

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT:

The City of Waco, Texas, hereby gives notice that it proposes to institute annexation proceedings to annex territory, designate the Comprehensive Plan land use designation for the said territory as Urban Residential, designate R-1B Single-Family Residence District zoning for the said territory and extend the boundary limits of said City to include the territory described and set out in the proposed annexation ordinance published herein. Notice is hereby also given of a public hearing concerning the annexation of the property proposed for annexation (“the Property”), the designation of Urban Residential as the Comprehensive Plan land use designation for the Property, and the designation of R-1B Single-Family Residence District zoning for the Property to be held before the City Council on Tuesday, April 3, 2018, at 6:00 p.m. in the Bosque Theater at the Waco Convention Center, 100 Washington Avenue, Waco, Texas, and on Tuesday, April 10, 2018, at 6:00 p.m. in the Bosque Theater at the Waco Convention Center, 100 Washington Avenue, Waco, Texas, unless an on-site hearing is required pursuant to the provisions of State law, in which event the second hearing will be held at a date, time and place to be determined later on the Property. The Property is described as follows: (1) a tract of land containing approximately 167.43 acres of land, more or less, situated in and being a part of the B.B.B. & C. RY. Survey, Abstract No. 157, McLennan County, Texas, and being a part of the called 319.02 acre tract described in the Special Warranty Deed to WBW Land Investments, L.P., recorded in Document No. 2012009280 of the Official Records of McLennan County, Texas, and being located near the intersection of Panther Way and Ritchie Road; and (2) a strip of land varied in width containing approximately 2.27 acres of land, more or less, situated in and being a part of the B.B.B. & C. RY. Survey, Abstract No. 157, and the ABJ Winfree Survey, Abstract No. 884, McLennan County, Texas, and being part of Farmiller Road (including adjacent right-of-way) that is adjacent to the property described in (1) above. The public hearings referenced above have been established by resolution of the City of Waco enacted by the City Council on January 16, 2018. In addition, there will be another public hearing to be held before the City Council on Tuesday, May 1, 2018, at 6:00 p.m. in the Bosque Theater at the Waco Convention Center, 100 Washington Avenue, Waco, Texas, concerning the annexation of the Property, the designation of Urban Residential as the Comprehensive Plan land use designation for the Property, and the designation of R-1B Single-Family Residence District zoning for the Property

The Property is described in Exhibit "A" and Exhibit "B" of said proposed ordinance. The map attached to the ordinance as Exhibit "C" which includes proposed R-1B zoning is on file in the City Secretary's office for review by all interested persons during usual or normal working hours. All persons interested in the above proposed annexation shall have the right to appear at the said times and places and be heard on all said matters and things. All persons interested in the things and matters herein mentioned will take notice.

Esmeralda Hudson, City Secretary

ORDINANCE NO. 2018-____

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF WACO, TEXAS AND THE ANNEXATION AND DESIGNATION OF URBAN RESIDENTIAL AS THE COMPREHENSIVE PLAN LAND USE DESIGNATION AND THE DESIGNATION OF R-1B SINGLE-FAMILY RESIDENCE DISTRICT ZONING OF CERTAIN TERRITORY CONSISTING OF (1) A TRACT OF LAND CONTAINING APPROXIMATELY 167.43 ACRES OF LAND, MORE OR LESS, SITUATED IN AND BEING A PART OF THE B.B.B. & C. RY. SURVEY, ABSTRACT NO. 157, MCLENNAN COUNTY, TEXAS, AND BEING A PART OF THE CALLED 319.02 ACRE TRACT DESCRIBED IN THE SPECIAL WARRANTY DEED TO WBW LAND INVESTMENTS, L.P., RECORDED IN DOCUMENT NO. 2012009280 OF THE OFFICIAL RECORDS OF MCLENNAN COUNTY, TEXAS, AND BEING LOCATED NEAR THE INTERSECTION OF PANTHER WAY AND RITCHIE ROAD; AND (2) A STRIP OF LAND VARIED IN WIDTH CONTAINING APPROXIMATELY 2.27 ACRES OF LAND, MORE OR LESS, SITUATED IN AND BEING A PART OF THE B.B.B. & C. RY. SURVEY, ABSTRACT NO. 157, AND THE ABJ WINFREE SURVEY, ABSTRACT NO. 884, MCLENNAN COUNTY, TEXAS, AND BEING PART OF FARMILLER ROAD (INCLUDING ADJACENT RIGHT-OF-WAY) THAT IS ADJACENT TO THE PROPERTY DESCRIBED IN (1) ABOVE, AND FURTHER LOCATED WITHIN WACO'S EXTRATERRITORIAL JURISDICTION, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF WACO, TEXAS; ASSIGNING THE ANNEXED TERRITORY TO CITY COUNCIL DISTRICT III; ESTABLISHING CITY OF WACO PRECINCT 55 WHICH WILL CONSIST OF THE ANNEXED TERRITORY, DIRECTING THAT THE CITY PRECINCT/DISTRICT MAP BE REVISED TO REFLECT THAT CHANGE AND PROVIDING VOTING LOCATION AT ANY CITY OF WACO VOTE CENTER; PROVIDING THAT SAID TERRITORY BEARS PRO RATA PART OF TAXES AND ENTITLING INHABITANTS TO ALL RIGHTS AND PRIVILEGES OF CITIZENS AND BINDING INHABITANTS TO ACTS AND LAWS OF CITY; ADOPTING A SERVICE PLAN; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLISHING OF ORDINANCE; PROVIDING PENALTIES THEREFOR; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, on October 12, 2017, WBW Land Investments, LP filed a petition for

annexation of property requesting the annexation of certain property located within the extraterritorial jurisdiction of the City of Waco, and the property is less than one-half mile in width, is contiguous to the City of Waco, and on which fewer than three qualified voters reside;

WHEREAS, the Texas Local Government Code Section 43.028 allows the annexation of a sparsely occupied area on petition of the area landowners;

WHEREAS, on November 7, 2017, per Resolution No. 2017-956, the City Council granted the Petition for Annexation of Property, filed by WBW Land Investments, LP, for the property fully described in Exhibit “A” (“the Property”); and

WHEREAS, per Resolution No. 2017-956, the City Council determined that the entire width of Farmiller Road (including the adjacent right-of-way on both sides of Farmiller Road) adjacent to the Property be included in the proposed annexation area because the Property includes a portion of Farmiller Road and because Section 43.106 of the Local Government Code requires a municipality that proposes to annex any portion of a county road or territory that abuts a county road to also annex the entire width of the county road and the adjacent right-of-way on both sides of the county road; and

WHEREAS, the portion of the width of Farmiller Road (including the adjacent right-of-way) which is adjacent to the Property is described in the attached Exhibit “B”; and

WHEREAS, the Property and the entire width of Farmiller Road (including the adjacent right-of-way on both sides of Farmiller Road) adjacent to the Property, which are described in the attached Exhibits “A” and “B” are hereinafter collectively referred to as “the Annexation Area Property”; and

WHEREAS, public hearings, where all interested persons were provided with an opportunity to be heard on the proposed annexation, the Comprehensive Plan land use designation, and the designation of zoning of the Annexation Area Property were held at 6:00 P.M. on the 3rd day of April, 2018, in the Bosque Theater at the Waco Convention Center of the City of Waco, Waco, Texas, and at 6:00 p.m. on the 10th day of April, 2018, in the Bosque Theater at the Convention Center of the City of Waco, Waco, Texas, which dates are on or after the fortieth day but before the twentieth day before the date of first reading of the ordinance; and

WHEREAS, notice of such public hearings was published in a newspaper having general circulation in the City of Waco, Texas, and in the above described territory on the 23rd day of March, 2018, and on the 29th day of March, 2018, which dates are on or after the twentieth day but before the tenth day before the date of the hearings; and

WHEREAS, on April 24, 2018, the City Plan Commission conducted a public hearing on the proposed annexation of the Annexation Area Property , the designation of Urban Residential as the Comprehensive Plan land use designation for the Annexation Area Property and the designation of R-1B Single-Family Residence District zoning for the Annexation Area Property and following the hearing voted to recommend approval/disapproval of the proposed annexation of the Annexation Area Property, the designation of Urban Residential as the Comprehensive Plan land use designation for the Annexation Area Property and the designation of R-1B Single-Family Residence District zoning for the Annexation Area Property to the City Council;

WHEREAS, a public hearing at the City Council meeting, where all interested persons were provided with an opportunity to be heard on the proposed annexation of the Annexation Area Property, the designation of Urban Residential as the Comprehensive Plan land use designation for the Property and the designation of R-1B Single-Family Residence District zoning for the Property was held on 6:00 P.M. on the 1st day of May, 2018, in the Bosque Theater at the Waco Convention Center, 100 Washington Avenue, Waco, Texas; and

WHEREAS, the total corporate area of the City of Waco, Texas, on the 1st day of January, 2018, was 105.93 square miles; and

WHEREAS, the population of the City of Waco, Texas, is approximately 134,432; and

WHEREAS, the above described territory lies within the extraterritorial jurisdiction of the City of Waco, Texas; and

WHEREAS, the above described territory contains approximately **169.70 acres**,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WACO, 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. That the following described land and territory lying adjacent to and adjoining the City of Waco, Texas, is hereby added and annexed to the City of Waco, Texas, and said territory hereinafter described shall hereafter be included within the boundary limits of the City of Waco, Texas, and the present boundary limits of such city, at the various points contiguous to the area hereinafter described, are altered and amended so as to include said area within the corporate limits of the City of Waco, Texas, to-wit:

SEE ATTACHED EXHIBITS "A" AND "B"

Section 3. That the City Council finds that the tracts of land described in Exhibit "A" and Exhibit "B" are best suited for annexation as shown on the attached map and such property is hereby annexed to the City of Waco with the designation of Urban Residential as the Comprehensive Plan land use designation for such property and with the designation of **R-1B Single-Family Residence District** zoning for such property as defined in the Chapter 28 of the Code of Ordinances of the City of Waco, Texas, and in accordance with Sec. 28-249 of the Code of Ordinances of the City of Waco, Texas. The property being annexed is generally shown on Exhibit "C", which is attached hereto and made a part hereof.

Section 4. That the City Council determines that the tracts of land described in Exhibit "A" and Exhibit "B" herein shall be located in City Council District III.

Section 5. That City of Waco Precinct 55 is hereby established which consists of the above described territory which is part of McLennan County Precinct 55 and the City of Waco Precinct/District map shall be revised to reflect that change. Any residents of the land described in Exhibit "A" and Exhibit "B" who are qualified voters would vote at any of the City of Waco Vote Centers, subject to any change by the City Council in Vote Centers or polling places.

Section 6. That the above described territory and the area so annexed shall be a part of the City of Waco, Texas, and the property so added hereby shall bear its pro rata part of the taxes levied by the City of Waco, Texas, and the inhabitants 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 Waco, Texas.

Section 7. That the service plan prepared by the Planning Services Department is hereby adopted and attached hereto as Exhibit "D".

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. Should this ordinance for any reason be ineffective as to any part of the area hereby annexed to the City of Waco, 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 Section 2 of this Ordinance to be annexed to the City of Waco any lands or area which are presently part of and included within the limits of the City of Waco, or 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 Waco's 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.

Section 9. That this ordinance has been published and passed in the manner provided in Article I, Section 6, of the Charter of the City of Waco, Texas.

Section 10. That a violation of this ordinance shall be a misdemeanor and the penalty for violating this ordinance shall be as provided for in Sec. 1-14 of the Code of Ordinances of the City of Waco, which shall be a maximum fine of \$2,000.00, and each day a violation exists shall be a separate offense.

Section 11. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place and purpose of said meeting was given as required by law.

EXHIBIT "A"

**FIELD NOTES
PARK MEADOWS PHASE II
SUBDIVISION MCLENNAN COUNTY,
TEXAS**

BEING all that certain tract or parcel of land situated in and being a part of the

BBB & C RR Survey – Abstract No. 157, McLennan County, Texas, and being part of a called 319.02 acre tract described in a Special Warranty Deed to WBW Land Investments LP, recorded in Document No. 2012009280, Official Records of McLennan County, Texas, said tract being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8 inch iron rod found in the center of Farmiller Road, same being the most southerly corner of said 319.02 acre tract, for the south corner of the herein described tract;

THENCE with the southwest line of said 319.02 acre tract and along the centerline of said Farmiller Road for the following three (3) courses:

1. N 32°42'50" W, 1497.82 feet (*Rec. N 30°53'15" W, 1497.99'*), to a capped iron rod found;
2. N 29°12'51" W, 372.55 feet (*Rec. N 27°23'16" W, 372.59'*), to a 3/8 inch iron rod found;
3. N 32°28'23" W, 1513.73 feet (*Rec. N 30°38'48" W, 1513.91'*), to a capped iron rod found at a bend in said Farmiller Road, same being the most westerly corner of said 319.02 acre tract, for the west corner of the herein described tract;

THENCE N 57°09'08" E, 731.64 feet (*Rec. N 58°58'43" E, 731.72*), with the northwest line of said 319.02 acre tract and along the southeast margin of said Farmiller Road to a 5/8 inch iron rod found at the southwest corner of a called 151.173 acre tract described in a deed to LL Callan, LLC, recorded in Document No. 2015023163, Official Records of McLennan County, Texas;

THENCE with the common line of said 319.02 acre tract and said 151.173 acre tract for the following three (3) courses:

1. N 58°07'34" E, 149.81 feet (*Rec. N 59°57'09" E, 149.83'*), to a capped iron rod found;
2. N 57°48'46" E, 513.30 feet (*Rec. N 59°38'21" E, 513.36'*), to a capped iron rod found;
3. N 57°39'17" E, 805.75 feet (*Rec. N 59°28'52" E*), to a capped iron rod found, for the north corner of the herein described tract;

THENCE S 30°33'23" E, 3387.96 feet, departing the southeast line of said 151.173 acre tract, across and upon said 319.02 acre tract to a capped iron rod found in the southeast line of said 319.02 acre tract and the northwest line of a called 199.4 acre tract of land described in a deed to Louise Maddin Earle, recorded in Volume 429, Page 673, Official Records of McLennan County, Texas, for the east corner of the herein described tract;

THENCE with the common line of said 319.02 acre tract and said 151.173 acre tract

for the following five (5) courses:

1. S 57°37'48" W, 156.17 feet (*Rec. S 59°27'23" W*), to a capped iron rod found;
2. S 57°32'53" W, 490.09 feet (*Rec. S 59°22'28" W, 490.15'*), to a capped iron rod found;
3. S 57°27'57" W, 351.81 feet (*Rec. S 59°17'32" W, 351.85'*), to a capped iron rod found;
4. S 57°44'07" W, 716.43 feet (*Rec. S 59°33'42" W, 716.51'*), to a capped iron rod found;
5. S 57°40'46" W, 387.55 feet (*Rec. S 59°30'17" W, 387.43'*), to the **POINT OF BEGINNING** and containing 167.43 grid acres of land, more or less.

NOTE:

The bearings recited hereon are grid bearings derived from GPS observations based on the Texas State Plane Coordinate System, NAD1983 (2011) datum, Texas Central Zone No. 4203. All distances are horizontal grid distances. The average Combined Correction Factor (CCF) is 0.99988430. Ground distance = Grid Distance / CCF. Permanent iron rods set for corner are 1/2 inch iron rods with cap marked "YALGO 6200", unless otherwise noted herein.

Luther E. Frobish
Registered Professional Land Surveyor
State of Texas No. 6200



EXHIBIT "B"

FIELD NOTES
FARMILLER ROAD ANNEXATION
MCLENNAN COUNTY, TEXAS

BEING a strip of land varied in width situated in and being a part of the BBB & C RR Survey, Abstract No. 157, and the ABJ Winfree Survey, Abstract No. 884, McLennan County, Texas, and being part of a called Farmiller Road (no formal dedication found of record) of McLennan County, Texas, said tract being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8 inch iron rod found in the center of said Farmiller Road, for the most southerly corner of a called 319.02 acre tract described in a deed to WBW Land Investments LP, recorded in Document No. 2012009280, Official Deed Records of McLennan County, Texas, and in the northeast line of a called 253.933 acre tract described in a deed to Community Bank Trustee, recorded in Volume 1818, Page 587,

of said deed records, for the most easterly corner of the herein described tract;

THENCE S 57° 40' 46" W, 22.00 feet, across and upon said 253.933 acre tract to a point in the southwest occupied margin of said Farmiller Road, for the most southerly corner of the herein described tract;

THENCE along the southwest margin of said Farmiller Road, for the following courses:

1. Across and upon said 253.933 acre tract, N 32° 31' 16" W, 1497.58 feet to a point, and N 33° 40' 00" W, 163.91 feet to a 1/2 inch iron rod found in the northwest line of said 253.933 acre tract and the southeast line of a called 11.405 acre "Tract One" described in a deed to Johnny Mack Tabor, recorded in Document No. 2001034752, of said deed records, from which an iron rod found in the northeasterly edge of said Farmiller Road bears N 57° 42' 12" E, 38.30 feet (*Rec. N 60° 00' 19" E, 38.30'*);
2. Across and upon said Tract One, N 28° 52' 51" W, 285.27 feet to a 3/8 inch iron rod found in the northwest line of said Tract One and the southeast line of a called 11.416 acre "Tract Two" described in a deed to Johnny Mack Tabor, recorded in Document No. 2001034752, of said deed records, from which an iron rod found in the center of Farmiller Road bears N 57° 42' 37" E, 20.28 feet (*Rec. N 60° 00' 44" E, 20.28'*);
3. Across and upon said Tract Two, N 32° 29' 45" W, 284.79 feet to a point in the northwest line of said Tract Two and the southeast line of a called 11.42 acre tract out of the B.E. Bragg tract, recorded in Volume 578, Page 111, of said deed records, from which an iron rod found in the center of Farmiller Road bears N 57° 42' 30" E, 20.35 feet (*Rec. N 60° 00' 37" E, 20.35'*);
4. Across and upon said 11.42 acre tract, N 31° 35' 43" W, 283.28 feet to a 3/8 inch iron rod found in the northwest line of said 11.42 acre tract and the southeast line of a called 11.42 acre "Tract Three" described in a deed to William Bruce Bloodworth, recorded in Document No. 2011029960, of said deed records;
5. Across and upon said Tract Three, N 33° 09' 45" W, 283.62 feet to a point in the northwest line of said Tract Three and the southeast line of a called 11.42 acre "Tract 2" described in a deed to Barbara J. Anders, recorded in Document No. 2002011094, of said deed records;
6. Across and upon said Tract 2, N 32° 06' 44" W, 285.28 feet to a point in the northwest line of said Tract 2 and the southeast line of a called 11.42 acre "Tract 1" described in a modification deed to Adrian Kutscherousky, recorded in Document No. 2017003028, of said deed records, from which an iron rod found in the center of Farmiller Road bears N 58° 23' 56" E, 17.55 feet (*Rec. N 60° 00' 00" E, 17.55'*);
7. Across and upon said Tract 1, N 32° 15' 59" W, passing a point in the

northwest line of said Tract 1 at 300.67 feet, from which an iron rod found for the north corner of said Tract 1 and for the northwest corner of said 319.02 acre tract bears N 58° 23' 56" E, 20.00 feet (*Rec. N 60° 00' 00" E, 20.00'*), continuing on the same course for a total distance of 326.07 feet, to a point in the northwest margin of said Farmiller Road and in the southeast fence line of a called 9.17 acre tract described in a deed to McElla Group, LLC, recorded in Document No. 2005001937, of said deed records, from which a 3 inch steel fence pole bears S 53° 01' 03" W, 4.93 feet, for the most westerly corner of the herein described tract;

THENCE along the northwest margin of said Farmiller Road, with the southeast fence line of said 9.17 acre tract, for the following courses:

1. N 53° 01' 03" E, 89.89 feet, to a 3 inch steel fence post;
2. N 57° 06' 30" E, 562.08 feet, to a 3 inch steel fence post;
3. N 42° 20' 23" E, 32.11 feet, to a 3 inch steel fence post;
4. N 13° 22' 46" E, 38.95 feet, to a 3 inch steel fence post;

THENCE N 57° 38' 27" E, 41.06 feet, across and upon said Farmiller Road to a point in the occupied northeast line of said Farmiller Road and in the southwest line of a called 151.173 acre tract described in a deed to LG Callan, LLC, recorded in Document No. 2015023163, of said deed records, for the most northerly corner of the herein described tract;

THENCE S 32° 21' 33" E, 67.56 feet, along the common line of said Farmiller Road and said 151.173 acre tract to a 5/8 inch iron rod found for the southwest corner of said 151.173 acre tract in the north line of said 319.02 acre tract;

THENCE S 57° 09' 08" W, 731.65 feet (*Rec. S 58° 58' 43" W, 731.72'*), part way along the southeast margin of said Farmiller Road and with the northwest line of said 319.02 acre tract to an iron rod found on the northwest side of said Farmiller Road for the north corner of said Tract 1 and for the northwest corner of said 319.02 acre tract;

THENCE with the southwest line of said 319.02 acre tract and along the approximate centerline of said Farmiller Road for the following courses:

1. S 32° 28' 23" E, 1513.73 feet (*Rec. S 30° 38' 48" E, 1513.91'*), to a 3/8 inch iron rod found;
2. S 29° 12' 51" E, 372.55 feet (*Rec. S 27° 23' 16" E, 372.59'*), to a capped iron rod found;
3. S 32° 42' 50" E, 1497.82 feet (*Rec. S 30° 53' 15" E, 1497.99'*), to the **POINT OF BEGINNING** and containing 2.27 grid acres of land, more or less.

NOTE:

The bearings recited hereon are grid bearings derived from GPS observations based on the Texas State Plane Coordinate System, NAD1983 (2011) datum, Texas Central Zone No. 4203. All distances are horizontal grid distances. The average Combined Correction Factor (CCF) is 0.99988430. Ground distance = Grid Distance / CCF.

Luther E. Frobish
Registered Professional Land
Surveyor State of Texas No. 6200



Annexation
Approximately 169.70 Acres
Property Location Map



Waco City Limits
Approximately 169.70 Acres



February 2018



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

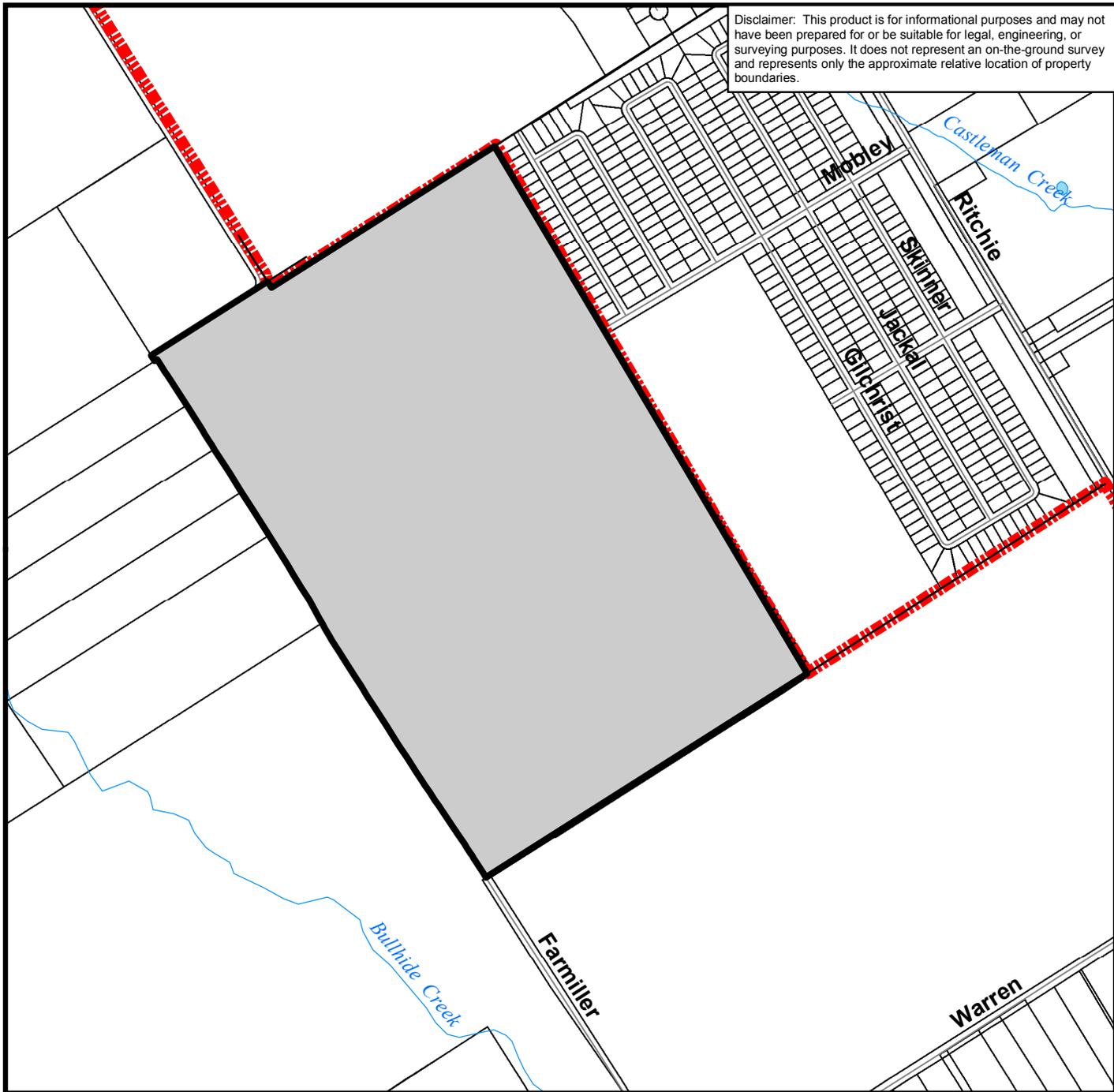


EXHIBIT “D”

Annexation Service Plan City of Waco, Texas

Annexation Area

The annexation area is comprised of (1) a tract of land containing approximately 167.43 acres of land, more or less, situated in and being a part of the B.B.B. & C. RY. Survey, Abstract No. 157, McLennan County, Texas, and being a part of the called 319.02 acre tract described in the Special Warranty Deed to WBW Land Investments, L.P., recorded in Document No. 2012009280 of the Official Records of McLennan County, Texas, and being located near the intersection of Panther Way and Ritchie Road; and (2) a strip of land varied in width containing approximately 2.27 acres of land, more or less, situated in and being a part of the B.B.B. & C. RY. Survey, Abstract No. 157, and the ABJ Winfree Survey, Abstract No. 884, McLennan County, Texas, and being part of Farmiller Road (including adjacent right-of-way) that is adjacent to the property described in (1) above, and further located within Waco’s Extraterritorial Jurisdiction. The proposed Comprehensive Plan land use designation is Urban Residential and the proposed zoning is R-1B (Single-Family Residence District).

Introduction

In accordance with state law, the following service plan for the extension of Municipal services to the area to be annexed was developed. Municipal facilities and services to the annexed area described above will be provided or made available on behalf of the City at the following levels and in accordance with the following prescribed schedule.

Police Protection

Police Services will provide protection and law enforcement services to the annexation area, commencing on the effective date of annexation. The level of service will be at the same level as currently provided in areas of similar land use and population within the City. These services include the following: 1) random patrol of the area, 2) handling of complaints and incidents, 3) traffic enforcement, and 4) special units, such as criminal investigations, narcotics, crime prevention, neighborhood services, and special weapons and tactics.

Fire Protection and Emergency Medical Services

Fire protection and emergency medical services will be provided to the annexation area, commencing on the effective date of annexation. The City of Waco will serve the annexation area from current fire stations closest to the area of annexation. Emergency dispatch assignment of Fire Services resources to the annexation area would be the same as currently provided in areas of similar land use and population within the City.

Solid Waste Collection

Solid Waste collection to the annexation area will be provided on the effective date of annexation on

the same basis and at the same level as provided throughout the City, in accordance with applicable law.

Water Service

The City of Waco will provide for the maintenance of City-owned public water lines within the annexation area provided that the area is within the City's Certificate of Convenience and Necessity area as determined by the Texas Commission on Environmental Quality (TCEQ) beginning on the effective date of the annexation. Water service is provided at the same level as currently provided in areas of similar topography, land use and population within the City. The City's policy that water extensions are the responsibility of the developer of property will be applied in this area.

Wastewater Service

The City of Waco will provide for the maintenance of sanitary sewer lines within the annexation area provided that the area is within the City's Certificate of Convenience and Necessity area as determined by the Texas Commission on Environmental Quality (TCEQ) beginning on the effective date of the annexation. Sanitary sewer service is provided at the same level as currently provided in areas of similar topography, land use and population within the City. The City's policy that sanitary sewer extensions are the responsibility of the developer of property will be applied to this area. Maintenance of all parts of the sewer system will begin as those parts are put into service. The sewer system will be maintained with the same frequency and level of effort as comparable parts of the system in other parts of the City.

Capital Improvements

The construction of other capital improvements shall be considered by the city in the future as the needs dictate on the same basis as such capital improvements are considered throughout the city. Developing areas will follow subdivision regulations and water and sewer extension policies.

Street Lights

The City will work in cooperation with Oncor Electric Delivery Company LLC to install and maintain streetlights under the same policy as now exists elsewhere in the City. The City will pay the electricity costs of all streetlights in public right-of-way.

Traffic Control

The City will install and maintain traffic signals, traffic signs, street markings and other traffic control devices as needs are established by appropriate studies and standards. These activities will be coordinated with the Texas Department of Transportation (TxDOT) just as they are within other parts of the city limits.

Maintenance of Existing Roads & Streets

The Street Division of the City of Waco will provide the maintenance of existing roads and streets, drainage and regulatory signs on the effective date of annexation. The same basis and level of

services currently provided throughout the City will be adhered to as follows:

1. Emergency maintenance of streets to include repair of hazardous potholes, ice and snow monitoring of major thoroughfares necessary for traffic flow.
2. Routine maintenance of public streets and rights-of-way performed within the City.
3. Street sweeping services will be performed approximately six times per year under current funding for streets with curb and gutter.
4. Installation and maintenance of traffic signs, street markings and other traffic control devices as the need is established by appropriate study and traffic standards.

Private streets, including ingress/egress easements, access easements, common areas, common driveways and anything else which has not been specifically dedicated and accepted as public right-of-way, will not be maintained by the City. Public streets will be included in the City's preventive maintenance program. Preventive maintenance projects are prioritized and scheduled based on a variety of factors, including surface condition, transversibility, age, traffic volume, density of dwellings per block, adjacent street conditions and available funding. Any necessary rehabilitation or reconstruction will be considered on a citywide priority basis.

Environmental Services

The Environmental Services Division of Water Utilities will provide services to the proposed annexation area on the effective date of annexation. These services include the administration of the EPA's Industrial Pretreatment Program, administration of the National Pollutant Discharge Elimination System Program (i.e., Storm Water Program), provide assistance to the Treatment of Water and Wastewater Divisions of the Water Utilities Department, and administer On-Site Sewage Facilities Permits as authorized agent for McLennan County (i.e. septic systems).

Maintenance of Parks & Recreational Facilities

The City of Waco will maintain any city park and/or recreation facility that is located within the annexation area on the effective date of annexation on the same basis and at the same level as similar facilities are maintained throughout the City.

Maintenance of Publicly-Owned Facility, Building or Municipal Service

The City Council is not aware of the existence of any publicly-owned municipal facility, building or other municipal service now located in the annexation area. In the event any such publicly-owned municipal facility, building or municipal service does exist and are public facilities, the City will maintain such areas to the same extent and degree that it maintains publicly-owned facilities, buildings or municipal services of the City now incorporated in the City.

Provision for Other City Services

Other City services that may be provided by the city such as planning, inspection, code enforcement, animal control, library, parks and recreation, municipal court, and general administration will be made available on the effective date of the annexation on the same basis and at the same level as provided throughout the city.

Election Voting Services

The annexation area is located within McLennan County, Precinct 55, with all portions located within the Midway Independent School District. McLennan County Voting Precinct 55 has approximately 1,152 registered voters, with 0 voters in the part that is being annexed. The City of Waco precincts adjoining this proposed annexation site are Precinct 62 and Precinct 51, and lie within Waco City Council District III. When this area is annexed, any residents of the annexation area who are qualified voters would vote at any of the City of Waco Vote Centers, subject to any change by the City Council in Vote Centers or polling places. The annexation area will be evaluated during the re-districting process in order to accommodate voters and provide the same level of service as throughout the city.

Uniform Level of Services

The listed elements of this plan shall not require the city to provide a uniform level of full municipal services to each area of the city, including the annexed area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

Specific Findings

The City Council finds and determines that this Service Plan will provide full municipal services to the annexation area adequate to serve the annexation area and commensurate with the levels of services provided in other parts of the City with the same or similar topography, land use and population density, and it will not provide a lower level of service in the annexation area than were in existence at the time immediately preceding the effective date of annexation.