ORDINANCE NO. 2003-O-04

MUNICIPAL BOUNDARIES

AN ORDINANCE OF THE VILLAGE OF VOLENTE ESTABLISHING THE MUNICIPAL BOUNDARIES; PROVIDING FOR THE FOLLOWING: A SEVERABILITY CLAUSE; EFFECTIVE DATE; AND PROPER NOTICE AND OPEN MEETING

WHEREAS, the Village of Volente is a newly created governmental entity that was incorporated pursuant to the laws of the State of Texas as a Type B General-Law Municipality following an election held on February 1, 2003; and

WHEREAS, the City Council (i.e., governing body or board of aldermen) were selected by the voters at an election held on May 3, 2003; and

WHEREAS, Chapter 41 of the Texas Local Government Code requires that members of the governing body of a newly incorporated municipality must designate the municipal boundary; and

WHEREAS, Chapter 41 of the Texas Local Government Code requires that members of the field notes and map of the municipal boundary be recorded in the minutes of the Village and the deed records of Travis County; and

WHEREAS, the City Council finds that the attached map and field notes are sufficient to constitute a survey as required under Chapter 41 of the Texas Local Government Code; and

NOW THEREFORE, be it ordained by the City Council of the Village of Volente, County of Travis, State of Texas:

1. INCORPORATION BOUNDARIES

The municipal boundary (i.e., city limits) of the Village of Volente is consistent with the boundaries designated in the petition for incorporation.

2. MAP & FIELD NOTES

The municipal boundary of the Village of Volente shall be that boundary more particularly described in the field notes attached to this Ordinance as Exhibit "A" and incorporated herein, and the map attached to this Ordinance as Exhibit "B" and incorporated herein.

3. FILING

The City Secretary is hereby authorized and instructed to file the original of this ordinance and the exhibits in the minute records of the Village. The Mayor is hereby authorized and instructed to file a copy of this ordinance and the exhibits in the deed records of Travis County.

4. EFFECTIVE DATE

This Ordinance shall take effect immediately from and after its passage.

5. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

6. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was 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, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED this the 19th day of August, 2003, by a vote of 5 (ayes) to 0 (nays) to _____ (abstentions) of the City Council of the Village of Volente, Texas.

VILLAGE OF THE VOLENTE

by: _____
Jan Yenawine, Mayor

ATTEST:

_____
City Secretary

APPROVED AS TO FORM:

_____
Alan J. Bojorquez, City Attorney

FIELD NOTES
VILLAGE OF VOLENTE INCORPORATION LIMITS

BEGINNING at a point on the approximate east line of the J.C. Toungate Survey No. 82 at the northeast corner of the Dwyer 34.74-acre tract, said point also being at an outside corner of Lake View Drive (now Navajo Pass), for the most easterly corner and POINT OF BEGINNING of the herein described Village;

THENCE with the east line of said Dwyer 34.74-acre tract along the west right-of-way line of Lake View Drive to a point at the north corner of the Schultze 2.93-acre tract;

THENCE across said Dwyer 34.74-acre tract to a point on the west line of said Dwyer 34.74-acre tract;

THENCE with the west line of said Dwyer 34.74-acre tract to a point on the north right-of-way line of Anderson Mill Road (FM Highway 2769);

THENCE with the north right-of-way line of Anderson Mill Road (FM Highway 2769) to a point at the intersection with the extension of the west right-of-way line of Arrowhead Drive;

THENCE with the west right-of-way line of Arrowhead Drive and extension thereof to a point at the most easterly corner of Block A, Arrowhead Point Subdivision No. 2;

THENCE with the northeast line of Block A, Arrowhead Point Subdivision No. 2 and the Henna 18.34-acre tract a distance of 335 feet to a point;

THENCE across said Henna 18.34-acre tract to a point at the northwest corner of Lot 8, Block A, Arrowhead Point Subdivision No. 2;

THENCE with the west line of Block A, Arrowhead Point Subdivision No. 2 to a point at the most northerly corner of the Jones 1.531-acre tract;

THENCE with the northwest, northeast, west and south lines of said Jones 1.531-acre tract to a point at the intersection with the 670-foot contour line on the Mack's Canyon arm of Lake Travis;

THENCE with the 670-foot contour line of Lake Travis to a point at the intersection with the south line of the Lower Colorado River Authority 2258.32-acre tract on the Hamilton Hollow arm of Lake Travis;

THENCE with the south line of said Lower Colorado River Authority 2258.32-acre tract to a point at the intersection with the east right-of-way line of Lime Creek Road (also known as Schmid Drive);

THENCE with the east, south and west right-of-way line of Lime Creek Road (also known as Schmid Drive) to a point at the southeast corner of Lot 24, Lake Travis Subdivision No. 7;

THENCE with the south and west lines of Lot 24, Lake Travis Subdivision No. 7 to a point on the south right-of-way line of Lime Creek Road (also known as Schmid Drive);

THENCE with the south, southeast and east right-of-way line of Lime Creek Road (also known as Schmid Drive) to a point, from which the southeast corner of Lot 9, Lake Travis Subdivision No. 7 bears N39°25'W a distance of 60 feet;

THENCE, across the Volente Group of Texas, Ltd. 1103.696-acre tract (Tract V) with a west line of the Balcones Canyonland Preserve tract, the following seven (7) courses:

1) S39°25'E a distance of 100 feet to a point;

2) S32°30'W a distance of 290 feet to a point;

3) S40°00'E a distance of 355 feet to a point;

4) S25°20'E a distance of 835 feet to a point;

5) S53°45'E a distance of 915 feet to a point;

6) S10°00'W a distance of 540 feet to a point; and

7) S22°20'W a distance of 660 feet to a point on the north right-of-way line of Lime Creek Road, from which the northwest corner of Lot 5, Lake Travis Subdivision No. 2 bears S22°20'W a distance of 60 feet;

THENCE with the north, east and southeast right-of-way line of Lime Creek Road to a point, from which the most easterly corner of Lot 2, Lake Travis Subdivision No. 2 bears N29°22'W a distance of 60 feet and N70°24'E a distance of 50 feet;

THENCE, across said Volente Group of Texas, Ltd. 1103.696-acre tract (Tract V) with a south line of said Balcones Canyonland Preserve tract, the following sixty-nine (69) courses:

1) S29°22'E a distance of 300 feet to a point;

2) S38°28'E a distance of 125 feet to a point;

3) S51°15'E a distance of 400 feet to a point;

4) S41°13'E a distance of 405 feet to a point;

5) S64°30'E a distance of 230 feet to a point;

6) N88°03'E a distance of 135 feet to a point;

7) N72°28'E a distance of 635 feet to a point;

8) N32°15'E a distance of 550 feet to a point;

9) N13°39'E a distance of 360 feet to a point;

10) N04°42'W a distance of 450 feet to a point;

11) N55°06'E a distance of 280 feet to a point;

12) N82°53'E a distance of 235 feet to a point;

13) N12°51'E a distance of 335 feet to a point;

14) N14°36'W a distance of 260 feet to a point;

15) N03°42'W a distance of 260 feet to a point;

16) N32°59'W a distance of 205 feet to a point;

17) N08°51'W a distance of 220 feet to a point;

18) N31°30'E a distance of 320 feet to a point;

19) N51°10'E a distance of 230 feet to a point;

20) N80°48'E a distance of 215 feet to a point;

21) S62°01'E a distance of 190 feet to a point;

22) S11°41'W a distance of 90 feet to a point;

23) S53°56'E a distance of 325 feet to a point;

24) N71°33'E a distance of 160 feet to a point;

25) N18°27'W a distance of 105 feet to a point;

26) N36°12'E a distance of 225 feet to a point;

27) N42°19'E a distance of 400 feet to a point;

28) S69°38'E a distance of 260 feet to a point;

29) S49°34'E a distance of 245 feet to a point;

30) S21°55'E a distance of 240 feet to a point;

31) S09°17'W a distance of 275 feet to a point;

32) S60°22'W a distance of 265 feet to a point;

33) S80°28'W a distance of 165 feet to a point;

34) S47°48'E a distance of 410 feet to a point;

35) S31°43'W a distance of 440 feet to a point;

36) N80°13'W a distance of 290 feet to a point;

37) N73°51'W a distance of 350 feet to a point;

38) S43°54'W a distance of 115 feet to a point;

39) S36°29'E a distance of 190 feet to a point;

40) S08°53'E a distance of 170 feet to a point;

41) S27°16'W a distance of 140 feet to a point;

42) S79°30'E a distance of 305 feet to a point;

43) S55°44'E a distance of 210 feet to a point;

44) S20°50'E a distance of 105 feet to a point;

45) S65°32'E a distance of 145 feet to a point;

46) N78°04'E a distance of 280 feet to a point;

47) S80°30'E a distance of 410 feet to a point;

48) S31°09'E a distance of 165 feet to a point;

49) S23°31'W a distance of 315 feet to a point;

50) S64°24'W a distance of 380 feet to a point;

51) N25°36'W a distance of 190 feet to a point;

52) N72°53'W a distance of 195 feet to a point;

53) S87°45'W a distance of 250 feet to a point;

54) N71°54'W a distance of 80 feet to a point;

55) N48°19'W a distance of 150 feet to a point;

56) N77°45'W a distance of 75 feet to a point;

57) S59°28'W a distance of 380 feet to a point;

58) S33°05'W a distance of 95 feet to a point;

59) S01°35'W a distance of 55 feet to a point;

60) S43°09'E a distance of 375 feet to a point;

61) S18°26'E a distance of 320 feet to a point;

62) S04°04'W a distance of 285 feet to a point;

63) S39°38'E a distance of 135 feet to a point;

64) N57°12'E a distance of 325 feet to a point;

65) S20°31'E a distance of 275 feet to a point;

66) S04°00'W a distance of 250 feet to a point;

67) S14°27'W a distance of 275 feet to a point;

68) S21°54'E a distance of 170 feet to a point; and

69) S05°27'E a distance of 305 feet to a point;

THENCE with an extension thereof and the north line of said Dwyer 34.74-acre tract a distance of 1,115 feet to the POINT OF BEGINNING.