



CITY OF MORGAN'S POINT RESORT, TEXAS

CITY COUNCIL SPECIAL MEETING

JANUARY 26, 2016

6:00 P.M.



CITY OF MORGAN'S POINT RESORT

CITY COUNCIL MEETING
City Council Chambers/ Library
Morgan's Point Resort City Hall
8 Morgan's Point Blvd.

AGENDA

January 26, 2016, 6:00 P.M.

CALL TO ORDER

Pgs.

APPROVAL OF MINUTES

1. None scheduled.

PUBLIC HEARING

2. None scheduled.

RESOLUTIONS AND ACTION ITEMS

3. None scheduled.

ORDINANCES

4. Ordinance 2016-04, Annexation Petition: JT Carothers Holding, LLC. A tract of land containing 54.050 acres of land in the H. Kattenborn, Survey, Abstract 505, Bell County, Texas. This tract is also known as the Rancho Del Lago subdivision.

BOARD, COMMITTEE, OR OTHER REPORTS

5. None scheduled.

STAFF REPORTS

6. None scheduled.

EXECUTIVE SESSION

7. None Scheduled.

The City Council reserves the right to discuss the above item in Executive Closed Session if it meets the qualifications in Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.087, of Chapter 551 of the Government Code of the State of Texas.

ANNOUNCEMENTS AND CITIZEN COMMENTS

ADJOURN

I certify that a copy of the January 26, 2016, agenda of items to be considered by the Morgan's Point Resort City Council was posted and could be seen on the City Hall Bulletin board on the 21st day of January 2016, at 5:00 p.m. and remained posted continuously for at least 72 hours proceeding the scheduled time of the meeting. I further certify that the following News Media were properly notified of the above stated meeting: Belton Journal.

Althea Wall, City Secretary

The meeting facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254.742.3206 for further information.

AGENDA

January 26, 2016, 6:00 P.M.

CALL TO ORDER, INVOCATION, AND PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. None scheduled.

PUBLIC HEARING

2. None scheduled.

A Public Hearing is not a forum for discussion between elected officials and the persons addressing the Council. It is intended only to allow the citizen(s) the opportunity to express their feelings and make those opinions part of the official record. At this time it would be appropriate to open the Public Hearing to allow interested parties the opportunity to voice their opinions of the project.

NO action is required on this Agenda item.

RESOLUTIONS AND ACTION ITEMS

3. None scheduled.

ORDINANCES

4. Ordinance 2016-04, Annexation Petition: JT Carothers Holding, LLC. A tract of land containing 54.050 acres of land in the H. Kattenborn, Survey, Abstract 505, Bell County, Texas. This tract is also known as the Rancho Del Lago subdivision.

Mr. Carothers has presented a voluntary annexation petition to the City. The City Council has held the requisite Public Hearings and all required notifications have been published. A **MOTION** is in order if the Council wishes to annex the 54.050 acre tract into the City limits.

BOARD, COMMITTEE, OR CONSULTANT REPORTS/PRESENTATIONS

5. None scheduled.

STAFF REPORTS

6. None scheduled.

EXECUTIVE SESSION

7. None Scheduled.

ANNOUNCEMENTS AND CITIZEN COMMENTS

The announcement portion of the meeting allows staff, mayor, or Council to announce general items of interest to the all in attendance. The public comments section of the meeting is for citizens to address the Mayor and Council (as a whole). Because these are comments from the public and not a specific Agenda item, Council can direct the City Manager to take an appropriate action or request that the item be included on the next available Agenda.

ADJOURN

A **MOTION** is necessary to adjourn the meeting.

ORDINANCE NO. 2016-04

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF MORGAN'S POINT RESORT, BELL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY AND ADOPTING A SERVICE PLAN FOR THE AREA ANNEXED.

WHEREAS, a petition for annexation has been duly signed and acknowledged by each and every person or corporation having an interest in the following described territory, to-wit:

54.050 acres, situated in the H. Kattenhorn Survey, Abstract 505, Bell County, Texas, being a portion of a called 62.158 acre tract conveyed to JT Carothers Holdings, LLC in Document No. 2013-00053705, Official Public Records of Real Property of Bell County, Texas, and being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof for all purposes,

and

WHEREAS, said tract of land is contiguous and adjacent to the City of Morgan's Point Resort, Texas, and is not more than one-half (1/2) mile in width, and

WHEREAS, said petition was filed with the City Secretary on October 28, 2015, and presented to the City Council on November 10, 2015, and

WHEREAS, after hearing such petition and the arguments for and against the same the City Council has voted to grant such petition and to annex said territory to the City of Morgan's Point Resort, Texas;

NOW THEREFORE, be it ordained by the City Council of the City of Morgan's Point Resort, Texas:

1. That the following described property, to-wit:

54.050 acres, situated in the H. Kattenhorn Survey, Abstract 505, Bell County, Texas, being a portion of a called 62.158 acre tract conveyed to JT Carothers Holdings, LLC in Document No. 2013-00053705, Official Public Records of Real Property of Bell County, Texas, and being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof for all purposes,

be and the same is hereby annexed to the City of Morgan's Point Resort, Bell County, Texas, the city limits are hereby extended to include the above described territory within the city limits of the City of Morgan's Point Resort, Texas and the same shall hereafter be included within the territorial limits of said city, and said land and the future inhabitants thereof shall hereafter be entitled to all rights and privileges of the other citizens of the City of Morgan's Point Resort, Texas and shall be bound by the acts and ordinances of said city.

2. The City Secretary is hereby directed to file with the County Clerk of Bell County, Texas, a certified copy of this ordinance.

3. The Service Plan attached hereto as Exhibit "B" is hereby adopted for the above described tract.

PASSED by an affirmative vote of all members of the City Council, this 26th day of January, 2016.

APPROVED:

/s/ Ken Steger, Mayor

ATTEST:

/s/ Althea Wall, City Secretary

FIELD NOTES PREPARED BY ALL COUNTY SURVEYING, INC.

September 22, 2015

Surveyor's Field Notes for **RANCHO DEL LAGO**:

54.050 ACRES, situated in the **H. KATTENHORN SURVEY, ABSTRACT 505**, Bell County, Texas, being a portion of a called 62.158 Acre tract conveyed to **JT CAROTHERS HOLDINGS, LLC** in Document No. 2013-00053705, Official Public Records of Real Property, Bell County, Texas, and being more particularly described as follows:

BEGINNING at a 2" steel fence post found in the south right of way of F. M. 2483 and in the east right of way of Morgan's Point Road, being the northwest corner of said 62.158 acre tract, for the northwest corner of this tract;

THENCE with the north line of said 62.158 acre tract, same being the south right of way of F. M. 2483, the following three (3) courses and distances:

- 1) **N. 58° 51' 42" E., 468.09 feet** (*Deed N. 57° 00' 26" E., 467.91 feet*), to a ½" iron rod found at the beginning of a curve to the right, for a corner of this tract;
- 2) **1072.55 feet**, with said curve to the right (*Deed 1073.08 feet*), having a *radius of 1354.10 feet*, a *delta angle of 45° 22' 58"* and a *chord which bears N. 82° 08' 01" E., 1044.74 feet*, to a ½" iron rod found at the end of said Curve to the right, for a corner of this tract;
- 3) **S. 75° 52' 39" E., 1471.95 feet** (*Deed S. 77° 46' 04" E.*), to a 5/8" iron rod with "ACS" cap set, for the northeast corner of this tract;

THENCE over and across said 62.158 acre tract the following five (5) courses and distances:

- 1) **S. 05° 18' 21" W., 465.99 feet**, to a 5/8" iron rod with "ACS" cap set, for an angle corner of this tract;
- 2) **N. 75° 56' 11" W., 230.24 feet**, to a 5/8" iron rod with "ACS" cap set, for an angle corner of this tract;
- 3) **S. 09° 55' 27" W., 50.13 feet**, to a 5/8" iron rod with "ACS" cap set, for an angle corner of this tract;
- 4) **S. 75° 56' 11" E., 234.33 feet**, to a 5/8" iron rod with "ACS" cap set, for an angle corner of this tract;
- 5) **S. 05° 18' 12" W., 457.66 feet**, to a 5/8" iron rod with "ACS" cap set on the south line of said 62.158 acre tract, for the most easterly, southeast corner of this tract;

THENCE with the south line of said 62.158 acre tract (*Deed N. 74° 30' 20" W.*), the following two (2) courses and distances:

- 1) **N. 72° 25' 43" W., 1031.07 feet**, to a 1 ½" metal pipe found, for a corner of this tract;
- 2) **N. 72° 57' 49" W., 1093.42 feet**, to a ½" iron rod found, being an angle corner of said 62.158 acre tract, for an angle corner of this tract;

THENCE with an easterly line of said 62.158 acre tract, the following three (3) courses and distances:

THENCE with a northwest line of said 62.158 acre tract, same being the northeast right of way of Morgan's Point Road, the following five (5) courses and distances:

- 1) N. 28° 21' 41" W., 87.18 feet (*Deed N. 30° 11' 13" W., 87.19 feet*), to a 60d nail found, for a corner of this tract;
- 2) N. 36° 41' 52" W., 233.90 feet (*Deed N. 38° 28' 33" W., 233.74 feet*), to a 5/8" inch iron rod found, for a corner of this tract;
- 3) N. 38° 22' 53" W., 300.84 feet (*Deed N. 40° 13' 58" W., 300.94 feet*), to a 2" metal fence post found, for a corner of this tract;
- 4) N. 36° 38' 26" W., 70.81 feet (*Deed N. 38° 29' 53" W., 70.90 feet*), to a 1/2" iron rod found, for a corner of this tract;
- 5) N. 11° 58' 28" W., 124.98 feet (*Deed N. 13° 48' 10" W., 124.87 feet*), to the **POINT OF BEGINNING** and containing 54.050 Acres of Land.

This project is referenced to the City of Temple Coordinate System, an extension of the Texas Coordinate System of 1983, Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 195. The theta angle at City Monument No. 195 is 01° 29' 35". The combined correction factor (CCF) is 0.999851. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. 195 to the northwest corner of this 54.050 acre tract is N 88° 22' 58" W, 7970.71 feet. Published City coordinates for project reference point 195 are N. = 10,392,013.38 E. = 3,203,350.90

This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

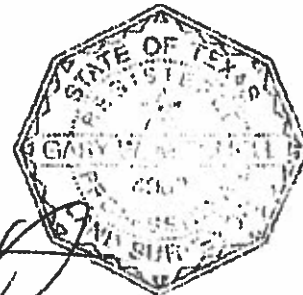
Surveyed August 12, 2014

ALL COUNTY SURVEYING, INC.

1-800-749-PLAT

Tx. Firm Lic. No. 10023600

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Gary W. Mitchell
 Gary W. Mitchell
 Registered Professional Land Surveyor
 Registration No. 4982

THENCE with a northwest line of said 62.158 acre tract, same being the northeast right of way of Morgan's Point Road, the following five (5) courses and distances:

- 1) **N. 28° 21' 41" W., 87.18 feet** (*Deed N. 30° 11' 13" W., 87.19 feet*), to a 60d nail found, for a corner of this tract;
- 2) **N. 36° 41' 52" W., 233.90 feet** (*Deed N. 38° 28' 33" W., 233.74 feet*), to a 5/8" inch iron rod found, for a corner of this tract;
- 3) **N. 38° 22' 53" W., 300.84 feet** (*Deed N. 40° 13' 58" W., 300.94 feet*), to a 2" metal fence post found, for a corner of this tract;
- 4) **N. 36° 38' 26" W., 70.81 feet** (*Deed N. 38° 29' 53" W., 70.90 feet*), to a 1/2" iron rod found, for a corner of this tract;
- 5) **N. 11° 58' 28" W., 124.98 feet** (*Deed N. 13° 48' 10" W., 124.87 feet*), to the **POINT OF BEGINNING** and containing 54.050 Acres of Land.

This project is referenced to the City of Temple Coordinate System, an extension of the Texas Coordinate System of 1983, Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 195. The theta angle at City Monument No. 195 is 01° 29' 35". The combined correction factor (CCF) is 0.999851. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. 195 to the northwest corner of this 54.050 acre tract is N 88° 22' 58" W, 7970.71 feet. Published City coordinates for project reference point 195 are N. = 10,392,013.38 E. = 3,203,350.90

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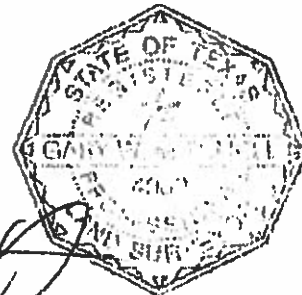
Surveyed August 12, 2014

ALL COUNTY SURVEYING, INC.

1-800-749-PLAT

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[Handwritten Signature]

Gary W. Mitchell
Registered Professional Land Surveyor
Registration No. 4982

EXHIBIT B

Schedule of Municipal Services

a) Police Protection

- 1) Existing services: provided by Bell County, Texas.
- 2) Services to be provided: Police protection personnel and equipment from the city police department shall be provided to residents of the annexed area, beginning on the effective date of the annexation ordinance. Police enforcement and protection services shall be provided through regular patrol activities.

b) Fire Protection

- 1) Existing services: provided by Bell County, Texas through inter-local agreement.
- (2) Services to be provided: Fire protection personnel and equipment from the city fire department shall be provided to the annexed area upon request, beginning on the effective date of the annexation ordinance.

c) Solid Waste Collection

- 1) Existing services: None.
- (2) Services to be provided. Solid waste collection services shall be provided to the annexed area in accordance with existing city ordinances, resolutions, and regulations, beginning on the effective date of the annexation ordinance.

d) Water Service

- 1) Existing services: None.
- 2) Services to be provided:
 - A) Water service shall be provided to the remainder of the annexed area in accordance with existing city ordinances, resolutions, and regulations, beginning on the effective date of the annexation ordinance.
 - B) Extensions of water mains to serve individual owners in the remainder of the annexed area will be commenced in accordance

with existing city ordinances, resolutions, and regulations, beginning on the effective date of the annexation ordinance.

- C) As development and construction of subdivisions commence within the annexed area, water mains will be extended with city participation in the costs of these extensions as established in accordance with existing city ordinances, resolutions, and regulations, beginning on the effective date of the annexation ordinance.

e) Sanitary Sewer Service

- 1) Existing services: None
- 2) Services to be provided: None

f) Maintenance of Roads and Streets

- 1) Existing services: provided by Bell County, Texas.
- 2) Services to be provided:
 - A) Street maintenance and other street services shall be provided to the annexed area in accordance with existing city ordinances, resolutions, and regulations, beginning on the effective date of the annexation ordinance.
 - B) As streets are constructed by the developer in undeveloped portions of the annexed area, the applicable ordinances, resolutions, and regulations of the city with regard to participation in the cost of construction, acceptance upon completion, maintenance, and other street services after completion shall apply.

g) Parks and Recreation

- 1) Existing services: None.
- 2) Services to be provided: All of the city parks and recreational facilities shall be available for use by residents of the annexed area, beginning on the effective date of the annexation ordinance.

h) Library Service

- 1) Existing services: City library facilities are presently available.

2) Services to be provided: All of the city library facilities shall be available for use by residents of the annexed area, at no cost beginning on the effective date of the annexation ordinance.

i) Street Lighting

1) Existing services: None.

2) Services to be provided: The city shall provide to the annexed area the same type services for placement of street lights that are currently provided to any other area of the city.

j) Traffic Engineering

1) Existing services: None.

2) Services to be provided: Necessary traffic studies shall be performed to determine the need for installation of street identification signs and proper traffic control devices within the annexed area in accordance with existing city ordinances, resolutions, and regulations, beginning on the effective date of the annexation ordinance.

k) Planning and Zoning

1) Existing services: None.

2) Services to be provided: The planning and zoning jurisdictions, including the subdivision platting process of the city will extend to the annexed areas on the effective date of the annexation ordinance. All annexed territory will be temporarily classified as an agricultural district until zoning district designations are given to the area by the city council.

l) Storm Drainage (Including Flood Plain Regulations)

1) Existing services: None.

2) Services to be provided:

A) Studies have been conducted and the 100-year storm water drainage facilities will be constructed for the annexed area by the developer.

B) Studies will be conducted to ascertain the limits of the 100-year storm water drainage facilities for the purpose of recommending the flood plain prefix be applied to appropriate areas within the annexed areas.