

ORDINANCE NO. 236

AN ORDINANCE GRANTING THE REQUEST FOR ANNEXATION OF A CERTAIN 2.690 ACRE TRACT OF LAND BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND SITUATED IN AUSTIN COUNTY, TEXAS, OUT OF THE MILBURN AND DAVIS LEAGUE, ABSTRACT NO. 71 AND A PART OR PORTION OF THAT CERTAIN PARCEL NO. 9, TRACT NO. 1 OF 8.25 ACRES OF LAND DESCRIBED IN A PARTITION DEED TO LIDGE HRANICKY, AND WIFE, MARTHA HRANICKY DATED MAY 9, 1964, RECORDED IN VOLUME 275, PAGE 10-20, DEED RECORDS OF AUSTIN COUNTY, TEXAS (TRACT 1); GRANTING THE REQUEST FOR ANNEXATION OF FIFTY (50) ACRES OF LAND OUT OF THE JACOB STEVENS LEAGUE IN AUSTIN COUNTY, TEXAS, BEING THE SAME PROPERTY DESCRIBED IN DEED DATED FEBRUARY 1, 2005 AND RECORDED IN THE OFFICIAL PUBLIC RECORDS OF AUSTIN COUNTY, TEXAS UNDER CLERK'S FILE NUMBER 050669, IN EXECUTOR'S DEED DATED JULY 12, 2010, AND RECORDED IN THE OFFICIAL PUBLIC RECORDS OF AUSTIN COUNTY, TEXAS UNDER CLERK'S FILE NUMBER 102997, AND IN SPECIAL WARRANTY DEED DATED JULY 12, 2010, AND RECORDED IN THE OFFICIAL PUBLIC RECORDS OF AUSTIN COUNTY, TEXAS UNDER CLERK'S FILE NUMBER 102998 (TRACT 2); PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF WALLIS, TEXAS TO INCLUDE PROVIDING FOR SEVERABILITY; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

**WHEREAS**, the City of Wallis is the Owner of the Property described as **Tract 1**, in **Exhibit A**, and, by and through its governing body, desires to annex the Property; and

**WHEREAS**, the City of Wallis is the Owner of the Property described as **Tract 2**, in **Exhibit B**, and, by and through its governing body, desires to annex the Property; and

**WHEREAS**, Texas Local Government Code, at Section 43.012 allows a municipality to annex area that the municipality owns as long as the municipality conducts two (2) public hearings on the proposed annexation, and the municipality provides for the extension of full municipal services to the area to be annexed; and

**WHEREAS**, on March 17, 2021 and on March 24, 2021, public hearings were held at the City of Wallis 6810 Guylar, Bldg B in Wallis, Texas, where all interested persons were provided an opportunity to be heard on the request for annexation of the Property; and

**WHEREAS**, the City of Wallis has agreed to provide the services set forth in **Exhibit C** to the proposed annexed area; and

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

**Section 1.** That all of the recitals and preambles hereinabove stated are found to be true and correct and are incorporated herein and made a part of this ordinance.

**Section 2.** The request for the annexation of the land and territory, described as Tract 1 in Exhibit A attached hereto and incorporated herein for all purposes is hereby **GRANTED.**

**Section 3.** The land and territory is hereby added and annexed to the City of Wallis, Texas, and said territory hereinafter described shall hereafter be included within the boundary limits of the City of Wallis, Texas, to-wit:

**SEE ATTACHED  
TRACT 1 (EXHIBIT A)**

**Section 4.** The request for the annexation of the land and territory, described as Tract 2 in Exhibit B attached hereto and incorporated herein for all purposes is hereby **GRANTED.**

**Section 5.** The land and territory is hereby added and annexed to the City of Wallis, Texas, and said territory hereinafter described shall hereafter be included within the boundary limits of the City of Wallis, Texas, to-wit:

**SEE ATTACHED  
TRACT 2 (EXHIBIT B)**

**Section 6.** That the above described territory and the area so annexed shall be a part of the City of Wallis, Texas, and the property so added hereby shall bear its pro rata part of the taxes levied by the City of Wallis, Texas, and the inhabitants (if any) thereof shall be entitled to all of the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Wallis, Texas.

**Section 7.** That the service plan attached hereto, as Exhibit C is hereby adopted as part of the annexation of the Property described in Exhibits A and B,

**Section 8.** Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application thereof ineffective or inapplicable as to any territory, such unconstitutionality, illegality, invalidity, or ineffectiveness of such sections or part shall in no wise 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.

**Section 9.** Should this ordinance for any reason be ineffective as to any part of the area hereby annexed to the City of Wallis, such ineffectiveness of this ordinance as to any such part or parts of any such area shall not affect the effectiveness of this ordinance as to all of the remainder of the area. If there is included within the general description of territory set out in this Ordinance to be annexed to the City of Wallis any lands or area which are presently part of and included within the limits of any other city or within the extraterritorial jurisdiction of any other city, or which are not within the City of Wallis' jurisdiction to annex, the same is hereby excluded and excepted from the territory to be annexed as fully as if such excluded and excepted area were expressly described herein.

PASSED AND APPROVED in Wallis, Texas this 21<sup>st</sup> day of April, 2021.

CITY OF WALLIS, TEXAS

  
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Dennis L. Diggs, Mayor

ATTEST:

  
Sheila Moseley, City Secretary



CITY OF WALLIS, TEXAS

Dennis L. Diggs  
Dennis L. Diggs, Mayor

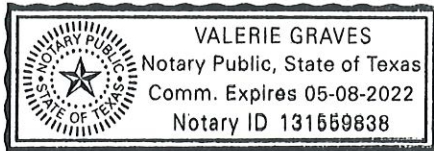
STATE OF TEXAS

COUNTY OF WALLIS

This instrument was acknowledged before me on the 23<sup>rd</sup> day of April, 2021  
by Dennis L. Diggs, the Mayor of the City of Wallis, Texas.

[Signature]  
Notary Public, State of Texas

Valerie Graves  
Notary's Printed Name



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Commission Expires: 5/8/22

Please Return Copy to:  
Sheila Moseley, City Secretary  
City of Wallis  
6810 Guyler St # B  
Wallis, TX 77485