

AN ORDINANCE

PROVIDING FOR THE EXTENSION OF THE CITY LIMITS OF SAN ANTONIO BY THE FULL PURPOSE ANNEXATION OF APPROXIMATELY 52.48 ACRES OF LAND, AS REQUESTED BY THE PROPERTY OWNER, MARUCHAN TEXAS, INC., LOCATED AT 11000 FISCHER ROAD, VON ORMY, TEXAS, 78073, SOUTHWEST OF THE INTERSECTION OF IH-35 SOUTH AND SOUTH LOOP 410, CONTIGUOUS TO THE CITY OF SAN ANTONIO LIMITS AND LOCATED WITHIN THE SAN ANTONIO EXTRATERRITORIAL JURISDICTION (ETJ) IN BEXAR COUNTY, APPROVING A SERVICE AGREEMENT FOR THE ANNEXED TERRITORY, AND ESTABLISHING AN EFFECTIVE DATE OF AUGUST 22, 2019.

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, the owner of the Maruchan property previously had a five-year Industrial District Non-Annexation Agreement with the City of San Antonio, which expired on December 31, 2018, thus initiating the annexation process with the City of San Antonio; and

WHEREAS, the owner, Maruchan Texas, Inc., requested the annexation of approximately 52.48 acres of land located at 11000 Fischer Road, Von Ormy, TX, 78073, generally southwest of the intersection of IH-35 South and South Loop 410, in the San Antonio ETJ and is contiguous to the city limits of San Antonio; and

WHEREAS, on July 19, 2019 and August 2, 2019, proper notice of the public hearings 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 of Chapter 43 of the Texas Local Government Code; and

WHEREAS, on August 7, 2019 and August 22, 2019, the San Antonio City Council held public hearings on the proposed annexation of the Maruchan Property, and the public hearings gave all interested persons the right to appear and be heard on the proposed annexation; and

WHEREAS, the above-mentioned public hearings were conducted not less than ten (10) days apart prior to the adoption of the annexation ordinance; and

WHEREAS, the population of the City of San Antonio, Texas, is in excess of 1,469,845 inhabitants, and the territory to be annexed lie within the ETJ of the City of San Antonio, Texas, and lie adjacent to and adjoin 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 requesting the annexation of the 52.48 acre territory, described as CB 4301A (MARUCHAN SUBD), BLOCK 2 LOT 3 and also known as the Maruchan Property that was submitted by the property owner is hereby granted. The territory is more particularly depicted in **EXHIBIT "A"** and described in **EXHIBIT "B"** 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 boundary limits 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 incorporated 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 4.

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 August 22, 2019.

PASSED AND APPROVED on this 22nd day of August, 2019.

**M A Y O R
Ron Nirenberg**

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney