

AN ORDINANCE

PROVIDING FOR THE EXTENSION OF THE CITY OF SAN ANTONIO LIMITS BY THE LIMITED PURPOSE ANNEXATION OF APPROXIMATELY 36.266 ACRES OF LAND KNOWN AS THE FMC TECHNOLOGIES TRACT; ESTABLISHING AN EFFECTIVE DATE AND ADOPTING A REGULATORY PLAN FOR SUCH AREA.

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WHEREAS, the City Council of the City of San Antonio at its meeting in January 9, 2014, approved an agricultural non-annexation agreement with Diamond Environmental Management LP, the owner of 36.266 acres of undeveloped land, located at 3890 South Loop 1604, described as CB 4167A, BLK 1, LOT 4 (IVY SUBD), known as the FMC TECHNOLOGIES TRACT and as depicted on the exhibit in Attachment A, with the City; and

WHEREAS, the non-annexation agreement provided the property owner's consent to limited purpose annexation and zoning, if there was any type of development or a change in the agricultural land use of the property; and

WHEREAS, in June 2014, the land owner, Diamond Environmental Management sold the FMC TECHNOLOGIES TRACT to a new property owner (SMBC Leasing & Finance Inc.) for the development of well head rebuilds facility on the property; and

WHEREAS, the developer of the property, FMC Technologies, has applied for building permits and begun construction of a 60,000 square feet warehouse and yard storage in which construction is expected to be completed by March 2015; and

WHEREAS, on the 1st day of October, 2014, and the 2nd day of October, 2014, the City Council of the City of San Antonio held public hearings on the proposed annexation for limited purposes of the FMC TECHNOLOGIES TRACT, situated outside of, but immediately adjacent to the current corporate limits, and such public hearings gave all interested persons the right to appear and be heard on the proposed annexation of such land; and

WHEREAS, notices of the above mentioned public hearings were published in the Daily Commercial Recorder newspaper, on September 16 and 17, 2014, newspaper having general circulation in the City of San Antonio, Texas, and within the territory to be annexed, in accordance with law; and

WHEREAS, notices of the above mentioned public hearings were published on September 12, 2014, on the internet web site maintained by the City of San Antonio in accordance with state statutes; and

WHEREAS, notice of availability of the Planning Study and Regulatory Plan for the FMC TECHNOLOGIES TRACT was published in the Daily Commercial Recorder newspaper on September 16 and 17, 2014, a newspaper having general circulation in the City of San Antonio, Texas, and posted on the internet web site maintained by the City of San Antonio in accordance with state statutes; and

WHEREAS, the aforementioned public hearings were conducted not more than forty (40) days

nor less than twenty (20) days prior to the institution of annexation proceedings; and

WHEREAS, the population of the City of San Antonio, Texas, is in excess of 1,409,019 inhabitants, and the areas to be annexed lie within the extraterritorial jurisdiction 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 land and territory lying outside of, but adjacent to and adjoining the City of San Antonio, known as the FMC TECHNOLOGIES TRACT more generally described as CB 4167A, BLK 1, LOT 4 (IVY SUBD) and depicted in **Exhibit "A,"** attached hereto and incorporated herein verbatim for all purposes, is hereby added and annexed to the City of San Antonio, Texas, and said territory as described shall hereafter be included within the boundary limits of said city, and the present boundary limits of said city, at the various points contiguous to the area described in **Exhibit "A,"** are altered and amended so as to include said area within the corporate limits of the City of San Antonio, Texas.

SECTION 2. The land and territory known as the FMC TECHNOLOGIES TRACT, which is annexed hereby for limited purposes, shall be a part of the City of San Antonio, Texas and the property, the residents and landowners thereof shall be subject to and enjoy the rights conferred by Chapter 43, Subchapter F, Limited Purpose Annexations of the Texas Local Government Code and the provisions of this ordinance.

SECTION 3. A regulatory plan applicable to the property described in **Exhibit "A,"** is hereby adopted and the implementation of said plan is hereby authorized. Such plan is attached hereto and incorporated herein verbatim for all purposes as **Exhibit "B."**

SECTION 4. The land and territory shall be subject to full purpose annexation within three years the effective date hereof.

SECTION 5. This Ordinance shall be effective from and after **December 6, 2014.**

PASSED AND APPROVED on this 6th day of November 2014.

M A Y O R
Ivy Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Robert F. Greenblum, City Attorney