

THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.

AN ORDINANCE

PROVIDING FOR THE EXTENSION OF THE CITY LIMITS OF SAN ANTONIO BY THE FULL PURPOSE ANNEXATION, AS REQUESTED BY ELEPHANT HEART DEVELOPMENT CORP. AND ADRIAN COLLINS, THE LANDOWNERS OF APPROXIMATELY 3.795 ACRES, GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF CULEBRA ROAD AND OLD STILLWATER ROAD, CONTIGUOUS TO THE CITY OF SAN ANTONIO'S LIMITS AND LOCATED WITHIN THE SAN ANTONIO EXTRATERRITORIAL JURISDICTION (ETJ), IN BEXAR COUNTY, APPROVING A SERVICE AGREEMENT FOR THE TERRITORY, AND ESTABLISHING AN EFFECTIVE DATE OF NOVEMBER 30, 2022.

WHEREAS, Chapter 43 of the Texas Local Government Code and the City Charter of San Antonio provide that a City may conduct annexation for full purposes of territory upon the request of the landowner; and

WHEREAS, Elephant Heart Development Corp. and Adrian Collins (Owners) are the landowners of approximately 3.795 acres of CB 4450, generally located northwest of the intersection of Culebra Road and Old Stillwater Road, in the San Antonio ETJ and contiguous to the city limits of San Antonio; and

WHEREAS, on October 9, 2022, proper notice of the public hearing was published in the San Antonio Express-News, being a newspaper of general circulation in the municipality and in the territory proposed for annexation and posted on the internet website maintained by the City of San Antonio in accordance with Chapter 43 of the Texas Local Government Code; and

WHEREAS, on November 10, 2022, the San Antonio City Council held a public hearing on the proposed annexation of the 3.795 acres of land, generally located southeast of the intersection of Culebra Road and Old Stillwater Road, and the public hearing gave all interested persons the right to appear and be heard on the proposed annexation; and

WHEREAS, the population of the City of San Antonio, Texas, is in excess of 1,451,853 inhabitants, and the territory to be annexed lies within the ETJ of the City of San Antonio, Texas, and lies adjacent to and adjoining the City of San Antonio, Texas; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The petition (**Attachment "A"**) requesting the annexation of the 3.795-acre territory, legally described as 3.795 acres out of CB 4450 that was submitted by the landowners is

hereby granted. The territory is more particularly depicted in **EXHIBIT "A"** and described in **EXHIBIT "B"** both contained in **Attachment "A"** attached hereto and incorporated herein for all purposes.

SECTION 2. The unincorporated territory lying outside of, but adjacent to and adjoining the City of San Antonio, more particularly described and depicted in **EXHIBITS "A"** and **"B,"** is hereby added and annexed to the City of San Antonio, Texas, and said territory shall hereafter be included within the municipal boundary of San Antonio, and the present corporate limits of San Antonio, at the various points contiguous to the territory described and depicted in **EXHIBITS "A"** and **"B,"** are altered and amended so as to include said newly annexed territory within the corporate limits of the City of San Antonio, Texas.

SECTION 3. The newly annexed territory so added shall bear its share of the taxes levied by the City of San Antonio, Texas. The owners and inhabitants thereof shall be entitled to all of the rights and the privileges as citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of San Antonio, Texas.

SECTION 4. A Service Agreement outlining the provisions of municipal service to the territory described and depicted in **EXHIBITS "A"** and **"B,"** and is hereby approved and the implementation of said Agreement is hereby authorized. Such Agreement is attached hereto and executed herein as if set out verbatim for all purposes as **EXHIBIT "C."**

SECTION 5. In accordance with Section 35-307(a) of the City of San Antonio Unified Development Code, this property shall be zoned by separate ordinance and the assigned zoning district will be effective upon annexation.

SECTION 6. The land and territory annexed by this ordinance shall be represented by and be a part of City Council District 6.

SECTION 7. The statements set forth in the recitals of this ordinance are true and correct and are incorporated as a part of this ordinance.

SECTION 8. This ordinance shall be effective on November 30, 2022.

PASSED AND APPROVED on this 10th day of November 2022.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney