

ORDINANCE NO. 2006-1

STATE OF TEXAS
COUNTY OF GUADALUPE

**AN ORDINANCE DISCONTINUING AN AREA AS BEING WITHIN
THE CITY LIMITS OF THE CITY OF SANTA CLARA, TEXAS AND
ADJUSTING THE BOUNDARIES OF THE EXTRATERRITORIAL
JURISDICTION OF THE CITY OF SANTA CLARA, TEXAS**

WHEREAS, by Resolution 2005-2 adopted on July 25, 2005, the City Council of the City of Santa Clara evidenced its agreement to settle a dispute with the City of Cibolo in relation to the boundaries of the city limits of the City of Santa Clara, the extraterritorial jurisdiction of the City of Santa Clara, and the extraterritorial jurisdiction of the City of Cibolo; and

WHEREAS, the forms of a Settlement and Release Agreement (the "Agreement") settling said dispute and of an Agreed Final Judgment (the "Judgment") disposing of litigation pending in the 25th Judicial District Court of Guadalupe County, Texas, under Cause No. 04-1715-CV in relation to said dispute have previously been presented to, reviewed by, and approved by the City Council of the City of Santa Clara; and

WHEREAS, under the terms of the Agreement and the Judgment, the City of Santa Clara is to discontinue an area as being within the city limits of the City of Santa Clara and to adjust the boundaries of the extraterritorial jurisdiction of the City of Santa Clara; and

WHEREAS, under the terms of the Agreement and the Judgment, the City of Cibolo is to adjust the boundaries of its extraterritorial jurisdiction; and

WHEREAS, the area to be discontinued from the City limits of the City of Santa Clara consists of at least 10 acres contiguous to the City of Santa Clara; and

WHEREAS, the area to be discontinued is uninhabited; and

WHEREAS, the area to be discontinued is described by metes and bounds on Exhibit "A" attached to this Ordinance; and

WHEREAS, the City of Santa Clara has received pre-clearance from the United States Department of Justice, Voting Rights Section, for the discontinuance from the city limits of the City of Santa Clara of the area described on Exhibit "A" attached to this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA THAT:

1. Discontinuance of Area From City Limits. The City of Santa Clara does hereby discontinue the area consisting of 47.679 acres and being more particularly described on Exhibit "A" attached to this Ordinance from being within the city limits of the City of Santa Clara.

2. Extraterritorial Jurisdiction Boundaries. The City of Santa Clara does hereby adjust the boundaries of its extraterritorial jurisdiction and hereby adopts the field notes legal description attached as Exhibit "B" to this Ordinance as the dividing line between the extraterritorial jurisdiction of the City of Cibola and the extraterritorial jurisdiction of the City of Santa Clara. By passage of this Ordinance, the governing body of the City of Santa Clara hereby gives its written consent by ordinance to such adjustment in the boundaries of the extraterritorial jurisdiction of the City of Santa Clara.

3. Execution of Documents or Notices. Mayor David Mueller is authorized to execute any documents, orders, or notices necessary or appropriate to implement the discontinuation of the area described on Exhibit "A" attached to this Ordinance from being within the city limits of the City of Santa Clara and to implement the changes in the extraterritorial jurisdiction of the City of Santa Clara. City Secretary Joyce Damerou is authorized to certify a copy of this Ordinance or any other document, order, or notice related to this Ordinance.


This Ordinance shall be effective upon passage and adoption.

PASSED AND ADOPTED this 13th day of February, 2006.



David Mueller, Mayor

ATTEST:



Joyce Damerou, City Secretary

EXHIBIT "A"

City of Santa Clara Field Notes for 47.679 Acre Tract

Beginning at a point on the southwest line of the common line of the City of Cibolo ETJ said point being 1,942.26 feet from the City of Cibolo-Santa Clara ETJ line; Said point being the Point of Beginning for this tract of land;

Thence continuing S 84 degrees 25' 07" W 432.49 feet to a point;

Thence S 84 degrees 12' 16" W 3,756.43 feet to a point;

Thence S 83 degrees 48' 47" W 619.37 to a point and a turn to the right;

Thence S 04 degrees 34' 17" E 603.74 feet to a point and a turn to the right;

Thence N 84 degrees 18' 33" E 2,702.66 feet to a point, and a turn to the right;

Thence N 30 degrees 07' 44" W 175.72 to a point and a turn to the left;

Thence N 84 degrees 21' 12" W 813.42 feet to a point and a turn to the right;

Thence N 31 degrees 17' 34" W 480.64 feet to a point that point being the Point of Beginning for this tract of land and containing in all approximately 47.679 acres of land.

EXHIBIT "B"

Beginning at a point on the southwest line of the common line of the City of Cibolo E T J said point being 1,300.68 feet from the City of Cibolo – Santa Clara ETJ line;

Thence continuing S 78 degrees 42' 32" W 2,224.85 feet to a point of tangent of a curve to the right having a central angle of 6 degrees 21' 54", and a length of 1,258.73 feet to a point of tangency;

Thence S 84 degrees 42' 10" W 424.77 feet to a point;

Thence S 85 degrees 44' 39" W 67.16 feet;

Thence S 84 degrees 25' 07" W 1,942.28 feet to a point;

Thence N 31 degrees 17' 34" W 480.64 feet;

Thence S 84 degrees 21' 12" W 813.42 feet;

Thence N 30 degrees 07' 44" W 175.72 feet;

Thence N 30 degrees 07' 44" W 3,146.56 feet;

Thence continuing along a curve to the right with a central angle of 63 degrees 20' 32", a length of 2,925.13 feet to the point of tangency thereof;

Thence N 30 degrees 08' 46" W a distance of 1,887.05 feet;

Thence N 60 degrees 08' 54" E 1,624.01 feet;

Thence N 29 degrees 00' 53" W 2,071.09 feet;

Thence S 59 degrees 44' 36" W 1,323.75 feet;

Thence N 31 degrees 42' 15" W 1,398.31 feet;

Thence N 61 degrees 25' 37" E 237.80 feet;

Thence N 30 degrees 49' 17" W 900.47 feet;

Thence S 59 degrees 10' 43" W 117.50 feet;

Thence N 30 degrees 49' 17" W 1,750.47 feet;

Thence continuing N 58 degrees 57' 41" E 1,367.01 feet;

Thence N 30 degrees 19' 54" W 816.81 feet;

Thence N 57 degrees 58' 00" E 105.88 feet;

Thence N 31 degrees 11' 13" W 231.31 feet;

Thence S 81 degrees 42' 06" W 88.20 feet;

Thence N 27 degrees 48' 46" W 76.32 feet to a point on a curve to the right having a central angle of 17 degrees 35' 45" and a length of 853.54 feet ;

Thence N 59 degrees 08' 07" E 1,459.99 feet to a point being the boundary of City of Santa Clara ETJ line and boundary of the City of Cibolo ETJ line.