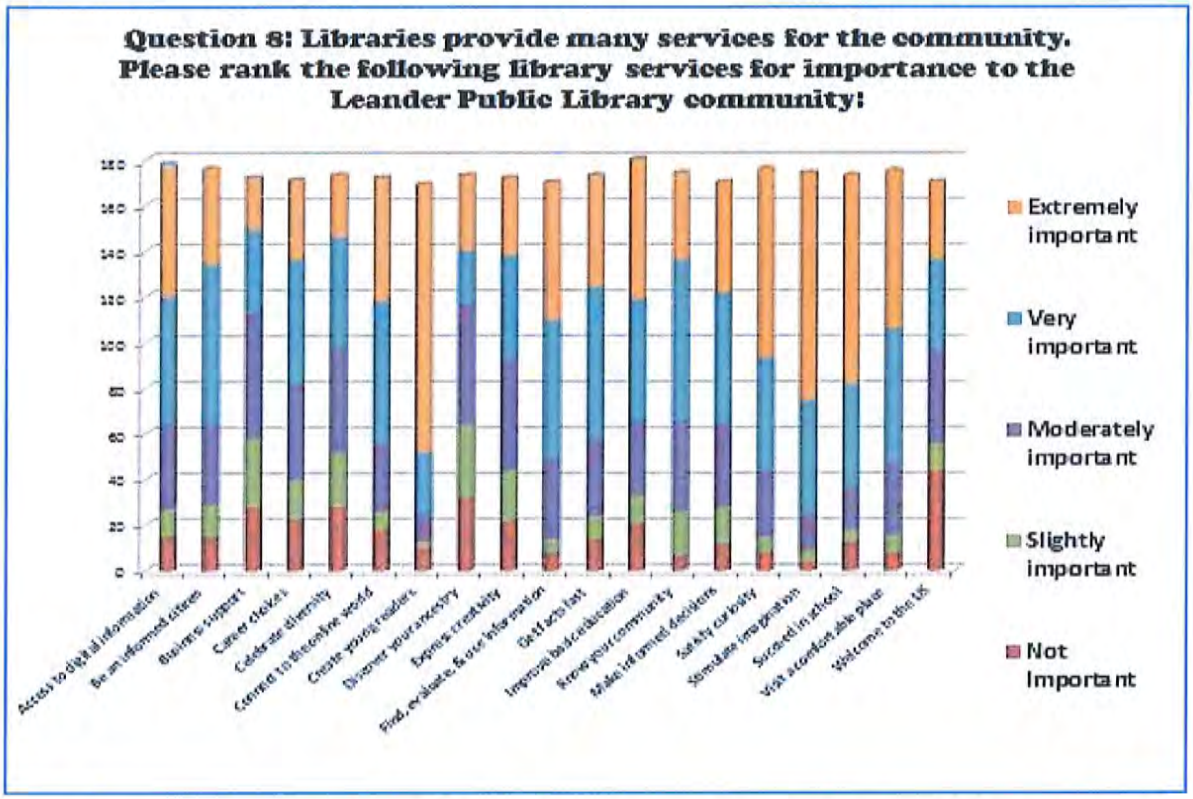


6. The main reason respondents visit the library is to check out books other than bestsellers, followed closely by checking out bestsellers and checking out DVDs and videos.

Appendix



7. The primary reason respondents don't visit the library is because they don't have enough time.



8. According to respondents, the number one extremely important service that the library provides is creating young readers. Also extremely important are stimulating imagination, satisfying curiosity, and visiting a comfortable place.

Appendix

Comments and Suggestions

- Get e-books.
- Subscribe to Vegetarian Times.
- Need more art books.
- Do you still need bookstore volunteers and Foundation board members?
- When will you have e-books?
- Hard to find stuff on website.
- Thank you for being here.
- I love our library and donate my books to make it better!
- Ebooks!!
- If I win, donate card to library.
- Always a comfortable place to be!
- This library is a HUGE Blessing to me & my family. Thank you!
- Y'all do a great job!
- Would love to see more wholesome & Christian children's lit.
- This has been extremely helpful in my job search, and has helped my routine. Thanks!
- Everyone is always very friendly!
- The library is the only place one can get a truly free education. I support you 100%.
- I would love to see more genealogy research tools.
- Would like to find ways to help the library increase its book collection – my son says he's "read everything" here and I'd rather go to the Leander Library than elsewhere for books.
- More antibacterial wipes for computers. One alcohol prep does not clean the equipment properly. I am given one alcohol prep each time I use the computer.
- I appreciate how kind & helpful each of you is!
- Thank you for such a warm and compassionate staff!
- Thank you for our great library! Just wish there were more sewing resources – patterns, tutorials, etc.
- Can't visit as often due to fees - maybe amnesty period would be helpful. I am currently laid off. Thanks.
- Y'all are awesome!
- While all these things might not be vital to me they are vital to someone. Keep up the great work!
- You have an amazing choice of books!
- Very quiet place to study.
- It would be a good idea to move the date of computer classes so they won't be the same day and time of the GED class.
- The employees that work at the library are often nice people with good communication skills that know what they're doing.

MINUTES
CITY COUNCIL MEETING
CITY OF LEANDER, TEXAS

Pat Bryson Municipal Hall
201 North Brushy Street ~ Leander, Texas

Thursday ~ December 6, 2012 at 7:00 PM

Mayor – Christopher Fielder
Place 1 – Andrea Navarrette **Place 4 – Michell Cantwell (Mayor Pro Tem)**
Place 2 – Kirsten Lynch **Place 5 – Jason Dishongh**
Place 3 – Simon Garcia **Place 6 – David Siebold**
City Manager – Kent Cagle

1. Open meeting, Invocation, Pledges of Allegiance
   Mayor Fielder opened the meeting at 7:01 p.m. and welcomed those in attendance
   Invocation delivered by Mayor Fielder

2. Roll Call
   All Present

3. Staff Comments:
   Mary Bradshaw, President of Greater Leander Chamber of Commerce announced to the Council that she has resigned her position and thanked the City for the partnership during her time with the Chamber of Commerce

4. Citizen Comments: Three (3) minutes allowed per speaker
   Please turn in speaker request form before the meeting begins.
   No comments

CONSENT AGENDA: ACTION

5. Approval of the minutes: Regular Meeting: November 29, 2012
   Motion made by Mayor Pro Tem Cantwell to approve. Second by Council Member Dishongh. Motion passes, all voting "aye"

PUBLIC HEARING: ACTION

6. **a. Public Hearing** on Zoning Case # 12-Z-026: Consider a zoning change for 23.28 acres, More or less, for eleven parcels generally located at the southwest corner of RM 2243 and Ronald W. Reagan Blvd. from interim zoning (upon annexation) SFR-1-B, Single Family Rural and currently zoned SFS-2-B, Single Family Suburban to GC-3-C, General Commercial and SFS-2-B, Single Family Suburban, Leander, Williamson County, Texas
   Applicant: Scott Foster on behalf of Beasley Tract, LP/Jeremy Smitheal and Williamson County/ Dan A. Gattis
   The Applicant has requested postponement of this item until the January 17, 2013 meeting

   Motion made by Council Member Siebold to approve postponing this item to the January 17, 2013 meeting. Second by Council Member Garcia. Motion passes, all voting "aye"

PUBLIC HEARING: NO ACTION

7. Second Public Hearing on the unilateral annexation of an area consisting of 10.01 acres, more or less, located in Williamson County, Texas, generally located west of Bagdad Road, south of the Falcon Oaks subdivision, and north of the Leander Public Library, including the abutting streets, roads, and rights-of-way. (Area A)
   No speakers

8. Second Public Hearing on the unilateral annexation of an area consisting of 366.64 acres, more or less, located in Williamson County, Texas, generally located south of Hero Way, west of Ronald W Reagan Blvd, north of RM 2243, and east of County Road 269, including the abutting streets, roads, and rights-of-way. (Area B)
   Merry Motley, 2689 Hero Way - inquired about the annexation and expressed her concern with the increased taxes.

9. Second Public Hearing on the unilateral annexation of an area consisting of 265.22 acres, more or less, located in Williamson County, Texas, generally located south of RM 2243, west of the Ridgmar Landing subdivision, north of County Road 271, and east of 183A, including the abutting streets, roads, and rights-of-way. (Area C)
   Bob Brydon, Pastor at Generations Church expressed concern about the annexation and being able to expand the church in the future

10. Second Public Hearing on the unilateral annexation of an area consisting of 213.4 acres, more or less, located in Williamson County, Texas, generally located west of Sections 2 and 3 of the Cold Springs subdivision, north of Blockhouse Creek, east of 183A, and south of E Crystal Falls Parkway, including the abutting streets, roads, and rights-of-way. (Area D)
    No speakers

11. Second Public Hearing on the unilateral annexation of an area consisting of 0.07 acres, more or less, located in Williamson County, Texas, generally located south of the Hazlewood subdivision, west of Ronald W Reagan Blvd, north of Blockhouse Creek, and approximately 1 mile east of 183A, including the abutting streets, roads, and rights-of-way. (Area E)
    No speakers

12. Second Public Hearing on the unilateral annexation of an area consisting of 22.38 acres, more or less, located in Williamson County, Texas, generally located west of Ronald W Reagan Blvd, 1-1/4 miles south of E Crystal Falls Pkwy, east of the Lakewood Country Estates Subdivision, and 4/10 of a mile north of County Road 180 (Area F)
    No speakers

13. Second Public Hearing on the unilateral annexation of an area consisting of 97.94 acres, more or less, located in Williamson County, Texas, and generally located south of the Valley View subdivision, east of Ronald W Reagan Blvd, north of County Road 179, and west of County Road 175, including the abutting streets, roads, and rights-of-way. (Area G)
    No speakers

14. Second Public Hearing on the unilateral annexation of an area consisting of 268.17 acres, more or less, located in Williamson County, Texas, and generally located south of County Road 179, east of Ronald W Reagan Blvd, approximately 0.4 miles north of County Road 180, and west of County Road 175, including the abutting streets, roads, and rights-of-way. (Area H)
    No speakers

15. Second Public Hearing on the unilateral annexation of an area consisting of 30.79 acres, more or less, located in Williamson County, Texas, and generally located south of County Road 179, approximately 1 mile east of Ronald W Reagan Blvd, approximately 500 feet northwest of Acacia Dr, west of County Road 175, and including a portion of County Road 179, including the abutting streets, roads, and rights-of-way. (Area I)
No speakers

REGULAR AGENDA

16. Consider Award of Construction Contract for the County Road 179 Project
Wayne Watts, City Engineer explained

Motion made by Mayor Pro Tem Cantwell to approve. Second by Council Member Lynch. Motion passes, all voting "aye"

17. Consider rejecting all Bids for the Construction Contract for the Crystal Falls Parkway Pavement Rehab 2012 Project
Wayne Watts, City Engineer explained

Motion made by Mayor Pro Tem Cantwell to approve rejection of all bids as per staff recommendations. Second by Council Member Siebold. Motion passes, all voting "aye"

18. Consider Contract with Pictometry International Corporation
Sean Lafferty, GIS Coordinator explained

Motion made by Council Member Siebold to approve. Second by Council Member Garcia. Motion passes, all voting "aye"

19. Consider Award of Construction Contract for the City of Leander Wastewater Treatment Plant Mechanical Bar Screen
Pat Womack, Public Works Director explained

Motion made by Mayor Pro Tem Cantwell to award the construction contract to Fryer Construction. Second by Council Member Navarrette. Motion passes, all voting "aye"

20. First reading of an Ordinance on annexation of a 1.26 acre parcel, more or less, located in Williamson County, Texas, generally located to the southwest of the intersection of RM 2243 and Ronald W. Reagan Boulevard including the abutting streets, roadways, and rights-of-way
Jim Bechtol, Director of Development Services explained

Motion made by Council Member Siebold to approve. Second by Council Member Dishongh. Motion passes, all voting "aye"

21. First reading of an Ordinance on annexation of a 2.02 acre parcel, more or less, located in Williamson County, Texas, generally located to the southwest of the intersection of RM 2243 and Ronald W. Reagan Boulevard including the abutting streets, roadways, and rights-of-way
Jim Bechtol, Director of Development Services explained

Motion made by Council Member Dishongh to approve. Second by Council Member Lynch. Motion passes, all voting "aye"

22. Consider a Resolution by the Board of Directors of the Brushy Creek Regional Utility Authority to resolve an inconsistency relating to the date by which the Annual Audit must be filed
Robert Powers, Finance Director explained

Motion made by Council Member Navarrette to approve. Second by Council Member Siebold. Motion passes, all voting "aye"

23. Consider an Interlocal Purchasing Agreement with Houston-Galveston Area Council (HGAC)
Robert Powers, Finance Director explained

Motion made by Council Member Siebold to approve. Second by Mayor Pro Tem Cantwell. Motion passes, all voting "aye"

24. Council Members Closing Statements
Council Members gave their closing statements

25. Adjournment
With there being no further business, the meeting adjourned at 7:30 p.m.

Attest:

Christopher Fielder, Mayor

Debbie Haile, TRMC, City Secretary

Executive Summary

December 20, 2012

Council Agenda Subject: Second reading of the ordinance on annexation of a 1.26 acre parcel, more or less, located in Williamson County, Texas, generally located to the southwest of the intersection of RM 2243 and Ronald W. Reagan Boulevard including the abutting streets, roadways, and rights-of-way.

Background: The Resolution setting the two public hearings for November 1, 2012 and **November 8, 2012** was approved by City Council on September 20, 2012. First reading of the Ordinance was approved by City council December 6, 2012. This is a voluntary annexation whereas the property owner is requesting the property to be annexed into the city limits. **(Dates in bold indicate"Special Council Meetings")**

Origination: Development Services Department

Attachments: Ordinance

Resolution

Petition for Annexation

Exhibit "A" – Property Descriptions

Exhibit "B" – Municipal Services Plan

Schedule for Voluntary Annexation

Prepared by: Jim Bechtol, Director of Development Services

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS ANNEXING 1.26 ACRES OF LAND, MORE OR LESS, INTO THE CORPORATE LIMITS OF THE CITY, INCLUDING THE ABUTTING ROADWAYS AND RIGHTS-OF-WAY, AT THE REQUEST OF THE PROPERTY OWNER; APPROVING A SERVICE PLAN FOR THE ANNEXED AREA; MAKING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Leander, Texas, is a home rule municipality authorized by State law to annex territory lying adjacent and contiguous to the City;

WHEREAS, the owner(s) of the property, as hereinafter described, made written request for the City to annex such property in compliance with the *Tex. Loc. Gov't. Code*;

WHEREAS, the property is adjacent and contiguous to the present city limits;

WHEREAS, the City Council heard and has decided to grant the owner's request that the City annex said property;

WHEREAS, two separate public hearings were conducted prior to consideration of this Ordinance in accordance with *§43.063 of the Tex. Loc. Gov't. Code*;

WHEREAS, the hearings were conducted and held not more than forty (40) nor less than twenty (20) days prior to the institution of annexation proceedings;

WHEREAS, notice of the public hearings was published not more than twenty (20) nor less than ten (10) days prior to the public hearings;

WHEREAS, the City intends to provide services to the property to be annexed according to the Service Plan attached hereto as Exhibit "B".

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

SECTION 1. That all of the above premises and findings of fact are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. That all portions of the following described property, including the abutting roadways and rights-of-way (hereinafter referred to as the "Annexed Property"), not previously annexed into the City, are hereby annexed into the corporate limits of the City of Leander:

> All that certain tract or parcel of land, located in Williamson County, Texas, being 1.26 acres, more or less, out of the E.D. Harmon Survey, Abstract No. 6, recorded under Document No. 2003006077 of the Official Public Records, Williamson County, Texas and being more particularly described and shown in Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION 3. That the Service Plan submitted herewith is hereby approved as part of this Ordinance, made a part hereof and attached hereto as Exhibit "B".

SECTION 4. That the future owners and inhabitants of the Annexed Property shall be entitled to all of the rights and privileges of the City as set forth in the Service Plan attached hereto as Exhibit "B", and are further bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be hereafter adopted.

SECTION 5. That the official map and boundaries of the City, heretofore adopted and amended be and hereby are amended so as to include the Annexed Property as part of the City of Leander.

SECTION 6. That the Annexed Property shall be temporarily zoned District "SFR-1-B" as provided in the City Zoning Ordinance, as amended, until permanent zoning is established therefore.

SECTION 7. That the November 1, 2012 and November 8, 2012 public hearings held to allow for public comment on the Annexed Property were properly posted and notices were published in a newspaper of general circulation within the City in accordance with applicable statutes and the City Council hereby ratifies those previous public hearings.

SECTION 8. That if any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 9. That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

SECTION 10. That it is hereby officially found and determined that the meeting at which this Ordinance is 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, *Chapt. 551, Tex. Gov't. Code*.

PASSED AND APPROVED on First Reading this 6th day of December, 2012.

FINALLY PASSED AND APPROVED on this 20th day of December, 2012.

ATTEST:

CITY OF LEANDER, TEXAS

Debbie Haile, City Secretary

Christopher Fielder, Mayor

RESOLUTION NO. 12-021-00

A RESOLUTION OF THE CITY OF LEANDER, TEXAS, ACCEPTING THE PETITION FOR ANNEXATION OF A 1.26, MORE OR LESS, ACRE PARCEL, INCLUDING THE ABUTTING STREETS, ROADWAYS, AND RIGHTS-OF-WAY, LOCATED IN WILLIAMSON COUNTY, TEXAS; SETTING AN ANNEXATION SCHEDULE; PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.

WHEREAS, the owner of certain property located within Williamson County, Texas, has petitioned the City of Leander, Texas, (herein the "City"), a home-rule City, for annexation of said property, more particularly described herein (the "subject property"), into the City limits;

WHEREAS, the subject property is contiguous and adjacent to the corporate limits of the City and the owners have made application for annexation;

WHEREAS, after review and consideration of such petition for annexation, the City Council finds that the property is exempt from the City's annexation plan pursuant to § 43.052 (h)(2) of the *Local Government Code*; and,

WHEREAS, the petitioner has agreed and consented to the annexation of the subject property by the City and further agreed to be bound by all acts, ordinances, and all other legal action now in force and effect within the corporate limits of the City and all those which may be hereafter adopted;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Proceedings. The petition for annexation of the following property, including the abutting streets, roadways, and rights of way, and the draft services plan shown in Exhibit "B", submitted by Petitioner, are hereby accepted:

> All that certain tract or parcel of land, located in Williamson County, Texas, being 1.26 acres, more or less, out of the E.D. Harmon Survey, Abstract No. 6, recorded under Document No. 2003006077 of the Official Public Records, Williamson County, Texas and being more particularly described and shown in Exhibit "A" attached hereto and incorporated herein for all purposes.

Two public hearings are set for the dates of November 1, 2012 and November 8, 2012. Notice of such hearings shall be posted and the hearings shall be open to the public to accept public comment on the annexation request.

Section 3. **Severability.** Should any section or part of this Resolution be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Resolution are declared to be severable.

Section 4. **Open Meetings.** It is hereby officially found and determined that the meeting at which this Resolution is 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, *Chapt. 551, Tex. Gov't. Code.*

PASSED AND APPROVED this the 20th day of September, 2012.

ATTEST:

Debbie Haile

Debbie Haile, City Secretary

THE CITY OF LEANDER, TEXAS

Christopher Fielder, Mayor

CITY OF LEANDER
ESTABLISHED 1882
INCORPORATED 1978
STATE OF TEXAS

STATE OF TEXAS §
§
COUNTY OF WILLIAMSON §

REQUEST & PETITION TO THE CITY COUNCIL OF THE CITY OF LEANDER FOR ANNEXATION OF PROPERTY

WHEREAS, the undersigned is the owner of a certain tract of property located within Williamson County, Texas, such property more particularly described hereinafter by true and correct legal description (referred to herein as the "subject property");

WHEREAS, the undersigned has sought the annexation of the subject property by the City of Leander, Texas, (hereinafter sometimes referred to as "City"), in order to obtain the benefits of City services to the subject property by the City;

WHEREAS, the subject property is contiguous and adjacent to the corporate limits of the City;

WHEREAS, the City, pursuant to *§43.021, Tex. Loc. Gov't. Code* and the request of the property owner, is authorized to annex the subject property; and,

WHEREAS, the undersigned agrees and consents to the annexation of the subject property by the City and further agrees to be bound by all acts, ordinances, and all other legal action now in force and effect within the corporate limits of the City and all those which may be hereafter adopted.

NOW THEREFORE, the undersigned by this Request and Petition:

SECTION ONE: Requests the City Council of the City to commence annexation proceedings and to annex into the corporate limits of the City of Leander, Texas, of all portions of the subject property, including the abutting streets, roadways, and rights-of-way, not previously annexed into the City and further described as follows,:

> All that certain tract or parcel of land, located in Williamson County, Texas, being 1.26 acres, more or less, out of the E.D. Harmon Survey, Abstract No. 6, recorded under Document No. 2003006077 of the Official Public Records, Williamson County, Texas and being more particularly described and shown in Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION TWO: Requests that after annexation the City provide such services as are legally permissible and provided by the City, including sanitation, water and general governmental services as set forth in the municipal services plan.

SECTION THREE: Acknowledges and represents having received, read and understood the attached "draft" Service Plan, attached hereto as Exhibit "B", (proposed to be applicable to and adopted for the subject property) and that such "draft" Service Plan is wholly adequate and acceptable to the undersigned who hereby requests the City Council to proceed with the annexation

and preparation of a final Municipal Service Plan and publish notice and hold the requisite public hearings thereon, in accordance with the applicable laws of the State of Texas.

SECTION FOUR: Acknowledges that the undersigned understands and agrees that all city services to the subject property will be provided by the City on the same terms and conditions as provided to other similarly situated areas of the City and as provided in the Municipal Service Plan.

SECTION FIVE: Agrees that a copy of this Request and Petition may be filed of record in the offices of the City of Leander and in the real property records of Williamson County, Texas, and shall be notice to and binding upon all persons or entities now or hereafter having any interest in the subject property.

FILED, this 21st day of August 2012, with the City Secretary of the City of Leander, Williamson County, Texas.

Petitioner: Williamson County, Texas

By: _____
Name: Dan A. Gattis
Title: 08-21-2012

STATE OF TEXAS §
§
COUNTY OF WILLIAMSON §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Dan A. Gattis, _____ of Williamson County, Texas, and Petitioner herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that they had authority to bind the entity and that they executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 21st day of August 2012.

(SEAL)

_____
Notary Public-State of Texas

LISA DWORACZYK
Notary Public, State of Texas
My Commission Expires
September 29, 2014

Exhibit "A"

DESCRIPTION OF THE SUBJECT PROPERTY

FIELD NOTES
JOB NO. 11040–xx
DATE: July 25, 2012

1.26 ACRES

Being 1.26 acres of land situated in Williamson County, Texas, out of the E.D. Harmon Survey, Abstract No. 6, being a portion of that tract to illiamson County, Texas (Tract 2) in a Special Warranty Deed, dated January 5, 2003 and recorded under Document No. 2003006077, Official Public Records, Williamson County, Texas, described as being a portion of Lot 6, Block 3, Ridgmar Landing, a Williamson County subdivision recorded in Cabinet D, Slide 67, Plat Records, Williamson County, Texas, save and except that portion described in Warranty Deed, dated August 25, 1994, to Robert L. Haddock, et ux, and recorded in Volume 2598, Page 526, Official Records, Williamson County, Texas and being described by metes and bounds as follows:

BEGINNING at a calculated point in the west line of said Williamson County, Texas (Tract 2) tract and the east line of that tract described as 12.88 acres in a Special Warranty Deed with Vendor's Lien, dated May 27, 2011, to Beasley Tract, L.P., a Texas limited partnership, and recorded under Document No. 2011035206 of said official public records, from which a 5/8 inch iron pin found for the northwest corner of said Lot 6, Block 3, also being the northwest corner of said Williamson County, Texas (Tract 2) tract and the southwest corner of Lot 1, Block 3, also being the southwest corner of that tract described as 1.37 acres (Tract 4C) in a Warranty Deed, dated May 27, 2011, to Beasley Tract, L.P., a Texas limited partnership, and recorded under Document No. 2011035210 of said official public records bears N 05°22'30" E 341.19 feet;

THENCE: into said Williamson County, Texas (Tract 2) tract and with the east line of the herein described tract in the following two (2) courses:

1. S 25°34'13" E 283.71 feet to a calculated point,
2. S 20°24'46" E 208.96 feet to a calculated point in the north line of said Haddock Jr (Tract 2) tract and the south line of said Williamson County, Texas (Tract 2) for the southeast corner of the herein described tract;

THENCE: with the south line of said Williamson County, Texas (Tract 2) and the herein described tract in the following two (2) courses:

1. S 86°57'15" W 53.64 feet with the north line of said Haddock Jr. (Tract 2) to a calculated point for the most westerly corner of said Haddock Jr. (Tract 2), the northwest corner of Lot 3, Block 2 of said Ridgmar Landing, and the northeast corner of Lot 2, Block 2 of said Ridgmar Landing,
2. N 82°41'30" W 183.84 feet with the north line of said Lot 2, Block 2 to a calculated point for the southeast corner of said Beasley (2011035206) tract and the southwest corner of said Williamson County, Texas (Tract 2) tract and the herein described tract;

THENCE: N 05°22'30" E with the east line of said Beasley (2011035206) tract and the west line of said Williamson County, Texas (Tract 2) tract and the herein described tract, at 10.00 feet passing a 1 inch iron rod found in concrete and continuing in all 433.13 feet to the **Point of Beginning** and containing 1.26 acres of land.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

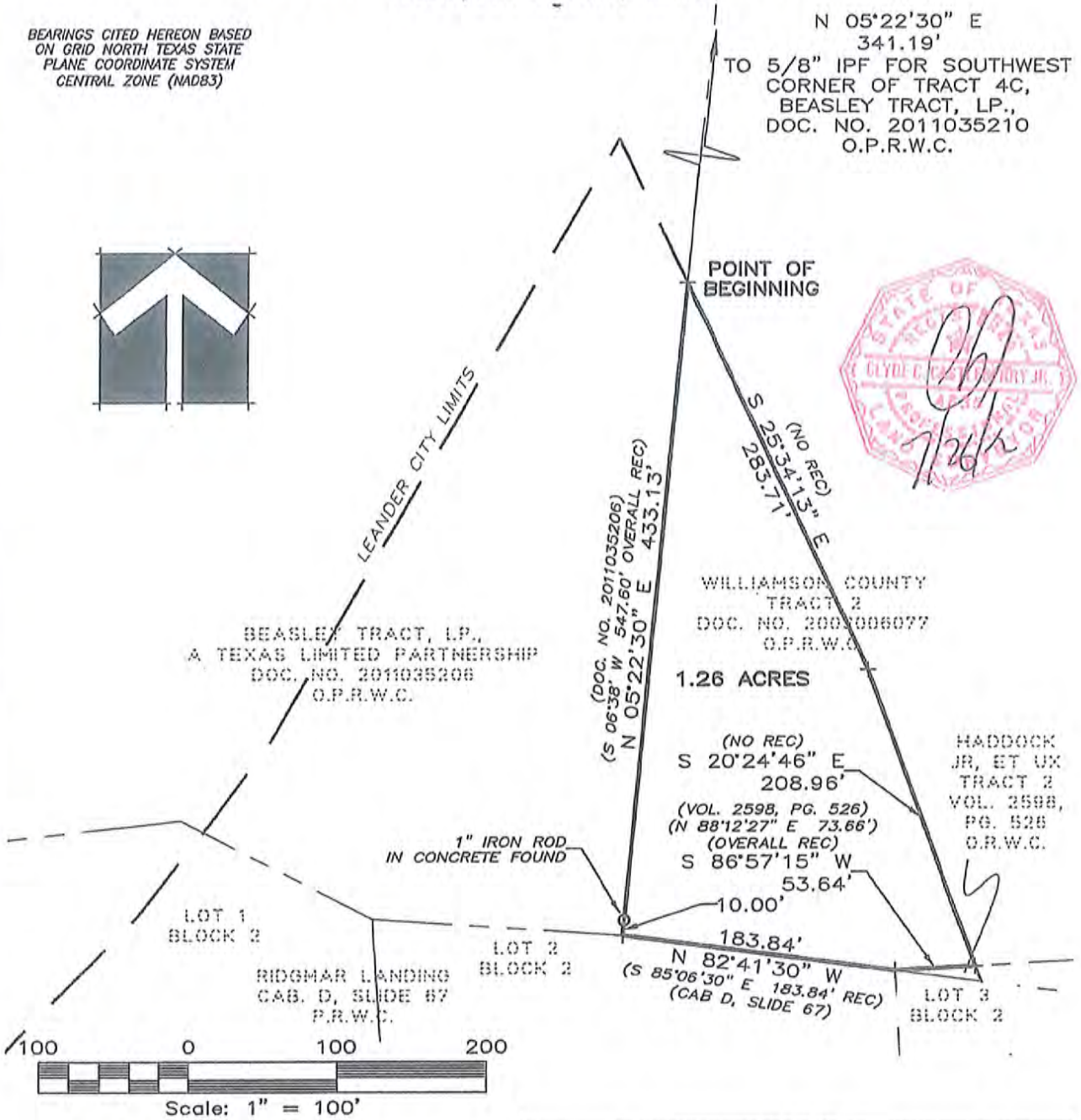
Bearings cited hereon based on Grid North Texas State Plane Coordinate System (Central Zone) NAD83.

Clyde C. Castleberry, Jr., R.P.L.S. No. 4835
Castleberry Surveying, Ltd.
3613 Williams Drive, Suite 903
Georgetown, Texas 78628

STATE OF TEXAS
REGISTERED
CLYDE C. CASTLEBERRY JR.
4835
PROFESSIONAL
LAND SURVEYOR

CCC/crh

SKETCH TO ACCOMPANY FIELD NOTES FOR
1.26 ACRES OUT OF THE E.D. HARMON SURVEY, ABSTRACT NO. 6
WILLIAMSON COUNTY, TEXAS



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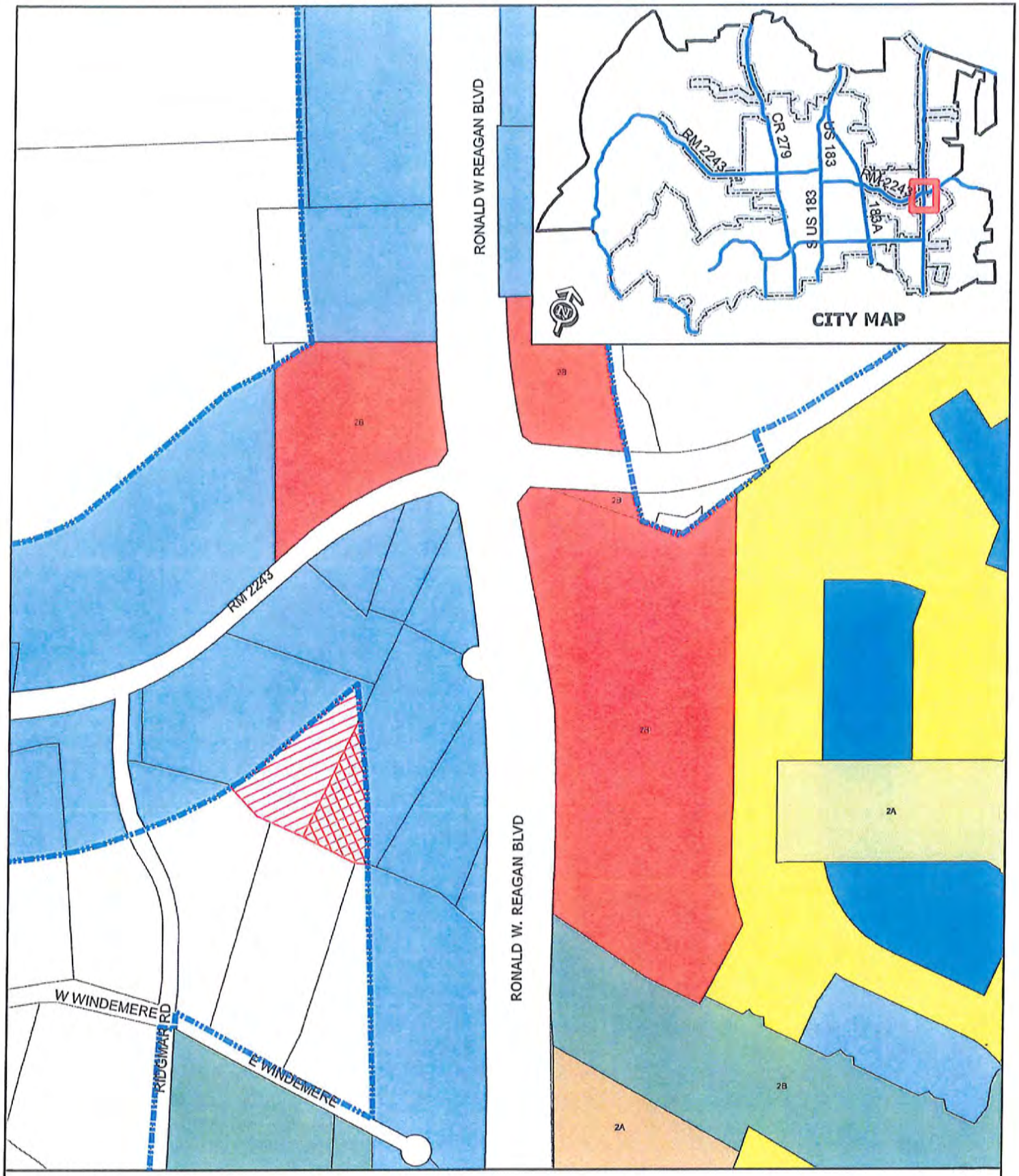
LEGEND	
+	CALCULATED POINT
P.R.W.C.	PLAT RECORDS WILLIAMSON COUNTY
O.P.R.W.C.	OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY
O.R.W.C.	OFFICIAL RECORDS WILLIAMSON COUNTY

Castleberry Surveying, Ltd.
3613 Williams Drive, Suite 903 – Georgetown, Texas 78628
(512) 930-1600/(512) 930-9389 fax
www.castleberrysurveying.com

DRAWING FILE: S:\2011_PROJECTS\11040 HARMON E. D. SVY 13 ACRE ALTA RRB & 2243\11040-XX LEANDER CITY LIMITS\ 11040-XX_LEANDER CITY LIMITS-WILCO_20120



DEVELOPMENT & ANNEXATION EXHIBIT

Location Exhibit

Southwest Corner of RR 2243 & Ronald W. Reagan Blvd

0 200
Feet

City Limits
Williamson County
Beasley Tract, LP

Exhibit "B"

MUNICIPAL SERVICES PLAN
FOR PROPERTY TO BE
ANNEXED INTO THE CITY OF LEANDER

WHEREAS, the City of Leander, Texas (the "City") intends to institute annexation proceedings for a tract of land described more fully hereinafter (referred to herein as the "subject property");

WHEREAS, *Section 43.056, Loc. Gov't. Code*, requires a service plan be adopted with the annexation ordinance;

WHEREAS, the subject property is not included in the municipal annexation plan and is exempt from the requirements thereof;

WHEREAS, infrastructure provided for herein and that existing are sufficient to service the subject property on the same terms and conditions as other similarly situated properties currently within the City limits and no capital improvements are required to offer municipal services on the same terms and conditions as other similarly situated properties within the City; and

WHEREAS, it is found that all statutory requirements have been satisfied and the City is authorized by *Chapt. 43, Loc. Gov't. Code*, to annex the subject property into the City;

NOW, THEREFORE, the City agrees to provide the following services for the subject property on the effective date of annexation:

(1) **General Municipal Services.** Pursuant to the requests of the owner and this Plan, the following services shall be provided immediately from the effective date of the annexation:

A. Police protection as follows:

Routine patrols of areas, radio response to calls for police service and all other police services now being offered to the citizens of the City.

B. Fire protection and Emergency Medical Services as follows:

Fire protection by the present personnel and equipment of the City fire fighting force and the volunteer fire fighting force with the limitations of water available. Radio response for Emergency Medical Services with the present personnel and equipment.

C. Solid waste collection services as follows:

Solid waste collection and services as now being offered to the citizens of the City.

D. Animal control as follows:

Service by present personnel, equipment and facilities or by contract with a third party, as provided within the City.

E. Maintenance of parks and playgrounds within the City.

F. Inspection services in conjunction with building permits and routine City code enforcement services by present personnel, equipment and facilities.

G. Maintenance of other City facilities, buildings and service.

H. Land use regulation as follows:

On the effective date of annexation, the zoning jurisdiction of the City shall be extended to include the annexed area, and the use of all property therein shall be grandfathered; and shall be temporarily zoned "SFR-1-B" with the intent to rezone the subject property upon request of the landowner or staff. The Planning & Zoning Commission and the City Council will consider rezoning the subject property at future times in response to requests submitted by the landowner(s) or authorized city staff.

(2) **Scheduled Municipal Services.** Due to the size and vacancy of the subject property, the plans and schedule for the development of the subject property, the following municipal services will be provided on a schedule and at increasing levels of service as provided in this Plan:

A. Water service and maintenance of water facilities as follows:

(i) Inspection of water distribution lines as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of water service, water service will be provided to the subjects properties, or applicable portions thereof, by the utility holding a water certificate of convenience and necessity ("CCN") for the subject properties, or portions thereof as applicable, or absent a water CCN, by the utility in whose jurisdiction the subject properties, or portions thereof as applicable, are located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of water service. If connected to the City's water utility system, the subject properties' owner shall construct the internal water lines and pay the costs of line extension and construction of such facilities necessary to provide water service to the subject properties as required in City ordinances. Upon acceptance of the water lines within the subject properties and any off-site improvements, water service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City; subject to all the ordinances, regulations and policies of the City in effect from time to time. The system will be accepted and maintained by the City in accordance with its usual acceptance and maintenance policies. New water line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances of the City in effect at the time a request for service is submitted shall govern the costs and request for

service. The continued use of a water well that is in use on the effective date of the annexation and is in compliance with applicable rules and regulations shall be permitted and such use may continue until the subject properties' owner requests and is able to connect to the City's water utility system.

B. Wastewater service and maintenance of wastewater service as follows:

(i) Inspection of sewer lines as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of wastewater service, wastewater service will be provided to the subjects properties, or applicable portions thereof, by the utility holding a wastewater CCN for the subject properties, or portions thereof as applicable, or absent a wastewater CCN, by the utility in whose jurisdiction the subject properties, or portions thereof as applicable, are located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of wastewater service. If connected to the City's wastewater utility system, the subject properties' owner shall construct the internal wastewater lines and pay the costs of line extension and construction of facilities necessary to provide wastewater service to the subject properties as required in City ordinances. Upon acceptance of the wastewater lines within the subject properties and any off-site improvements, wastewater service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City, subject to all the ordinances, regulations and policies of the City in effect from time to time. The wastewater system will be accepted and maintained by the City in accordance with its usual policies. Requests for new wastewater line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of a septic system that is in use on the effective date of the annexation and is in compliance with all applicable rules and regulations shall be permitted and such use may continue until the subject property owner requests and is able to connect to the City's wastewater utility system.

C. Maintenance of streets and rights-of-way as appropriate as follows:

(i) Provide maintenance services on existing public streets within the subject property and other streets that are hereafter constructed and finally accepted by the City. The maintenance of the streets and roads will be limited as follows:

(A) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.; and

(B) Routine maintenance as presently performed by the City.

(ii) The City will maintain existing public streets within the subject property, and following installation and acceptance of new roadways by the City as provided by city ordinance, including any required traffic signals, traffic signs, street markings, other

traffic control devices and street lighting, the City will maintain such newly constructed public streets, roadways and rights-of-way within the boundaries of the subject property, as follows:

(A) As provided in C(i)(A)&(B) above;

(B) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies;

(C) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards; and

(D) Installation and maintenance of street lighting in accordance with established policies of the City;

(iii) The outer boundaries of the subject property abut existing roadways. The property owner agrees that no improvements are required on such roadways to service the property.

(3) **Capital Improvements.** Construction of the following capital improvements shall be initiated after the effective date of the annexation: None. Upon development of the subject property or redevelopment, the landowner will be responsible for the development costs the same as a developer in a similarly situated area under the ordinances in effect at the time of development or redevelopment. No additional capital improvements are necessary at this time to service the subject property the same as similarly situated properties.

(4) **Term.** If not previously expired, this service plan expires at the end of ten (10) years.

(5) **Property Description.** The legal description of the subject property is as set forth in exhibits attached to the Annexation Ordinance to which this Service Plan is attached.

SCHEDULE FOR VOLUNTARY ANNEXATION – SWC RR 2243 & Ronald Reagan – Wilco – 1.26 Acres +/-

DATE	ACTION/EVENT	LEGAL AUTHORITY
September 20, 2012	**COUNCIL BY WRITTEN RESOLUTION** Directs notification to land owners; and sets two (2) Public Hearings: **November 1, 2012 and November 8, 2012**; Council directs development of service plan for area to be annexed.	Loc. Gov't Code, §§ 43.063 & 43.065; Public Hearings: are on or after the 40th day but before 20th day before institution of proceedings.
By October 1, 2012	**NOTICE TO** property owners & utility providers	Loc. Gov't Code § 43.062(a)
October 17, 2012* Publish notice of First Public Hearing **October 24, 2012*** Publish notice of Second Public Hearings	**NEWSPAPER NOTICES** RE: FIRST AND SECOND PUBLIC HEARINGS; (If applicable Notice to Railroad) **SCHOOL DISTRICT NOTICE** (notify each school district of possible impact) POST NOTICE ON WEB SITE and MAINTAIN UNTIL COMPLETE	Not less than 10 days nor more than 20 days before 1st and 2nd public hearings. Loc. Gov't Code, §43.063 (c).
Ten days after the date the first notice of Public Hearing is published	LAST DAY FOR SUBMISSION OF WRITTEN PROTEST BY RESIDENTS (10 days after first newspaper notice)	Site hearing required if 10% of adult residents of tracts protest within 10 days after 1st newspaper notice. Loc. Gov't Code, § 43.063 (b)
Nov. 1, 2012*	**1st PUBLIC HEARING** AND PRESENT SERVICE PLAN (Not more than 40 days before the 1st reading of ordinance) *REGULAR MEETING*	Not less than 20 days nor more than 40 days before reading of ordinance. Loc. Gov't Code, §§ 43.063(a) & 43.065.
Nov. 8, 2012*	**2nd PUBLIC HEARING** AND PRESENT SERVICE PLAN (At least 20 days before 1st reading of ordinance.) *SPECIAL CALLED MEETING*	Not less than 20 days nor more than 40 days before reading of ordinance. Loc. Gov't Code, §§ 43.063(a) & 43.065.
Institution Date **December 6, 2012***	**FIRST READING** OF ORDINANCE *REGULAR MEETING*	Date of institution of proceedings. Not less than 20 days from the second public hearing nor more than 40 days from the first public hearing.
December 20, 2012 Or at a special called meeting after the First Reading	**SECOND-FINAL READING** OF ORDINANCE *REGULAR MEETING*	Not more than 90 days after 1st reading of Ordinance § 43.064.
December 31, 2012 Or as soon as documents are received from City	FILE FOR VOTING RIGHTS ACT **PRECLEARANCE**	42 U.S.C. §1973c; Loc. Gov't Code, §43.906;
Within 30 days of Second Reading	**CITY SENDS COPY OF MAP** showing boundary changes to County Voter Registrar in a format that is compatible with mapping format used by registrar	Elec. Code §42.0615
Upon receipt of DOJ Preclearance or 60 days after DOJ's receives submission	**IMPLEMENT ANNEXATION** for voting purposes (Upon preclearance from Justice Dept.) **Send certified copy of ordinance and maps** to State Comptroller and any franchise holders	42 U.S.C. §1973c.
After DOJ Preclearance	**CITY PROVIDES CERTIFIED COPY OF ORDINANCE AND MAPS TO:** 1. County Clerk 2. County Appraisal District 3. County Tax Assessor Collector 4. 911 Addressing 5. Sheriff's Office 6. City Department Heads	

***Dates in BOLD are MANDATORY dates to follow this schedule. Please advise if deviation.**

***Newspaper notices to paper by 10 a.m. the preceding Friday**

Executive Summary

December 20, 2012

Council Agenda Subject: Second reading of the ordinance on annexation of a 2.02 acre parcel, more or less, located in Williamson County, Texas, generally located to the southwest of the intersection of RM 2243 and Ronald W. Reagan Boulevard including the abutting streets, roadways, and rights-of-way.

Background: The Resolution setting the two public hearings for November 1, 2012 and **November 8, 2012** was approved by City Council on September 20, 2012. The first reading of the Ordinance was approved by City council on December 6, 2012. This is a voluntary annexation whereas the property owner is requesting the property to be annexed into the city limits. **(Dates in bold indicate "Special Council Meetings")**

Origination: Development Services Department

Attachments: Ordinance

Resolution

Petition for Annexation

Exhibit "A" – Property Descriptions

Exhibit "B" – Municipal Services Plan

Schedule for Voluntary Annexation

Prepared by: Jim Bechtol, Director of Development Services

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LEANDER, TEXAS ANNEXING 2.02 ACRES OF LAND, MORE OR LESS, INTO THE CORPORATE LIMITS OF THE CITY, INCLUDING THE ABUTTING ROADWAYS AND RIGHTS-OF-WAY, AT THE REQUEST OF THE PROPERTY OWNER; APPROVING A SERVICE PLAN FOR THE ANNEXED AREA; MAKING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Leander, Texas, is a home rule municipality authorized by State law to annex territory lying adjacent and contiguous to the City;

WHEREAS, the owner(s) of the property, as hereinafter described, made written request for the City to annex such property in compliance with the *Tex. Loc. Gov't. Code*;

WHEREAS, the property is adjacent and contiguous to the present city limits;

WHEREAS, the City Council heard and has decided to grant the owner's request that the City annex said property;

WHEREAS, two separate public hearings were conducted prior to consideration of this Ordinance in accordance with *§43.063 of the Tex. Loc. Gov't. Code*;

WHEREAS, the hearings were conducted and held not more than forty (40) nor less than twenty (20) days prior to the institution of annexation proceedings;

WHEREAS, notice of the public hearings was published not more than twenty (20) nor less than ten (10) days prior to the public hearings;

WHEREAS, the City intends to provide services to the property to be annexed according to the Service Plan attached hereto as Exhibit "B".

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

SECTION 1. That all of the above premises and findings of fact are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. That all portions of the following described property, including the abutting roadways and rights-of-way (hereinafter referred to as the "Annexed Property"), not previously annexed into the City, are hereby annexed into the corporate limits of the City of Leander:

> All that certain tract or parcel of land, located in Williamson County, Texas, being 2.02 acres, more or less, out of the E.D. Harmon Survey, Abstract No. 6, recorded under Document No. 2011035206 of the Official Public Records, Williamson County, Texas and being more particularly described and shown in Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION 3. That the Service Plan submitted herewith is hereby approved as part of this Ordinance, made a part hereof and attached hereto as Exhibit "B".

SECTION 4. That the future owners and inhabitants of the Annexed Property shall be entitled to all of the rights and privileges of the City as set forth in the Service Plan attached hereto as Exhibit "B", and are further bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be hereafter adopted.

SECTION 5. That the official map and boundaries of the City, heretofore adopted and amended be and hereby are amended so as to include the Annexed Property as part of the City of Leander.

SECTION 6. That the Annexed Property shall be temporarily zoned District "SFR-1-B" as provided in the City Zoning Ordinance, as amended, until permanent zoning is established therefore.

SECTION 7. That the November 1, 2012 and November 8, 2012 public hearings held to allow for public comment on the Annexed Property were properly posted and notices were published in a newspaper of general circulation within the City in accordance with applicable statutes and the City Council hereby ratifies those previous public hearings.

SECTION 8. That if any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 9. That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

SECTION 10. That it is hereby officially found and determined that the meeting at which this Ordinance is 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, *Chapt. 551, Tex. Gov't. Code*.

PASSED AND APPROVED on First Reading this 6th day of December, 2012.

FINALLY PASSED AND APPROVED on this 20TH day of December, 2012.

ATTEST:

CITY OF LEANDER, TEXAS

Debbie Haile, City Secretary

Christopher Fielder, Mayor

RESOLUTION NO. 12-022-00

A RESOLUTION OF THE CITY OF LEANDER, TEXAS, ACCEPTING THE PETITION FOR ANNEXATION OF A 2.02, MORE OR LESS, ACRE PARCEL, INCLUDING THE ABUTTING STREETS, ROADWAYS, AND RIGHTS-OF-WAY, LOCATED IN WILLIAMSON COUNTY, TEXAS; SETTING AN ANNEXATION SCHEDULE; PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.

WHEREAS, the owner of certain property located within Williamson County, Texas, has petitioned the City of Leander, Texas, (herein the "City"), a home-rule City, for annexation of said property, more particularly described herein (the "subject property"), into the City limits;

WHEREAS, the subject property is contiguous and adjacent to the corporate limits of the City and the owners have made application for annexation;

WHEREAS, after review and consideration of such petition for annexation, the City Council finds that the property is exempt from the City's annexation plan pursuant to § 43.052 (h)(2) of the *Local Government Code*; and,

WHEREAS, the petitioner has agreed and consented to the annexation of the subject property by the City and further agreed to be bound by all acts, ordinances, and all other legal action now in force and effect within the corporate limits of the City and all those which may be hereafter adopted;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEANDER, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Proceedings. The petition for annexation of the following property, including the abutting streets, roadways, and rights of way, and the draft services plan shown in Exhibit "B", submitted by Petitioner, are hereby accepted:

> All that certain tract or parcel of land, located in Williamson County, Texas, being 2.02 acres, more or less, out of the E.D. Harmon Survey, Abstract No. 6, recorded under Document No. 2011035206 of the Official Public Records, Williamson County, Texas and being more particularly described and shown in Exhibit "A" attached hereto and incorporated herein for all purposes.

Two public hearings are set for the dates of November 1, 2012 and November 8, 2012. Notice of such hearings shall be posted and the hearings shall be open to the public to accept public comment on the annexation request.

Section 3. **Severability.** Should any section or part of this Resolution be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Resolution are declared to be severable.

Section 4. **Open Meetings.** It is hereby officially found and determined that the meeting at which this Resolution is 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, *Chapt. 551, Tex. Gov't. Code*.

PASSED AND APPROVED this the 20th day of September, 2012.

ATTEST:

Debbie Haile

Debbie Haile, City Secretary

THE CITY OF LEANDER, TEXAS

Christopher Fielder, Mayor

CITY OF LEANDER
ESTABLISHED 1852 INCORPORATED 1914
STATE OF TEXAS

STATE OF TEXAS §
§
COUNTY OF WILLIAMSON §

REQUEST & PETITION TO THE CITY COUNCIL OF THE CITY OF LEANDER FOR ANNEXATION OF PROPERTY

WHEREAS, the undersigned is the owner of a certain tract of property located within Williamson County, Texas, such property more particularly described hereinafter by true and correct legal description (referred to herein as the "subject property");

WHEREAS, the undersigned has sought the annexation of the subject property by the City of Leander, Texas, (hereinafter sometimes referred to as "City"), in order to obtain the benefits of City services to the subject property by the City;

WHEREAS, the subject property is contiguous and adjacent to the corporate limits of the City;

WHEREAS, the City, pursuant to *§43.021, Tex. Loc. Gov't. Code* and the request of the property owner, is authorized to annex the subject property; and,

WHEREAS, the undersigned agrees and consents to the annexation of the subject property by the City and further agrees to be bound by all acts, ordinances, and all other legal action now in force and effect within the corporate limits of the City and all those which may be hereafter adopted.

NOW THEREFORE, the undersigned by this Request and Petition:

SECTION ONE: Requests the City Council of the City to commence annexation proceedings and to annex into the corporate limits of the City of Leander, Texas, of all portions of the subject property, including the abutting streets, roadways, and rights-of-way, not previously annexed into the City and further described as follows,:

> All that certain tract or parcel of land, located in Williamson County, Texas, being 2.02 acres, more or less, out of the E.D. Harmon Survey, Abstract No. 6, recorded under Document No. 2011035206 of the Official Public Records, Williamson County, Texas and being more particularly described and shown in Exhibit "A" attached hereto and incorporated herein for all purposes.

SECTION TWO: Requests that after annexation the City provide such services as are legally permissible and provided by the City, including sanitation, water and general governmental services as set forth in the municipal services plan.

SECTION THREE: Acknowledges and represents having received, read and understood the attached "draft" Service Plan, attached hereto as Exhibit "B", (proposed to be applicable to and adopted for the subject property) and that such "draft" Service Plan is wholly adequate and acceptable to the undersigned who hereby requests the City Council to proceed with the annexation

and preparation of a final Municipal Service Plan and publish notice and hold the requisite public hearings thereon, in accordance with the applicable laws of the State of Texas.

SECTION FOUR: Acknowledges that the undersigned understands and agrees that all city services to the subject property will be provided by the City on the same terms and conditions as provided to other similarly situated areas of the City and as provided in the Municipal Service Plan.

SECTION FIVE: Agrees that a copy of this Request and Petition may be filed of record in the offices of the City of Leander and in the real property records of Williamson County, Texas, and shall be notice to and binding upon all persons or entities now or hereafter having any interest in the subject property.

FILED, this 17th day of August 2012, with the City Secretary of the City of Leander, Williamson County, Texas.

Petitioner: Beasley Tract L.P.
By Beasley Tract GP, LLC

By: _____
Name: Jeremy Smithea
Title: Manager of General Partner

STATE OF TEXAS §
§
COUNTY OF WILLIAMSON §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Jeremy Smithea, Manager of Beasley Tract L.P., a Texas limited partnership and Petitioner herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that they had authority to bind the entity and that they executed the same for the purposes therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 17th day of August 2012.

(SEAL)

CHRISTINA L. YOUNG
Notary Public, State of Texas
My Commission Expires
March 03, 2013

Christina L. Young
Notary Public-State of Texas

Exhibit "A"

DESCRIPTION OF THE SUBJECT PROPERTY

FIELD NOTES
JOB NO. 11040–xx
DATE: July 25, 2012

2.02 ACRES

Being 2.02 acres of land situated in Williamson County, Texas, out of the E.D. Harmon Survey, Abstract No. 6, being a portion of that tract described as 12.88 acres in a Special Warranty Deed with Vendor's Lien, dated May 27, 2011, to Beasley Tract, L.P., a Texas limited partnership, and recorded under Document No. 2011035206, Official Public Records, Williamson County, Texas and being described by metes and bounds as follows:

BEGINNING at a calculated point in the east line of said Beasley (2011035206) tract and the west line of that tract to Williamson County, Texas (Tract 2) in a Special Warranty Deed, dated January 5, 2003 and recorded under Document No. 2003006077 of said official public records, described as being a portion of Lot 6, Block 3, Ridgmar Landing, a Williamson County subdivision recorded in Cabinet D, Slide 67, Plat Records, Williamson County, Texas, save and except that portion described in Warranty Deed, dated August 25, 1994, to Robert L. Haddock, et ux, and recorded in Volume 2598, Page 526, Official Records, Williamson County, Texas for the northeast corner of the herein described tract, from which a 5/ 8 inch iron pin found for the northwest corner of said Lot 6, Block 3, also being the northwest corner of said Williamson County, Texas (Tract 2) and the southwest corner of Lot 1, Block 3, also being the southwest corner of that tract described as 1.37 acres (Tract 4C) in a Warranty Deed, dated May 27, 2011, to Beasley Tract, L.P., a Texas limited partnership, and recorded under Document No. 2011035210 of said official public records bears N 05°22'30" E 341.19 feet;

THENCE: S 05°22'30" W with the east line of said Beasley (2011035206) tract and the herein described tract and with the west line of said Williamson County, Texas (Tract 2 - 2003006077) tract, at 423.13 feet passing a 1 inch iron rod found in concrete found and continuing in all 433.13 feet to a calculated point in the north line of Lot 2, Block 2 of said Ridgmar Landing for the southwest corner of said Williamson County, Texas (Tract 2 – 2003006077) tract and the southeast corner of said Beasley (2011035206) tract and the herein described tract;

THENCE: with the south line of said Beasley (2011035206) tract and the herein described tract in the following two (2) courses:

1. N 86°19'24" W 168.33 feet with the north line of said Lot 2, Block 2 to a calculated point for the northwest corner of said Lot 2, Block 2 and the northeast corner of Lot 1, Block 2 of said Ridgmar Landing,
2. N 63°19'24" W 127.62 feet with the north line of said Lot 1, Block 2 to a calculated point for the southwest corner of the herein described tract;

THENCE: into said Beasley (2011035206) tract and with the west line of the herein described tract in the following two (2) courses:

1. N 37°25'06" E 71.09 feet to a calculated point,
2. N 30°07'30" E 465.27 feet to a calculated point for the northwest corner of the herein described tract;

THENCE: S 25°36'18" E 106.18 feet, continuing into said Beasley (2011035206) tract and with the north line of the herein described tract to the **Point of Beginning** and containing 2.02 acre of land.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Bearings cited hereon based on Grid North Texas State Plane Coordinate System (Central Zone) NAD83.

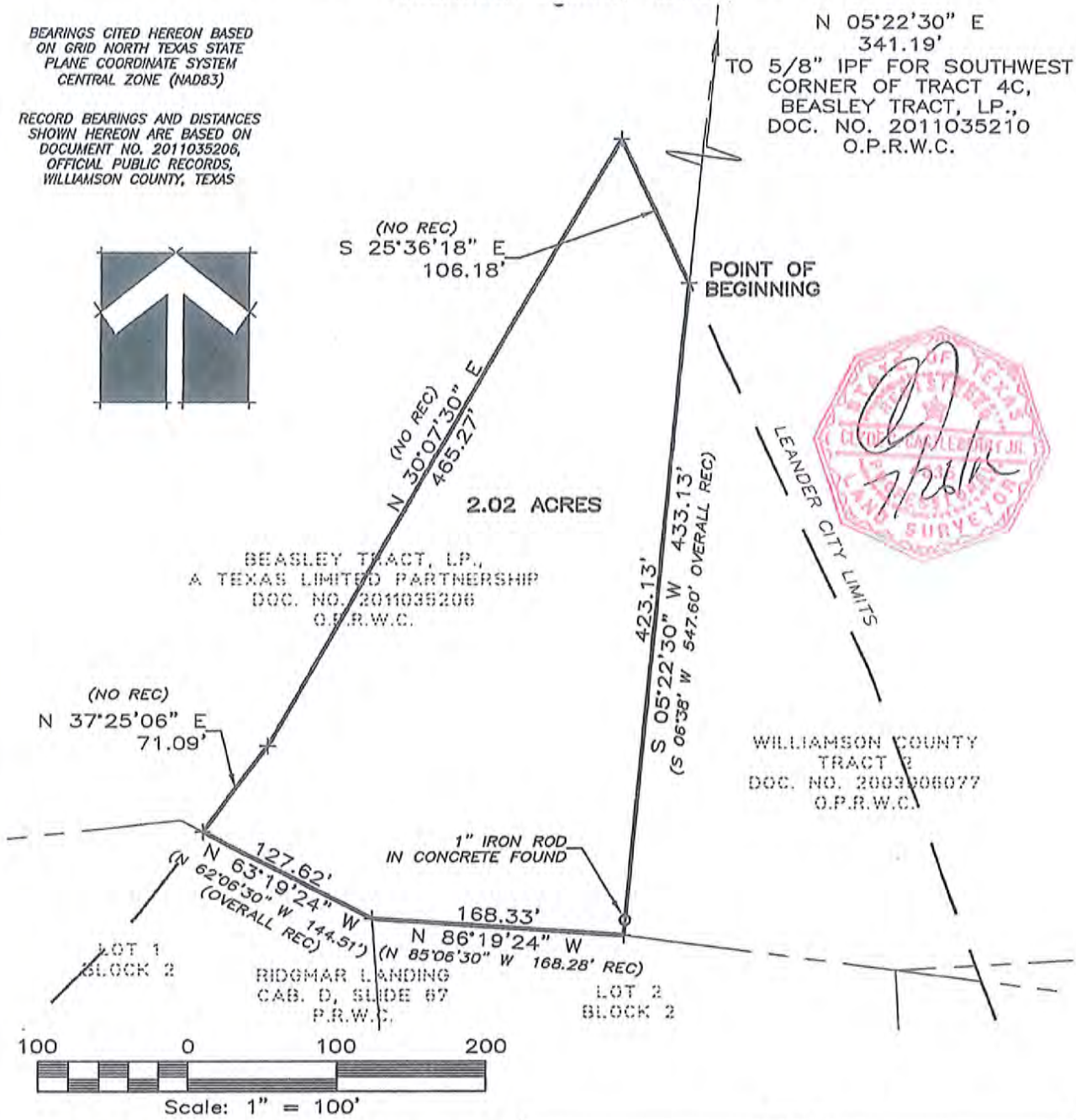
7/26/12

Clyde C. Castleberry, Jr., R.P.L.S. No. 4835
Castleberry Surveying, Ltd.
3613 Williams Drive, Suite 903
Georgetown, Texas 78628

STATE OF TEXAS REGISTERED CLYDE C. CASTLEBERRY JR. 4835 PROFESSIONAL LAND SURVEYOR

CCC/crh

SKETCH TO ACCOMPANY FIELD NOTES FOR
2.02 ACRES OUT OF THE E.D. HARMON SURVEY, ABSTRACT NO. 6
WILLIAMSON COUNTY, TEXAS

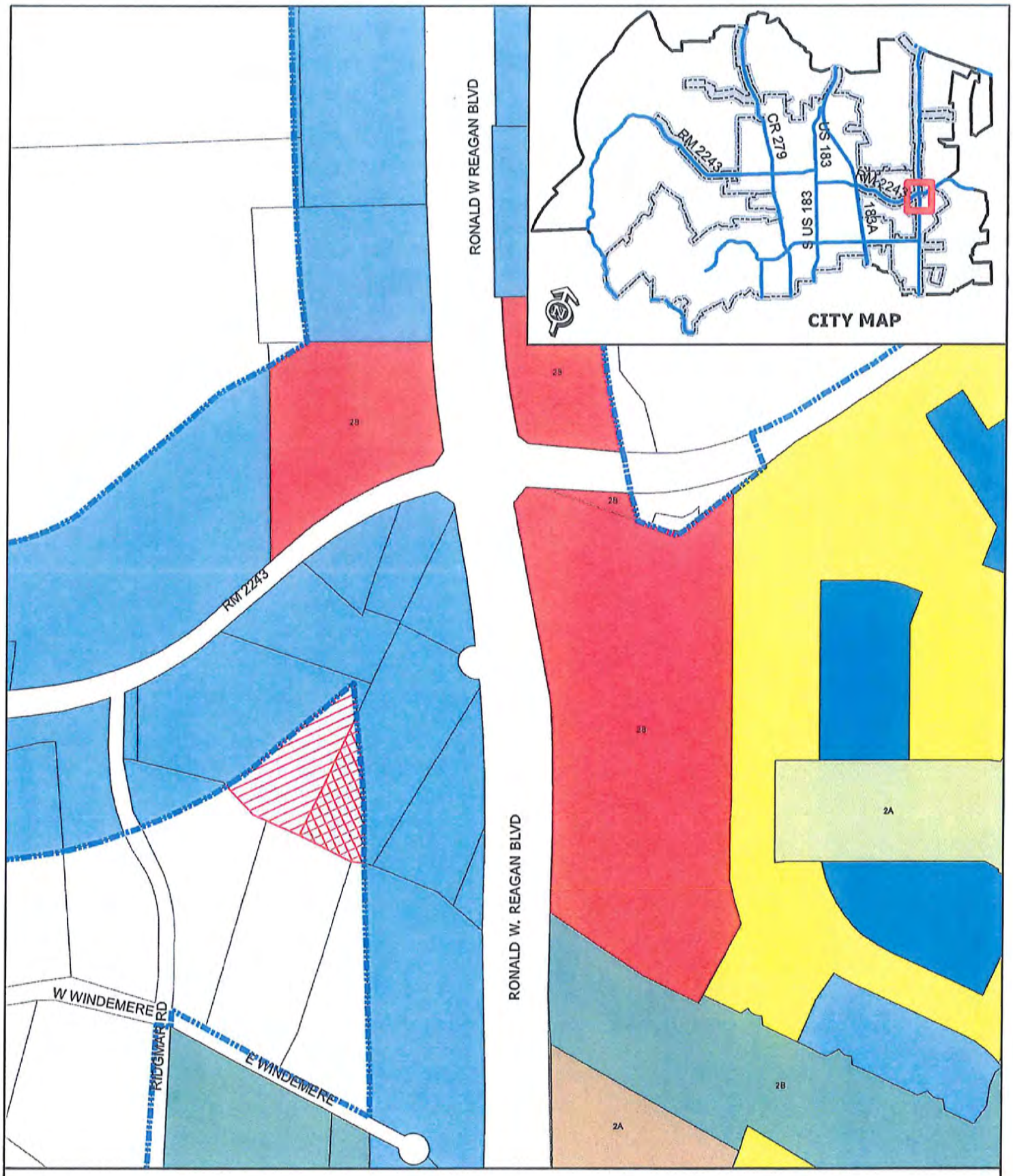


This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

LEGEND	
+	CALCULATED POINT
P.R.W.C.	PLAT RECORDS WILLIAMSON COUNTY
O.P.R.W.C.	OFFICIAL PUBLIC RECORDS WILLIAMSON COUNTY

Castleberry Surveying, Ltd.
3613 Williams Drive, Suite 903 — Georgetown, Texas 78628
(512) 930-1600/(512) 930-9389 fax
www.castleberrysurveying.com

DRAWING FILE: S:\2011_PROJECTS\11040 HARMON E. D. SVY 13 ACRE ALTA RRB & 2243\11040-XX LEANDER CITY LIMITS\ 11040-XX_LEANDER CITY LIMITS-BEASLEY_201



DEVELOPMENT & ANNEXATION EXHIBIT

Location Exhibit

Southwest Corner of RR 2243 & Ronald W. Reagan Blvd

0 200
Feet

City Limits
Williamson County
Beasley Tract, LP

Exhibit "B"

MUNICIPAL SERVICES PLAN
FOR PROPERTY TO BE
ANNEXED INTO THE CITY OF LEANDER

WHEREAS, the City of Leander, Texas (the "City") intends to institute annexation proceedings for a tract of land described more fully hereinafter (referred to herein as the "subject property");

WHEREAS, *Section 43.056, Loc. Gov't. Code*, requires a service plan be adopted with the annexation ordinance;

WHEREAS, the subject property is not included in the municipal annexation plan and is exempt from the requirements thereof;

WHEREAS, infrastructure provided for herein and that existing are sufficient to service the subject property on the same terms and conditions as other similarly situated properties currently within the City limits and no capital improvements are required to offer municipal services on the same terms and conditions as other similarly situated properties within the City; and

WHEREAS, it is found that all statutory requirements have been satisfied and the City is authorized by *Chapt. 43, Loc. Gov't. Code*, to annex the subject property into the City;

NOW, THEREFORE, the City agrees to provide the following services for the subject property on the effective date of annexation:

(1) **General Municipal Services.** Pursuant to the requests of the owner and this Plan, the following services shall be provided immediately from the effective date of the annexation:

A. Police protection as follows:

Routine patrols of areas, radio response to calls for police service and all other police services now being offered to the citizens of the City.

B. Fire protection and Emergency Medical Services as follows:

Fire protection by the present personnel and equipment of the City fire fighting force and the volunteer fire fighting force with the limitations of water available. Radio response for Emergency Medical Services with the present personnel and equipment.

C. Solid waste collection services as follows:

Solid waste collection and services as now being offered to the citizens of the City.

D. Animal control as follows:

Service by present personnel, equipment and facilities or by contract with a third party, as provided within the City.

E. Maintenance of parks and playgrounds within the City.

F. Inspection services in conjunction with building permits and routine City code enforcement services by present personnel, equipment and facilities.

G. Maintenance of other City facilities, buildings and service.

H. Land use regulation as follows:

On the effective date of annexation, the zoning jurisdiction of the City shall be extended to include the annexed area, and the use of all property therein shall be grandfathered; and shall be temporarily zoned "SFR-1-B" with the intent to rezone the subject property upon request of the landowner or staff. The Planning & Zoning Commission and the City Council will consider rezoning the subject property at future times in response to requests submitted by the landowner(s) or authorized city staff.

(2) **Scheduled Municipal Services.** Due to the size and vacancy of the subject property, the plans and schedule for the development of the subject property, the following municipal services will be provided on a schedule and at increasing levels of service as provided in this Plan:

A. Water service and maintenance of water facilities as follows:

(i) Inspection of water distribution lines as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of water service, water service will be provided to the subjects properties, or applicable portions thereof, by the utility holding a water certificate of convenience and necessity ("CCN") for the subject properties, or portions thereof as applicable, or absent a water CCN, by the utility in whose jurisdiction the subject properties, or portions thereof as applicable, are located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of water service. If connected to the City's water utility system, the subject properties' owner shall construct the internal water lines and pay the costs of line extension and construction of such facilities necessary to provide water service to the subject properties as required in City ordinances. Upon acceptance of the water lines within the subject properties and any off-site improvements, water service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City; subject to all the ordinances, regulations and policies of the City in effect from time to time. The system will be accepted and maintained by the City in accordance with its usual acceptance and maintenance policies. New water line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances of the City in effect at the time a request for service is submitted shall govern the costs and request for

service. The continued use of a water well that is in use on the effective date of the annexation and is in compliance with applicable rules and regulations shall be permitted and such use may continue until the subject properties' owner requests and is able to connect to the City's water utility system.

B. Wastewater service and maintenance of wastewater service as follows:

(i) Inspection of sewer lines as provided by statutes of the State of Texas.

(ii) In accordance with the applicable rules and regulations for the provision of wastewater service, wastewater service will be provided to the subjects properties, or applicable portions thereof, by the utility holding a wastewater CCN for the subject properties, or portions thereof as applicable, or absent a wastewater CCN, by the utility in whose jurisdiction the subject properties, or portions thereof as applicable, are located, in accordance with all the ordinances, regulations, and policies of the City in effect from time to time for the extension of wastewater service. If connected to the City's wastewater utility system, the subject properties' owner shall construct the internal wastewater lines and pay the costs of line extension and construction of facilities necessary to provide wastewater service to the subject properties as required in City ordinances. Upon acceptance of the wastewater lines within the subject properties and any off-site improvements, wastewater service will be provided by the City utility department on the same terms, conditions and requirements as are applied to all similarly situated areas and customers of the City, subject to all the ordinances, regulations and policies of the City in effect from time to time. The wastewater system will be accepted and maintained by the City in accordance with its usual policies. Requests for new wastewater line extensions will be installed and extended upon request under the same costs and terms as with other similarly situated customers of the City. The ordinances in effect at the time a request for service is submitted shall govern the costs and request for service. The continued use of a septic system that is in use on the effective date of the annexation and is in compliance with all applicable rules and regulations shall be permitted and such use may continue until the subject property owner requests and is able to connect to the City's wastewater utility system.

C. Maintenance of streets and rights-of-way as appropriate as follows:

(i) Provide maintenance services on existing public streets within the subject property and other streets that are hereafter constructed and finally accepted by the City. The maintenance of the streets and roads will be limited as follows:

(A) Emergency maintenance of streets, repair of hazardous potholes, measures necessary for traffic flow, etc.; and

(B) Routine maintenance as presently performed by the City.

(ii) The City will maintain existing public streets within the subject property, and following installation and acceptance of new roadways by the City as provided by city ordinance, including any required traffic signals, traffic signs, street markings, other

traffic control devices and street lighting, the City will maintain such newly constructed public streets, roadways and rights-of-way within the boundaries of the subject property, as follows:

(A) As provided in C(i)(A)&(B) above;

(B) Reconstruction and resurfacing of streets, installation of drainage facilities, construction of curbs, gutters and other such major improvements as the need therefore is determined by the governing body under City policies;

(C) Installation and maintenance of traffic signals, traffic signs, street markings and other traffic control devices as the need therefore is established by appropriate study and traffic standards; and

(D) Installation and maintenance of street lighting in accordance with established policies of the City;

(iii) The outer boundaries of the subject property abut existing roadways. The property owner agrees that no improvements are required on such roadways to service the property.

(3) **Capital Improvements.** Construction of the following capital improvements shall be initiated after the effective date of the annexation: None. Upon development of the subject property or redevelopment, the landowner will be responsible for the development costs the same as a developer in a similarly situated area under the ordinances in effect at the time of development or redevelopment. No additional capital improvements are necessary at this time to service the subject property the same as similarly situated properties.

(4) **Term.** If not previously expired, this service plan expires at the end of ten (10) years.

(5) **Property Description.** The legal description of the subject property is as set forth in exhibits attached to the Annexation Ordinance to which this Service Plan is attached.

SCHEDULE FOR VOLUNTARY ANNEXATION – SWC RR 2243 & Ronald Reagan – Beasley – 2.02 Acres +/-

DATE	ACTION/EVENT	LEGAL AUTHORITY
September 20, 2012	**COUNCIL BY WRITTEN RESOLUTION** Directs notification to land owners; and sets two (2) Public Hearings: **November 1, 2012 and November 8, 2012**; Council directs development of service plan for area to be annexed.	Loc. Gov't Code, §§ 43.063 & 43.065; Public Hearings: are on or after the 40th day but before 20th day before institution of proceedings.
By October 1, 2012	**NOTICE TO** property owners & utility providers	Loc. Gov't Code § 43.062(a)
October 17, 2012* Publish notice of First Public Hearing **October 24, 2012*** Publish notice of Second Public Hearings	**NEWSPAPER NOTICES** RE: FIRST AND SECOND PUBLIC HEARINGS; (If applicable Notice to Railroad) **SCHOOL DISTRICT NOTICE** (notify each school district of possible impact) POST NOTICE ON WEB SITE and MAINTAIN UNTIL COMPLETE	Not less than 10 days nor more than 20 days before 1st and 2nd public hearings. Loc. Gov't Code, §43.063 (c).
Ten days after the date the first notice of Public Hearing is published	LAST DAY FOR SUBMISSION OF WRITTEN PROTEST BY RESIDENTS (10 days after first newspaper notice)	Site hearing required if 10% of adult residents of tracts protest within 10 days after 1st newspaper notice. Loc. Gov't Code, § 43.063 (b)
Nov. 1, 2012*	**1st PUBLIC HEARING** AND PRESENT SERVICE PLAN (Not more than 40 days before the 1st reading of ordinance) *REGULAR MEETING*	Not less than 20 days nor more than 40 days before reading of ordinance. Loc. Gov't Code, §§ 43.063(a) & 43.065.
Nov. 8, 2012*	**2nd PUBLIC HEARING** AND PRESENT SERVICE PLAN (At least 20 days before 1st reading of ordinance.) *SPECIAL CALLED MEETING*	Not less than 20 days nor more than 40 days before reading of ordinance. Loc. Gov't Code, §§ 43.063(a) & 43.065.
Institution Date **December 6, 2012***	**FIRST READING** OF ORDINANCE *REGULAR MEETING*	Date of institution of proceedings. Not less than 20 days from the second public hearing nor more than 40 days from the first public hearing.
December 20, 2012 Or at a special called meeting after the First Reading	**SECOND-FINAL READING** OF ORDINANCE *REGULAR MEETING*	Not more than 90 days after 1st reading of Ordinance § 43.064.
December 31, 2012 Or as soon as documents are received from City	FILE FOR VOTING RIGHTS ACT **PRECLEARANCE**	42 U.S.C. §1973c; Loc. Gov't Code, §43.906;
Within 30 days of Second Reading	**CITY SENDS COPY OF MAP** showing boundary changes to County Voter Registrar in a format that is compatible with mapping format used by registrar	Elec. Code §42.0615
Upon receipt of DOJ Preclearance or 60 days after DOJ's receives submission	**IMPLEMENT ANNEXATION** for voting purposes (Upon preclearance from Justice Dept.) **Send certified copy of ordinance and maps** to State Comptroller and any franchise holders	42 U.S.C. §1973c.
After DOJ Preclearance	**CITY PROVIDES CERTIFIED COPY OF ORDINANCE AND MAPS TO:** 1. County Clerk 2. County Appraisal District 3. County Tax Assessor Collector 4. 911 Addressing 5. Sheriff's Office 6. City Department Heads	

***Dates in BOLD are MANDATORY dates to follow this schedule. Please advise if deviation.**

***Newspaper notices to paper by 10 a.m. the preceding Friday**

Executive Summary

December 20, 2012

Agenda Subject:	Zoning Case 12-Z-029: Hold a public hearing and consider action on the rezoning of two parcels generally located at the southwest corner of the intersection of Bagdad Rd and Vista Ridge Drive; 18.732 acres more or less; Parcels #R430360 & R031366. Currently, the property is zoned, MF-2-B (Multi-Family). The property is proposed to be zoned SFL-2-B (Single-Family Limited) Leander, Williamson County, Texas.
Background:	This request is the second step in the rezoning process.
Origination:	Applicant: Geoff Guerrero on behalf of SDC West Brook Partners LP.
Financial Consideration:	None
Recommendation:	See Planning Analysis. The Planning and Zoning Commission recommended approval of SFL-2-A with the following conditions: 1. No lots smaller than forty five (45') feet in width measured at the front building setback line. 2. No dwelling shall be less than twelve hundred (1,200) square feet of living area.
Attachments:	1. Planning Analysis 2. Current Zoning Map 3. Aerial Map 4. Letter of Intent 5. Ordinance 6. Minutes – Planning & Zoning Commission December 13, 2012
Prepared By:	Robin M. Griffin, AICP Planner 12/14/2012

PLANNING ANALYSIS

ZONING CASE 12-Z-029

GENERAL INFORMATION

Owner: SDC West Brook Partners LP

Current Zoning: MF-2-B (Multi-Family)

Proposed Zoning: SFL-2-B (Single-Family Limited)

Size and Location: The property is generally located at the southwest corner of the intersection of Bagdad Rd and Vista Ridge Drive and is approximately 18.732 acres in size.

Staff Contact: Robin M. Griffin, AICP
Planner

ABUTTING ZONING AND LAND USE:

The table below lists the abutting zoning and land uses.

	ZONING	LAND USE
NORTH	SFU-2-B LC-2-B	Established Single-Family Neighborhood (Vista Ridge) Undeveloped Commercial Property
EAST	LC-2-B	Undeveloped Commercial Property
SOUTH	MF-2-B SFU-2-B	Bledsoe Park
WEST	SFL-2-B	Established Single-Family Neighborhood (Vista Ridge)

COMPOSITE ZONING ORDINANCE INTENT STATEMENTS

USE COMPONENTS:

SFL – SINGLE FAMILY LIMITED:

Features: 3,500 sq. ft. lot min.; 1,000 sq. ft. living area min.

Intent: Development of single-family detached dwellings on small lots, including zero lot line development, and for other compatible and complimentary uses. The purpose of this component is to provide regulations to maintain and protect the City's single-family residences and neighborhoods in areas where it is appropriate to have small lot sizes and reduced setbacks. This component is generally intended as follows:

(1) To provide an orderly transition to and create a buffer between larger lot neighborhoods and more intensive uses such as multi-family or commercial uses or arterial roadways.

(2) To create more variety in housing opportunities and in the fabric of neighborhoods.

(3) To be located in planned developments of greater than 100 acres and comprising less than twenty percent (20%) of the lots, or to provide infill opportunities in appropriate areas of the City such as in areas under transition.

(4) To include or be located within six hundred feet of parkland or other recreational open space. Lots that average less than forty feet in width along a block shall front on a street with a ROW of fifty-six (56) feet or greater and a pavement width of thirty-six (36) feet or greater unless access to garages on such lots is from an alley.

SITE COMPONENTS:

TYPE 2:

Features: Accessory buildings greater of 10% of primary building or 120 sq. ft.; accessory dwellings for SFR, SFE and SFS; drive-thru service lanes; uses not to exceed 40,000 sq. ft.; multi-family provides at least 35% of units with an enclosed garage parking space.

Intent:

(1) The Type 2 site component may be utilized with non-residential developments that are adjacent to a residential district or other more restrictive district to help reduce potential negative impacts to the more restrictive district and to provide for an orderly transition of development intensity.

(2) The Type 2 site component is intended to be utilized for residential development not meeting the intent of a Type 1 site component and not requiring the additional accessory structure or accessory dwelling privileges of the Type 3 site component.

(3) This component is intended to be utilized with the majority of LO and LC use components except those that meet the intent of the Type 1 or Type 3 site component or with any use requiring drive-through service lanes.

(4) This component is generally not intended to be utilized with LI and HI use components except where such component is adjacent to, and not adequately buffered from, residential districts or other more restricted districts, and except as requested by the land owner.

ARCHITECTURAL COMPONENTS:

TYPE B:

Features: 85% masonry 1st floor, 50% overall; 4 or more architectural features.

Intent:

(1) The Type B architectural component is intended to be utilized for the majority of residential development except that which is intended as a Type A architectural component.

(2) Combined with appropriate use and site components, this component is intended to help provide for harmonious land use transitions.

(3) This component may be utilized to raise the building standards and help ensure compatibility for non-residential uses adjacent to property that is more restricted.

(4) This component is intended for the majority of the LO and LC use components except those meeting the intent of the Type A or C architectural components.

COMPREHENSIVE PLAN STATEMENTS:

The following Comprehensive Plan statements may be relevant to this case:

- Plan for continued growth and development that improves the community's overall quality of life and economic viability.
- Establish high standards for development.

ANALYSIS:

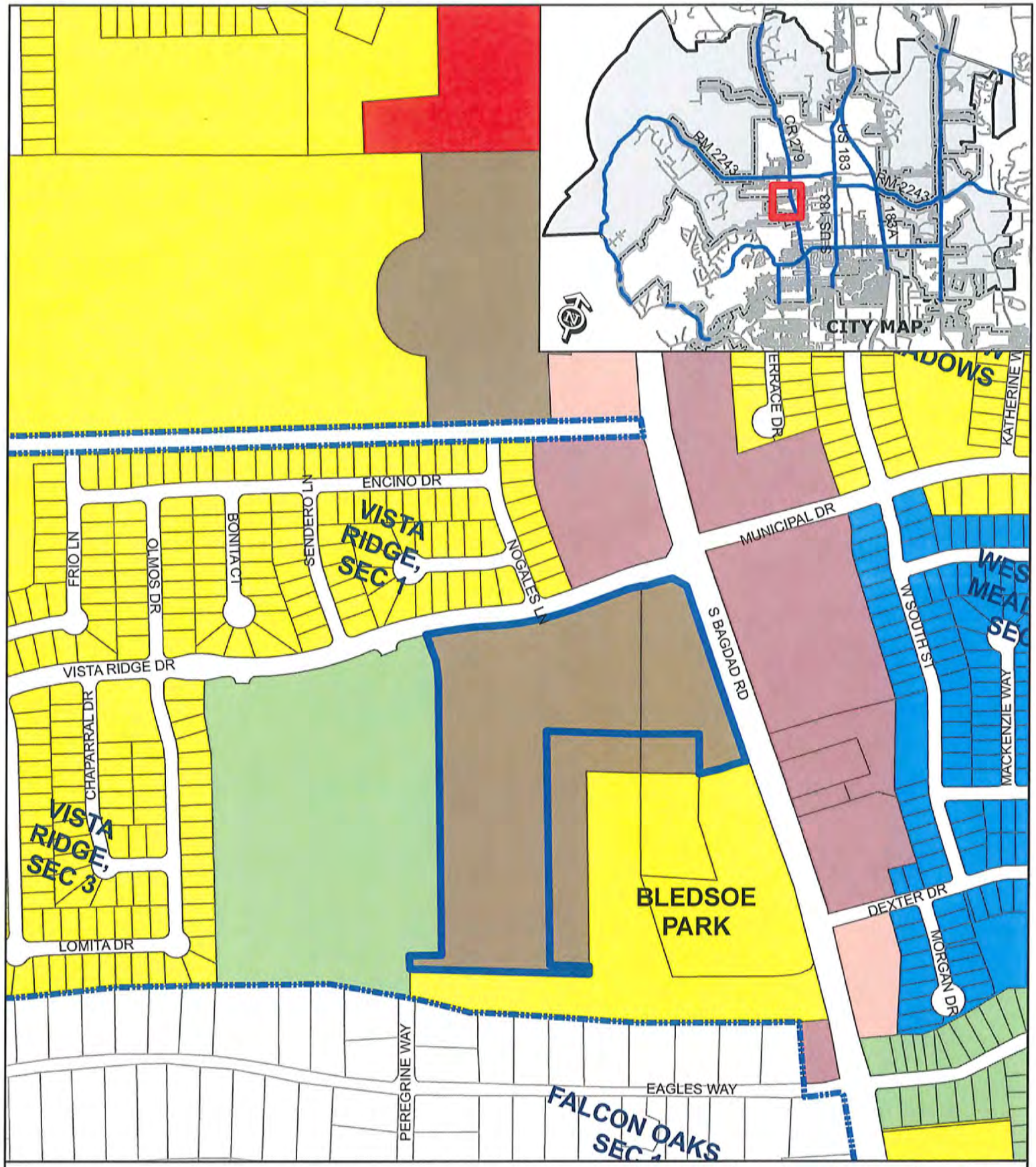
The applicant is requesting the SFL-2-B (Single-Family Limited) in order to develop a small lot residential community. The intent of the SFL use component is to provide a variety of housing types within neighborhoods. This use component is intended to provide a transition and create a buffer between larger lot neighborhoods and more intensive uses including commercial development. This use component is intended to be located within six hundred (600') feet of parkland or other recreational open space. The requested SFL at this location meets this requirement due to the close proximity to Bledsoe Park.

In addition, this use component includes following lot size minimums:

Interior Lots			Corner Lots		
Area	**Width**	**Depth**	**Area**	**Width**	**Depth**
3,500 sq. ft.	35'	100'	4,500 sq. ft.	45'	100'

This use component requires lots that average less than forty (40') feet in width along a block front on a street with a right-of-way of fifty-six (56) feet or greater and a pavement width of thirty-six (36') feet or greater unless access to garages on such lots is from an alley. The homes are also limited to a single wide garage when dwellings are less than thirty-five (35') feet in width to keep the front of the structure from being dominated by garage doors.

The proposed zoning request follows the intent statements of the Composite Zoning Ordinance.



ZONING CASE 12-Z-029

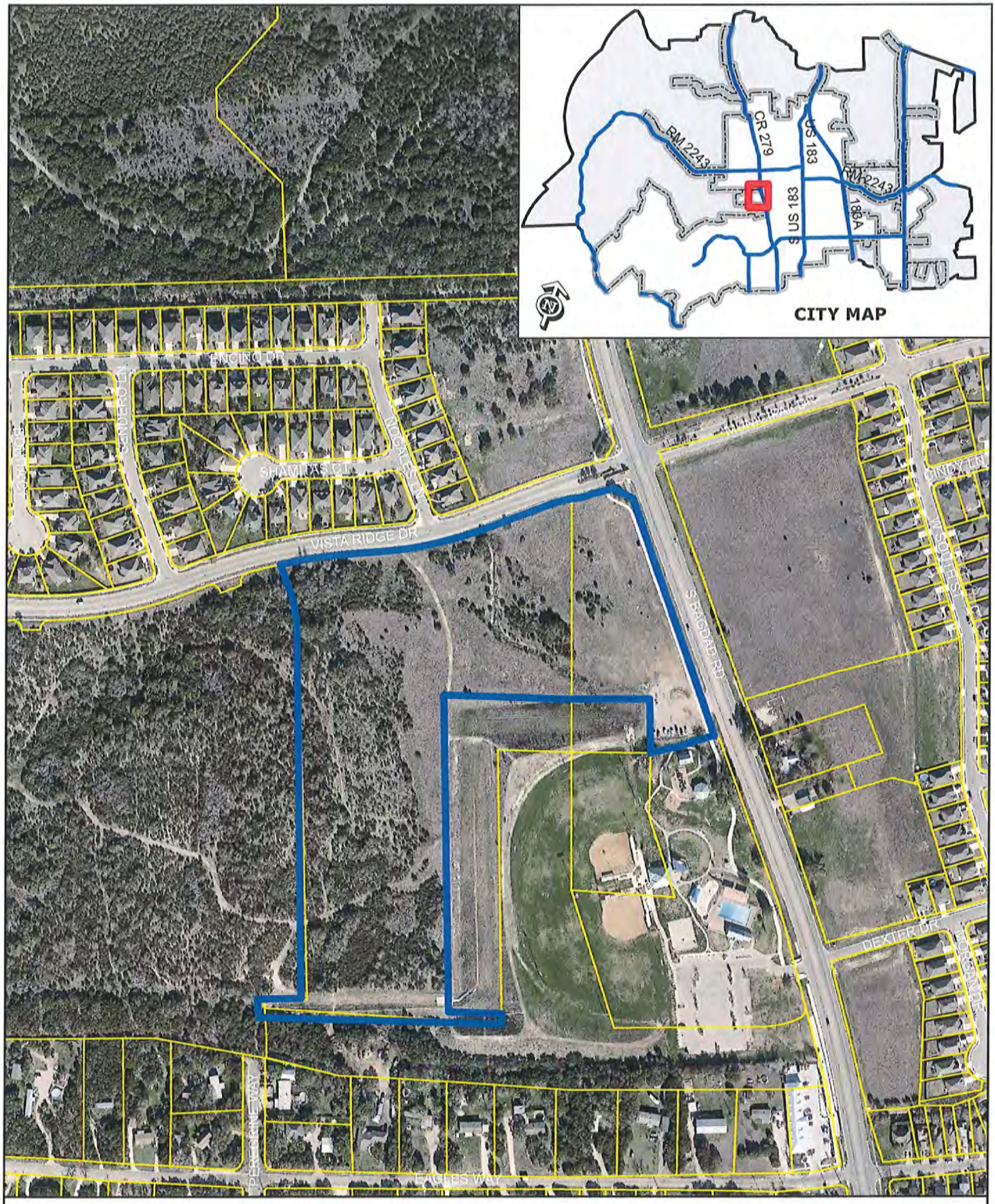
0 200
Feet

Attachment #2

Zoning Map
Villas at Vista Ridge
Southwest of the Intersection of
Bagdad Road & Vista Ridge Drive

Subject Property

SFR	SFT	GC
SFE	SFU/MH	LI
SFS	TF	HI
SFU	MF	PUD
SFC	LO	
SFL	LC	



ZONING CASE 12-Z-029, Attachment #3

Aerial Exhibit - Approximate Boundaries
Bagdad Road & Vista Ridge Drive

0 200
Feet

Subject Property

ATTACHMENT #4

Carlson, Brigance & Doering, Inc.
Civil Engineering ◇ Surveying

October 30, 2012

City of Leander
Planning Department
Attn: Ms. Robin Griffin
104 North Brushy Street
Leander, Texas 78646

RE: Villas at Vista Ridge – Zoning Application
CBD File # 4549

Letter of Intent for Re-Zoning / Property Description

Dear Ms. Griffin,

On behalf of our client, SDC Westbrook Partners LP, Carlson, Brigance & Doering, Inc. respectfully submits this application for re-zoning of the properties located at the southwest corner of the intersection of Bagdad Road and Vista Ridge Drive – hereinafter referred to as the Villas at Vista Ridge tract.

The Villas at Vista Ridge is comprised of two tracts of land totaling 18.732 acres of undeveloped land currently zoned MF (multi-family) with a requested zoning change to SFL (single-family limited). The property forms an upside down "L" that creates the western and northern property boundary of Bledsoe Park. The Villas at Vista Ridge is also bordered to the west and north by the Vista Ridge community. Phases 2A and 2B to the west is SFL-zoned property currently in development by MHI Partnership Ltd. The existing portion of the Vista Ridge community across Vista Ridge Drive from the Villas project is SFU-zoned, and also includes an undeveloped LC (local commercial) tract. The property to the east across Bagdad is also LC and undeveloped as of the submittal of this application.

The request of SFL for this property is within the intent of the SFL definition that would serve as a buffer for the larger lot SFU Vista Ridge community to the LC use along Bagdad Road. An initial site layout currently proposes 102 single-family lots, which is 5.4 units per acre. The Villas project would also comply with the requirement of proximity to parkland or open space as an adjacent neighbor to Bledsoe Park. While the Villas property as currently zoned MF does already comply with the intent and purpose of the zoning land use plan for the City of Leander; the SFL designation accomplishes this as well by providing a less abrupt infill zoning transition into the more dense commercial property across Bagdad Road while still maintaining the single family designation.

5501 West William Cannon ◇ Austin, Texas 78749 ◇ (512) 280-5160 ◇ Fax (512) 280-5165

The property is a combination of open plains on the eastern portion and tree / shrub cover along the western side as it borders Bledsoe Park. It is relatively flat with roughly 1% slope to the middle of the property where an open channel meanders to a detention pond located on the City of Leander property (Bledsoe Park). The property is void of existing structures and does not have any floodplain, waterways or related features.

Thank you for your time and review of this zoning application. Please feel free to contact me if you need any additional information.

Respectfully,

Geoff Guerrero
Zoning and Construction Development Manager

Minutes

PLANNING & ZONING COMMISSION MEETING
CITY OF LEANDER, TEXAS
Pat Bryson Municipal Hall ~ 201 North Brushy Street
Leander, Texas

Thursday ~ December 13, 2012 at 7:00 pm

Place 1 Michelle Stephenson
Place 2 Chris Tovar – Chairman
Place 3 Ronald Abruzzese – Vice Chairman
Place 4 Sid Sokol
Place 5 Richard Allen
Place 6 Betty Saenz
Place 7 Jeff Seiler

1. Call to Order
   Chairman Tovar called the meeting to order at 7:03 p.m.

2. Roll Call
   All Commissioners were present.

3. Approval of Minutes:
   Regular Planning & Zoning Meeting: November 8, 2012
   Motion made by Commissioner Sokol to approve the minutes, seconded by Commissioner Saenz. Motion passed unanimously.

4. Citizen Communications - Three (3) minutes of time is allowed, per speaker
   No citizens wished to speak.

Public Hearing

5. Subdivision Case 12-SFP-008: Hold a public hearing and consider action on the Lot 80, Hidden Mesa Short Form Final Plat for 7.836 acres more or less; WCAD Parcel #R036202; generally located to the southwest of the intersection of Nameless Road and CR 290, more specifically located to the northeast of the intersection of Mesa Trail and Mesa Ridge. Applicant/Agent: Carl and Carolyn White.

Due to a notification error, action cannot be taken on this plat
The public hearing has been scheduled for December 27, 2012.

a) Staff Presentation
b) Applicant Presentation
c) Open Public Hearing
d) Close Public Hearing
e) Discussion
f) Consider Action

6. Subdivision Case #12-CP-007: Hold a public hearing and consider action on the Northside Meadow Concept Plan, for 72.10 acres more or less; Parcel # R031635; generally located at the northwest corner of Old 2243 W and US Hwy 183, approximately 600 feet west of N US Hwy 183 and 1,100 feet north of Old 2243 W, Leander, Williamson County Texas. Applicant/Agent: Jenn Dermanci P.E. with Doucet & Associates on behalf of HEB Grocery Company, LP

a) Staff Presentation

Robin Griffin, Planner, stated that staff comments were not addressed and recommended to statutorily disapprove the concept plan.

b) Applicant Presentation
c) Open Public Hearing
d) Close Public Hearing
e) Discussion
f) Consider Action

Commissioner Seiler motion to approve staff recommendation to statutorily disapprove the Northside Meadow Concept Plan, Commissioner Allen seconded the motion. Motion passed unanimously.

7. Subdivision Case 12-SFP-004: Hold a public hearing and consider action on the Greener Acres Short Form Final Plat for 2.00 acres more or less; WCAD Parcels #R462463; located on southwest corner of Old 2243 West and Bagdad Road; Williamson County, Texas. Applicant/Agent: Bagdad Investment, LTD

Applicant requested to postpone his agenda item.

a) Staff Presentation
b) Applicant Presentation
c) Open Public Hearing
d) Close Public Hearing
e) Discussion
f) Consider Action

Commissioner Sokol motion to approve applicant request to postpone his application from the agenda, Commissioner Saenz seconded the motion. Motion passed unanimously.

8. Subdivision Case 12-SFP-006: Hold a public hearing and consider action on the Horizon Park, Section One, Lot 2, Block A, Replat Short Form Final Plat for 2.777 acres more or less; WCAD Parcels #R387884; located on southwest corner of Crystal Falls Parkway and Union Street; Williamson County, Texas. Applicant/Agent: Professional StruCivil Engineers, INC on behalf of GABS, INC.

a) Staff Presentation

Robin Griffin, Planner, stated that staff reviewed the request and it has staff approval.

b) Applicant Presentation

Diane Bernal gave presentation on her purpose for the Short Form Plat.

c) Open Public Hearing

Chairman Tovar opened the public hearing
No Citizens wished to speak.

d) Close Public Hearing

Chairman Tovar closed the public hearing.

e) Discussion

No discussion took place.

f) Consider Action

Commissioner Sokol motion to approve with staff recommendation, Commissioner Stephenson seconded the motion. Motion passed unanimously.

9. Subdivision Case #12-PP-008: Hold a public hearing and consider action on the Crystal Falls West, Section 1 Preliminary Plat for 158.50 acres more or less; TCAD Parcels 353024, 352969, 353655, and 353650; generally located to the west of Bloody Hollow, abutting FM 1431 on the south and Nameless Road on the west; Travis County, Texas. Applicant/Agent: Samuel D. Kiger, P.E. on behalf of Lookout Partners, L.P. and Key Deer Holdings, L.P.

a) Staff Presentation

Robin Griffin, Planner, stated that staff reviewed the request and it has staff approval.

b) Applicant Presentation

Sam Kiger was present for questions.

c) Open Public Hearing

Chairman Tovar opened the public hearing
No Citizens wished to speak.

d) Close Public Hearing

Chairman Tovar closed the public hearing.

e) Discussion

No discussion took place.

f) Consider Action

Commissioner Seiler motion to approve with staff recommendation, Commissioner Stephenson seconded the motion. Motion passed unanimously.

10. Subdivision Case #12-PP-012: Hold a public hearing and consider action on Fairways at Crystal Falls II, Sections 5 & 6 (Caprock Estates), Preliminary Plat Revision II for 73.12 acres more or less; TCAD Parcel #796313; generally located to the southwest of the intersection Cantina Sky Drive and Crystal Falls Parkway, north of the Crystal Falls Golf Course; Travis County, Texas Applicant/Agent: Samuel D. Kiger, P.E. on behalf of Lookout Development Group, L.P.

a) Staff Presentation

Robin Griffin, Planner, stated that staff reviewed the request and it has staff approval.

b) Applicant Presentation

Sam Kiger explained the purpose for the preliminary plat.

c) Open Public Hearing

Chairman Tovar opened the public hearing
No Citizens wished to speak.

d) Close Public Hearing

Chairman Tovar closed the public hearing.

e) Discussion

Discussion took place.

f) Consider Action

Commissioner Seiler motion to approve with staff recommendation, Commissioner Allen seconded the motion. Motion passed unanimously.

11. Subdivision Case 12-FP-009: Hold a public hearing and consider action on the Fairways at Crystal Falls, Section 5 Final Plat for 32.486 acres more or less; TCAD Parcel #796313 generally located to the southwest of the intersection Cantina Sky Drive and Crystal Falls Parkway, north of the Crystal Falls Golf Course; Travis County, Texas. Applicant/Agent: Samuel D. Kiger, P.E. on behalf of Lookout Development Group, L.P.

a) Staff Presentation

Robin Griffin, Planner, stated that staff reviewed the request and it has staff approval with conditions.

b) Applicant Presentation

Sam Kiger was present for questions.

c) Open Public Hearing

Chairman Tovar opened the public hearing
No Citizens wished to speak.

d) Close Public Hearing

Chairman Tovar closed the public hearing.

e) Discussion

No discussion took place.

f) Consider Action

Commissioner Abruzzese motion to approve with staff recommendation, Commissioner Saenz seconded the motion. Motion passed unanimously.

12. Subdivision Case 11-FP-010: Hold a public hearing and consider action on the Vista Ridge, Phase 2A Final Plat for 8.651 acres more or less; WCAD Parcels # R032169; generally located approximately 1,200 feet from the southwest of the intersection of Vista Ridge Drive and Bagdad Road; Williamson County, Texas. Applicant/Agent: Troy Ulman, P. E. on behalf of 2012 Vista Ridge, LLC.

Commissioner Seiler and Commissioner Abruzzese recused themselves for this agenda item 11-FP-010 and left the room

a) Staff Presentation

Robin Griffin, Planner, stated that staff reviewed the request and it has staff approval with conditions.

b) Applicant Presentation

Bill Burba was present for questions.

Open Public Hearing

Chairman Tovar opened the public hearing
No Citizens wished to speak.

c) Close Public Hearing

Chairman Tovar closed the public hearing.

d) Discussion

No discussion took place.

e) Consider Action

Commissioner Sokol motion to approve with staff recommendation, Commissioner Saenz seconded the motion. Motion passed unanimously.

13. Zoning Case 12-Z-029: Hold a public hearing and consider action on the rezoning of two parcels generally located at the southwest corner of the intersection of Bagdad Rd and Vista Ridge Drive; 18.732 acres more or less; Parcels #R430360 & R031366. Currently, the property is zoned, MF-2-B (Multi-Family). The property is proposed to be zoned SFL-2-B (Single-Family Limited) Leander, Williamson County, Texas. Applicant: Geoff Guerrero on behalf of SDC West Brook Partners LP.

a) Staff Presentation

Robin Griffin, Planner, discussed request & surrounding land uses.

b) Applicant Presentation

Hathem Dawlett explained the purpose for his zoning.

c) Open Public Hearing

Chairman Tovar opened the public hearing
Shilow Rowe questions about project.
Craig Summer questions about project.
Terri Hall questions about project.

d) Close Public Hearing

Chairman Tovar closed the public hearing.

e) Discussion

Discussion took place.

f) Consider Action

Commissioner Sokol motion to approve the SFL-2-A (Single-Family Limited) zoning with the following conditions:

1. **No lots smaller than forty five (45') feet in width measured at the front building setback line.**
2. **No dwelling shall be less than twelve hundred (1,200) square feet of living area.**

Commissioner Allen seconded the motion. Motion passed unanimously.

13. **Meeting Adjourned 8:15 pm**

_____
Chairman Tovar

ATTEST: _____
Ellen Pizalate

Executive Summary

December 20, 2012

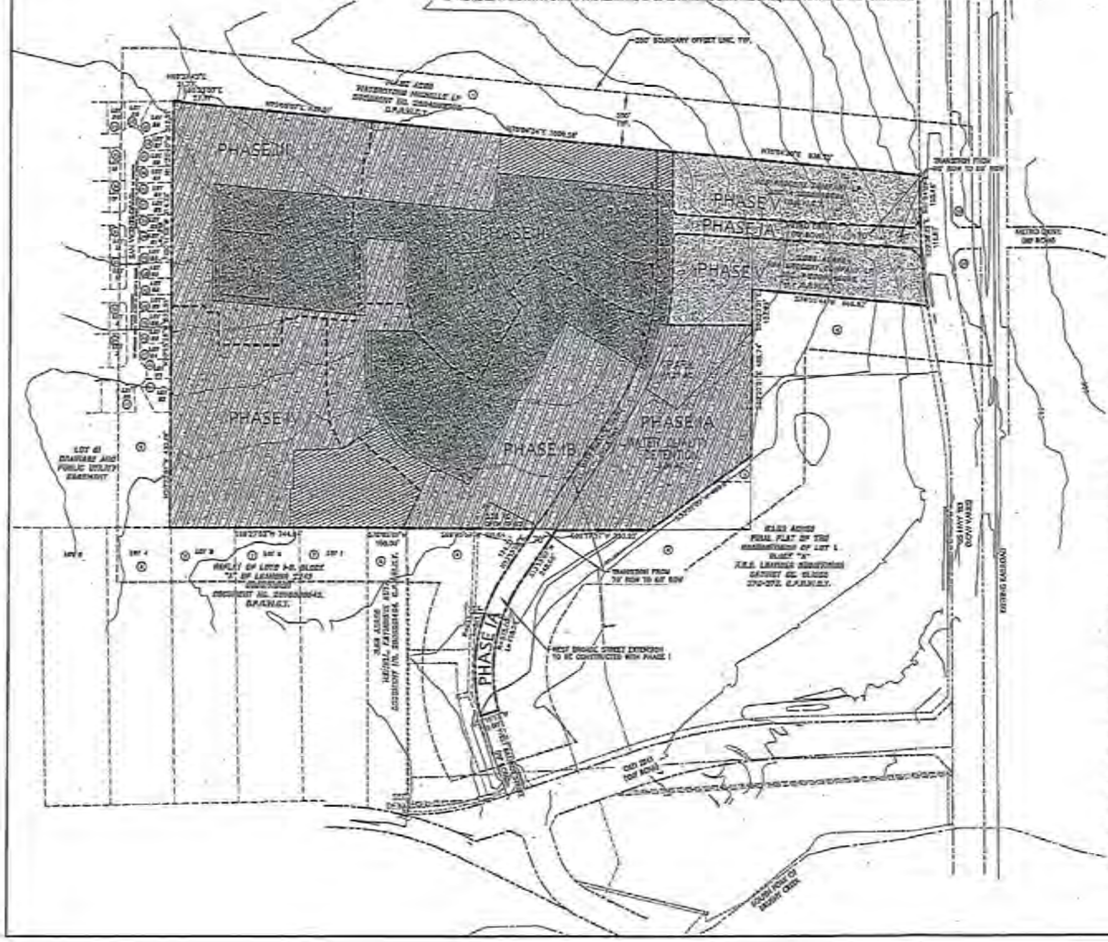
Agenda Subject:	Subdivision Case #12-CP-007: Hold a public hearing and consider action on the Northside Meadow Concept Plan, for 72.10 acres more or less; Parcel # R031635; generally located at the northwest corner of Old 2243 W and US Hwy 183, approximately 600 feet west of N US Hwy 183 and 1,100 feet north of Old 2243 W, Leander, Williamson County Texas.
Background:	This request is the first step in the subdivision process. Pursuant to Section 212.005 of the Texas Local Government Code, approval by municipality is required since the concept plan satisfies the applicable regulations without requesting any variances that require approval of the Planning & Zoning Commission.
Origination:	Applicant/Agent: Jenn Dermanci P.E. with Doucet & Associates on behalf of HEB Grocery Company, LP
Financial Consideration:	None
Recommendation:	Staff comments have not been addressed. Staff recommends that the concept plan be statutorily disapproved and rescheduled for a future hearing date once staff comments are addressed. The Planning & Zoning Commission recommended to statutorily disapprove the concept plan at the December 13, 2012 meeting.
Attachments:	1. Concept Plan
Prepared By:	Robin M. Griffin, AICP Planner 12/14/2012

ATTACHMENT #1

CONCEPT PLAN
for
NORTHSIDE MEADOW
LEANDER, TEXAS
SEPTEMBER 26, 2012

NOTES:

1. THIS PROJECT LIES ENTIRELY OUT OF THE FEMA FLOODPLAIN PER FIRM 48491C0435E, DATED SEPTEMBER 26, 2008.
2. THIS PROJECT LIES ENTIRELY WITHIN THE CITY LIMITS OF LEANDER, TEXAS.
3. PROPOSED STREETS COMPLY WITH THE TRANSPORTATION CRITERIA MANUAL.
4. AS NOTED IN THE TIA AN OVERLAY AND RESTRIPING OF US 183 AT METRO DRIVE WILL BE REQUIRED AS PART OF THIS DEVELOPMENT.



LEGEND	TOTAL AREA	TOTAL LOTS	L.U.E'S	PHASE IA & IB	PHASE II	PHASE III	PHASE IV	PHASE V
SFL-(SINGLE FAMILY LIMITED) 5-8 3,000 S.F. MIN 40X120' TYP.	8.03 Ac.	32	32	3	13	8	17	0
SFC-(SINGLE FAMILY COMPACT) 3-8 4,600 S.F. MIN 50X120' TYP.	33.43 Ac.	101	101	28	22	40	60	2
SFU-(SINGLE FAMILY URBAN) 2-8 7,200 S.F. MIN 60X120' TYP.	20.89 Ac.	70	70	23	29	16	0	2
COMMERCIAL	0.80 Ac.	0	6	0	6	0	0	4
TOTAL	62.00 Ac.	201	203	54	64	53	67	6

PLAN LEGEND

PROPOSED PHASE LINE

PROPOSED BOUNDARY LINE

SITE DATA TABLE						
PHASE	NUMBER OF LOTS	AREA	LUE'S	TRAFFIC VOLUME		ESTIMATED DATE OF DEVELOPMENT
IA & IB	[illegible]	[illegible]	57	580	TRIPS PER DAY	2013
II	[illegible]	[illegible]	65	625	TRIPS PER DAY	2014
III	[illegible]	[illegible]	29	520	TRIPS PER DAY	2015
IV	[illegible]	[illegible]	67	672	TRIPS PER DAY	2017
V	[illegible]	[illegible]	6	1,919	TRIPS PER DAY	2016
TOTAL	233 RESIDENTIAL LOTS	62.60 Ac.	207	4346	TRIPS PER DAY	

PARK PLAN (OPTION FOUR), PRIVATE, TOWN AND MAINTAINED PARKS

PRIVATE PARK LAND AND PARK IMPROVEMENTS MEETING THE PUBLIC PARK STANDARDS

233 UNITS/155 = 1.50 = [illegible] PROPOSED PRIVATE PARK ACREAGE

233 UNITS x $300 = $[illegible] (VALUE OF PARK IMPROVEMENTS)

ADJACENT PROPERTY OWNER INFORMATION

PLAN REF. NO.	PIN NO.	NAME	ADDRESS		CITY	STATE	ZIP CODE
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

SITE INFORMATION

DEVELOPER: D.R. HORTON
1[illegible] BIATA VISTA CIRCLE, 2ND FLOOR
AUSTIN, TX 787[illegible]
CONTACT: TOM MOODY
PHONE: [illegible]

OWNER: HEB GROCERY COMPANY
646 SOUTH MAIN AVENUE
SAN ANTONIO, TX 78204-[illegible]
PHONE: [illegible]

PLANNER: TBG PARTNERS
901 SOUTH MOPAC, BLDG. 2, SUITE 350
AUSTIN, TX 78746
CONTACT: SEAN COMPTON, ASLA
PHONE: [illegible]

ENGINEER: DOUCET & ASSOCIATES, INC.
7401 B HWY. 71 WEST, SUITE 160
AUSTIN, TEXAS 78735
CONTACT: SYDNEY J. XINOS, PE, RPLS
PHONE: [illegible]

DOUCET & ASSOCIATES
Civil Engineering - Planning - Surveying/Mapping
7401 B. Highway 71 W, Suite 160
Austin, Texas 78735, Phone: (512)-583-2600
www.doucetandassociates.com

CONCEPT PLAN

NORTHSIDE MEADOW
LEANDER, TEXAS

SHEET 1 OF 1

Park Facilities

PARK A-3:
- Pavilion
- Open Play

PARK B-3:
- Half Court Basketball
  Run and Play Area

PARK C-3:
- (2) Age Appropriate Play Facilities
- Open Play Area

PARK D-3:
- Community Center
- Pool
- Cabana
- Splash Pad
- Playscape
- Head-in Parking

PARK E-3:
- Open Play Area

0 100' 200'

253 Units

Required Park Land:
8.86 acres
(3.5 acres/100 units)

75% of required:
6.65 acres

Privately Owned & Maintained Parks Provided

PARK A-3:	**1.50 acres**
PARK B-3:	**1.27 acres**
PARK C-3:	**1.30 acres**
PARK D-3:	**1.93 acres**
PARK E-3:	**1.09 acres**
Total:	**7.09 acres (80% of required)**

OCTOBER 16, 2012

DR HORTON - NORTHSIDE MEADOW

Privately Owned & Maintained Parks

TBG

Minutes

PLANNING & ZONING COMMISSION MEETING
CITY OF LEANDER, TEXAS
Pat Bryson Municipal Hall ~ 201 North Brushy Street
Leander, Texas

Thursday ~ December 13, 2012 at 7:00 pm

Place 1 Michelle Stephenson
Place 2 Chris Tovar – Chairman
Place 3 Ronald Abruzzese – Vice Chairman
Place 4 Sid Sokol
Place 5 Richard Allen
Place 6 Betty Saenz
Place 7 Jeff Seiler

1. Call to Order
   Chairman Tovar called the meeting to order at 7:03 p.m.

2. Roll Call
   All Commissioners were present.

3. Approval of Minutes:
   Regular Planning & Zoning Meeting: November 8, 2012
   Motion made by Commissioner Sokol to approve the minutes, seconded by Commissioner Saenz. Motion passed unanimously.

4. Citizen Communications - Three (3) minutes of time is allowed, per speaker
   No citizens wished to speak.

Public Hearing

5. Subdivision Case 12-SFP-008: Hold a public hearing and consider action on the Lot 80, Hidden Mesa Short Form Final Plat for 7.836 acres more or less; WCAD Parcel #R036202; generally located to the southwest of the intersection of Nameless Road and CR 290, more specifically located to the northeast of the intersection of Mesa Trail and Mesa Ridge. Applicant/Agent: Carl and Carolyn White.

Due to a notification error, action cannot be taken on this plat
The public hearing has been scheduled for December 27, 2012.

a) Staff Presentation
b) Applicant Presentation
c) Open Public Hearing
d) Close Public Hearing
e) Discussion
f) Consider Action

6. Subdivision Case #12-CP-007: Hold a public hearing and consider action on the Northside Meadow Concept Plan, for 72.10 acres more or less; Parcel # R031635; generally located at the northwest corner of Old 2243 W and US Hwy 183, approximately 600 feet west of N US Hwy 183 and 1,100 feet north of Old 2243 W, Leander, Williamson County Texas. Applicant/Agent: Jenn Dermanci P.E. with Doucet & Associates on behalf of HEB Grocery Company, LP

a) Staff Presentation

Robin Griffin, Planner, stated that staff comments were not addressed and recommended to statutorily disapprove the concept plan.

b) Applicant Presentation
c) Open Public Hearing
d) Close Public Hearing
e) Discussion
f) Consider Action

Commissioner Seiler motion to approve staff recommendation to statutorily disapprove the Northside Meadow Concept Plan, Commissioner Allen seconded the motion. Motion passed unanimously.

7. Subdivision Case 12-SFP-004: Hold a public hearing and consider action on the Greener Acres Short Form Final Plat for 2.00 acres more or less; WCAD Parcels #R462463; located on southwest corner of Old 2243 West and Bagdad Road; Williamson County, Texas. Applicant/Agent: Bagdad Investment, LTD

Applicant requested to postpone his agenda item.

a) Staff Presentation
b) Applicant Presentation
c) Open Public Hearing
d) Close Public Hearing
e) Discussion
f) Consider Action

Commissioner Sokol motion to approve applicant request to postpone his application from the agenda, Commissioner Saenz seconded the motion. Motion passed unanimously.

8. Subdivision Case 12-SFP-006: Hold a public hearing and consider action on the Horizon Park, Section One, Lot 2, Block A, Replat Short Form Final Plat for 2.777 acres more or less; WCAD Parcels #R387884; located on southwest corner of Crystal Falls Parkway and Union Street; Williamson County, Texas. Applicant/Agent: Professional StruCivil Engineers, INC on behalf of GABS, INC.

a) Staff Presentation

Robin Griffin, Planner, stated that staff reviewed the request and it has staff approval.

b) Applicant Presentation

Diane Bernal gave presentation on her purpose for the Short Form Plat.

c) Open Public Hearing

Chairman Tovar opened the public hearing
No Citizens wished to speak.

d) Close Public Hearing

Chairman Tovar closed the public hearing.

e) Discussion

No discussion took place.

f) Consider Action

Commissioner Sokol motion to approve with staff recommendation, Commissioner Stephenson seconded the motion. Motion passed unanimously.

9. Subdivision Case #12-PP-008: Hold a public hearing and consider action on the Crystal Falls West, Section 1 Preliminary Plat for 158.50 acres more or less; TCAD Parcels 353024, 352969, 353655, and 353650; generally located to the west of Bloody Hollow, abutting FM 1431 on the south and Nameless Road on the west; Travis County, Texas. Applicant/Agent: Samuel D. Kiger, P.E. on behalf of Lookout Partners, L.P. and Key Deer Holdings, L.P.

a) Staff Presentation

Robin Griffin, Planner, stated that staff reviewed the request and it has staff approval.

b) Applicant Presentation

Sam Kiger was present for questions.

c) Open Public Hearing

Chairman Tovar opened the public hearing
No Citizens wished to speak.

d) Close Public Hearing

Chairman Tovar closed the public hearing.

e) Discussion

No discussion took place.

f) Consider Action

Commissioner Seiler motion to approve with staff recommendation, Commissioner Stephenson seconded the motion. Motion passed unanimously.

10. Subdivision Case #12-PP-012: Hold a public hearing and consider action on Fairways at Crystal Falls II, Sections 5 & 6 (Caprock Estates), Preliminary Plat Revision II for 73.12 acres more or less; TCAD Parcel #796313; generally located to the southwest of the intersection Cantina Sky Drive and Crystal Falls Parkway, north of the Crystal Falls Golf Course; Travis County, Texas Applicant/Agent: Samuel D. Kiger, P.E. on behalf of Lookout Development Group, L.P.

a) Staff Presentation

Robin Griffin, Planner, stated that staff reviewed the request and it has staff approval.

b) Applicant Presentation

Sam Kiger explained the purpose for the preliminary plat.

c) Open Public Hearing

Chairman Tovar opened the public hearing
No Citizens wished to speak.

d) Close Public Hearing

Chairman Tovar closed the public hearing.

e) Discussion

Discussion took place.

f) Consider Action

Commissioner Seiler motion to approve with staff recommendation, Commissioner Allen seconded the motion. Motion passed unanimously.

11. Subdivision Case 12-FP-009: Hold a public hearing and consider action on the Fairways at Crystal Falls, Section 5 Final Plat for 32.486 acres more or less; TCAD Parcel #796313 generally located to the southwest of the intersection Cantina Sky Drive and Crystal Falls Parkway, north of the Crystal Falls Golf Course; Travis County, Texas. Applicant/Agent: Samuel D. Kiger, P.E. on behalf of Lookout Development Group, L.P.

a) Staff Presentation

Robin Griffin, Planner, stated that staff reviewed the request and it has staff approval with conditions.

b) Applicant Presentation

Sam Kiger was present for questions.

c) Open Public Hearing

Chairman Tovar opened the public hearing
No Citizens wished to speak.

d) Close Public Hearing

Chairman Tovar closed the public hearing.

e) Discussion

No discussion took place.

f) Consider Action

Commissioner Abruzzese motion to approve with staff recommendation, Commissioner Saenz seconded the motion. Motion passed unanimously.

12. Subdivision Case 11-FP-010: Hold a public hearing and consider action on the Vista Ridge, Phase 2A Final Plat for 8.651 acres more or less; WCAD Parcels # R032169; generally located approximately 1,200 feet from the southwest of the intersection of Vista Ridge Drive and Bagdad Road; Williamson County, Texas. Applicant/Agent: Troy Ulman, P. E. on behalf of 2012 Vista Ridge, LLC.

Commissioner Seiler and Commissioner Abruzzese recused themselves for this agenda item 11-FP-010 and left the room

a) Staff Presentation

Robin Griffin, Planner, stated that staff reviewed the request and it has staff approval with conditions.

b) Applicant Presentation

Bill Burba was present for questions.

Open Public Hearing

Chairman Tovar opened the public hearing
No Citizens wished to speak.

c) Close Public Hearing

Chairman Tovar closed the public hearing.

d) Discussion

No discussion took place.

e) Consider Action

Commissioner Sokol motion to approve with staff recommendation, Commissioner Saenz seconded the motion. Motion passed unanimously.

13. Zoning Case 12-Z-029: Hold a public hearing and consider action on the rezoning of two parcels generally located at the southwest corner of the intersection of Bagdad Rd and Vista Ridge Drive; 18.732 acres more or less; Parcels #R430360 & R031366. Currently, the property is zoned, MF-2-B (Multi-Family). The property is proposed to be zoned SFL-2-B (Single-Family Limited) Leander, Williamson County, Texas. Applicant: Geoff Guerrero on behalf of SDC West Brook Partners LP.

a) Staff Presentation

Robin Griffin, Planner, discussed request & surrounding land uses.

b) Applicant Presentation

Hathem Dawlett explained the purpose for his zoning.

c) Open Public Hearing

Chairman Tovar opened the public hearing
Shilow Rowe questions about project.
Craig Summer questions about project.
Terri Hall questions about project.

d) Close Public Hearing

Chairman Tovar closed the public hearing.

e) Discussion

Discussion took place.

f) Consider Action

Commissioner Sokol motion to approve the SFL-2-A (Single-Family Limited) zoning with the following conditions:

1. **No lots smaller than forty five (45') feet in width measured at the front building setback line.**
2. **No dwelling shall be less than twelve hundred (1,200) square feet of living area.**

Commissioner Allen seconded the motion. Motion passed unanimously.

13. **Meeting Adjourned 8:15 pm**

_____
Chairman Tovar

ATTEST: _____
Ellen Pizalate

Executive Summary

December 20, 2012

Council Agenda Subject: Consider Assignment of Development Agreement for Nameless Valley Ranch (Crystal Falls West) executed by Lookout Partners, L.P. and Key Deer Holdings, L.P., a Texas limited partnership collectively and Taylor Morrison of Texas, Inc.

Background: Lookout Partners, L.P. and Key-Deer Holdings, L.P., assignors of the Development Agreement for the Nameless Valley Ranch desires to assign to the assignee, Taylor Morrison of Texas Inc., all rights and obligations under the Development Agreement executed May 3, 2012 and amendment No. 1 executed November 1, 2012. Council approval is required as part of the approved Development Agreement.

Origination: Jim Bechtol, Director of Development Services

Financial Consideration: None

Recommendation: Staff recommends approval

Attachments: Assignment of Development Agreement, Nameless Valley Ranch

Prepared by: Jim Bechtol, Director of Development Services

ASSIGNMENT OF DEVELOPMENT AGREEMENT
(Nameless Valley Ranch)

THE STATE OF TEXAS	§	
	§	KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF TRAVIS	§	

This Assignment of Agreements (this "Assignment") is executed by **Lookout Partners, L.P.**, a Texas limited partnership, and **Key-Deer Holdings, L.P.**, a Texas limited partnership (collectively, "Assignors"), and **Taylor Morrison of Texas, Inc.** a Texas corporation ("Assignee"), to be effective as of the date below.

RECITALS:

A. Assignors and The City of Leander entered into that certain Development Agreement dated effective on or about May 3, 2012 (the "Agreement") for the development of certain real property locally known as Nameless Valley Ranch and located in Travis County, Texas, as more fully described in the Agreement.

B. Assignors desire to assign to Assignee, and Assignee desires to receive from Assignors, all of Assignors' rights and obligations under the Agreement.

AGREEMENTS:

NOW, THEREFORE, for and in consideration of the premises and mutual covenants and agreements of the parties hereinafter set forth, together with other good and valuable consideration paid and delivered by Assignee to Assignor, the receipt and sufficiency of which are hereby acknowledged, Assignors and Assignee agree as set forth in this Assignment.

1. Assignment. Assignors have ASSIGNED, TRANSFERRED, CONVEYED AND DELIVERED, and by these presents do hereby ASSIGN, TRANSFER, CONVEY AND DELIVER, unto Assignee all of Assignors' rights under the Agreement.

2. Assumption. Assignee hereby accepts the assignment of the Agreement as provided for herein, and hereby covenants and agrees to assume all duties and obligations to be performed and/or discharged by Assignors thereunder from and after the date of this Assignment.

3. Entire Agreement. This Assignment constitutes the entire agreement and understanding between the parties and supersedes all prior agreements and understandings, if any, concerning the subject matter hereof.

4. Binding Effect. All of the terms, provisions, covenants and conditions set forth herein shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

EFFECTIVE as of _____, 2012.

ASSIGNORS:

LOOKOUT PARTNERS, L.P., a Texas limited partnership

By: **MORNINGSIDE LAND & CATTLE COMPANY, LLC**, a Texas limited liability company, its General Partner

By:_____
William R. Hinckley, Operating Manager

KEY-DEER HOLDINGS, L.P., a Texas limited partnership

By: **MORNINGSIDE LAND & CATTLE COMPANY, LLC**, a Texas limited liability company, its General Partner

By:_____
William R. Hinckley, Operating Manager

THE STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2012, by **WILLIAM R. HINCKLEY**, Operating Manager, **MORNINGSIDE LAND & CATTLE COMPANY, LLC**, a Texas limited liability company, as General Partner of **KEY-DEER HOLDINGS, L.P.**, a Texas limited partnership, on behalf of said limited liability company and said limited partnership.

_____
NOTARY PUBLIC, State of Texas

THE STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2012, by **WILLIAM R. HINCKLEY**, President of **THE LOOKOUT GROUP, INC.**, a Texas corporation, as General Partner of **LOOKOUT DEVELOPMENT GROUP, L.P.**, a Texas limited partnership, on behalf of said corporation and said limited partnership.

_____
NOTARY PUBLIC, State of Texas

ASSIGNEE:

TAYLOR MORRISON OF TEXAS, INC.,
a Texas corporation, its Manager

By:_____

Name:_____

Title:_____

By:_____

Name:_____

Title:_____

THE STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2012, by _____, _____ of Taylor Morrison of Texas, Inc., a Texas corporation on behalf of said corporation.

_____
NOTARY PUBLIC, State of Texas

THE STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2012, by _____, _____ of Taylor Morrison of Texas, Inc., a Texas corporation on behalf of said corporation.

_____
NOTARY PUBLIC, State of Texas

ACKNOWLEDGED AND APPROVED:

The City Of Leander, Texas

By:_____

Name:_____

Title:_____

THE STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2012, by _____, _____ of The City of Leander, Texas, on behalf of said city.

_____
NOTARY PUBLIC, State of Texas

Executive Summary

December 20, 2012

Council Agenda Subject: Consider Assignment of Facilities Agreements for Travis County MUD Districts # 19, 20 & 21, executed by Lookout Partners, L.P. and Key Deer Holdings, L.P., a Texas limited partnership collectively and Taylor Morrison of Texas, Inc.

Background: Lookout Partners, L.P. and Key-Deer Holdings, L.P., assignors of the Facilities Agreement for the Travis County MUD Districts # 19, 20 & 21 desires to assign to the assignee, Taylor Morrison of Texas Inc., all rights and obligations under the Facilities Agreements executed May 3, 2012 and amendments No. 1 executed November 1, 2012. Council approval is required as part of the approved Development Agreement.

Origination: Jim Bechtol, Director of Development Services

Financial Consideration: None

Recommendation: Staff recommends approval

Attachments: Assignment of Facilities Agreements, Travis County Mud Districts # 19, 20 & 21

Prepared by: Jim Bechtol, Director of Development Services

ASSIGNMENT OF FACILITIES AGREEMENTS

THE STATE OF TEXAS	§	
	§	KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF TRAVIS	§	

This Assignment of Agreements (this "Assignment") is executed by **Lookout Partners, L.P.**, a Texas limited partnership, and **Key-Deer Holdings, L.P.**, a Texas limited partnership (collectively, "Assignors"), and **Taylor Morrison of Texas, Inc.** a Texas corporation ("Assignee"), to be effective as of the date below.

RECITALS:

A. Assignors and The City of Leander (the "City") have entered into that certain Facilities Agreement dated effective on or about July 20, 2012 for the acquisition, construction and financing of certain improvements for an approximately 624.20-acre tract in Travis County, Texas (the "MUD No. 19 Agreement").

B. Assignors and the City have entered into that certain Facilities Agreement dated effective on or about July 20, 2012 for the acquisition, construction and financing of certain improvements for an approximately 754.55-acre tract in Travis County, Texas (the "MUD No. 20 Agreement") .

C. Assignors and the City have entered into that certain Facilities Agreement dated effective on or about July 20, 2012 for the acquisition, construction and financing of certain improvements for an approximately 739.85-acre tract in Travis County, Texas (the "MUD No. 21 Agreement") .

D. Assignors desire to assign to Assignee, and Assignee desires to receive from Assignors, all of Assignors' rights and obligations under the MUD No.19 Agreement, MUD No. 20 Agreement, and MUD No. 21 Agreement (collectively, the "Facilities Agreements").

AGREEMENTS:

NOW, THEREFORE, for and in consideration of the premises and mutual covenants and agreements of the parties hereinafter set forth, together with other good and valuable consideration paid and delivered by Assignee to Assignor, the receipt and sufficiency of which are hereby acknowledged, Assignors and Assignee agree as set forth in this Assignment.

1. Assignment. Assignors have ASSIGNED, TRANSFERRED, CONVEYED AND DELIVERED, and by these presents do hereby ASSIGN, TRANSFER, CONVEY AND DELIVER, unto Assignee all of Assignors' rights under the Facilities Agreements.

2. Assumption. Assignee hereby accepts the assignment of all of Assignors' rights under the Facilities Agreements as provided for herein, and hereby covenants and agrees to

assume all duties and obligations to be performed and/or discharged by Assignors thereunder from and after the date of this Assignment.

3. Entire Agreement. This Assignment constitutes the entire agreement and understanding between the parties and supersedes all prior agreements and understandings, if any, concerning the subject matter hereof.

4. Binding Effect. All of the terms, provisions, covenants and conditions set forth herein shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns.

EFFECTIVE as of _____, 2012.

ASSIGNORS:

LOOKOUT PARTNERS, L.P., a Texas limited partnership

By: **MORNINGSIDE LAND & CATTLE COMPANY, LLC**, a Texas limited liability company, its General Partner

By:_____
William R. Hinckley, Operating Manager

KEY-DEER HOLDINGS, L.P., a Texas limited partnership

By: **MORNINGSIDE LAND & CATTLE COMPANY, LLC**, a Texas limited liability company, its General Partner

By:_____
William R. Hinckley, Operating Manager

THE STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2012, by **WILLIAM R. HINCKLEY**, Operating Manager, **MORNINGSIDE LAND & CATTLE COMPANY, LLC**, a Texas limited liability company, as General Partner of **KEY-DEER HOLDINGS, L.P.**, a Texas limited partnership, on behalf of said limited liability company and said limited partnership.

_____
NOTARY PUBLIC, State of Texas

THE STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2012, by **WILLIAM R. HINCKLEY**, President of **THE LOOKOUT GROUP, INC.**, a Texas corporation, as General Partner of **LOOKOUT DEVELOPMENT GROUP, L.P.**, a Texas limited partnership, on behalf of said corporation and said limited partnership.

_____
NOTARY PUBLIC, State of Texas

ASSIGNEE:

TAYLOR MORRISON OF TEXAS, INC.,
a Texas corporation, its Manager

By:_____

Name:_____

Title:_____

By:_____

Name:_____

Title:_____

THE STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2012, by _____, _____ of Taylor Morrison of Texas, Inc., a Texas corporation on behalf of said corporation.

_____
NOTARY PUBLIC, State of Texas

THE STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2012, by _____, _____ of Taylor Morrison of Texas, Inc., a Texas corporation on behalf of said corporation.

_____
NOTARY PUBLIC, State of Texas

ACKNOWLEDGED AND APPROVED:

The City Of Leander, Texas

By:_____

Name:_____

Title:_____

THE STATE OF TEXAS §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2012, by _____, _____ of The City of Leander, Texas, on behalf of said city.

_____
NOTARY PUBLIC, State of Texas