

# CITY OF SCHERTZ, TEXAS

## ANNEXATION SERVICE PLAN

### **AREA ANNEXED**

An approximately 142-acre tract of land, located in the Vincente Micheli Survey Number 114, Abstract Number 383, Comal County, Texas and being a portion of that certain 142.096 acres of land conveyed to Schertz 312, LLC, as described in Document Number 201806024987, Official Public Records of Comal County, Texas; generally located 3,500 feet southwest of the intersection of Doerr Lane and Bell North Drive, Comal County, Texas; Property ID: 77739

See Exhibit A, "*Metes and Bounds Description*", attached hereto for a complete description of the property.

### **INTRODUCTION**

This service plan has been prepared in accordance with Local Government Code Section 43.056. 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 schedule:

### **POLICE PROTECTION**

Patrolling, responses to calls, and other police services will be provided on the effective date of the annexation at the same level as provided throughout the city.

### **FIRE PROTECTION AND FIRE PREVENTION**

Fire protection and fire prevention services will be provided on the effective date of the annexation at the same level as provided throughout the city.

### **EMERGENCY MEDICAL SERVICES**

Emergency medical services will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the city.

### **SOLID WASTE COLLECTION AND DISPOSAL**

Solid waste collection and disposal services will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the city. However, no obligation exists for the city to provide solid waste collection services to a person who continues to use the services of a privately owned solid waste management service provider.

**OPERATION AND MAINTENANCE OF WATER AND WASTEWATER FACILITIES THAT ARE NOT WITHIN THE SERVICE AREA OF ANOTHER WATER OR WASTEWATER UTILITY**

Operation and maintenance of water and wastewater facilities that are not within the service area of another water or wastewater utility will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the city.

Development within the annexed property will pay a fee equal to the sewer capital recovery fee that would be assessed and collected per CHAPTER 90, Article V WATER AND WASTEWATER CAPITAL RECOVER FEES and as amended, as if the property was in the established service area City of Schertz.

**OPERATION AND MAINTENANCE OF ROADS AND STREETS**

Operation and maintenance of roads and streets will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the city.

**STREET LIGHTING**

Street lighting will be made available on the effective date of the annexation on the same basis and at the same level in comparable areas as provided throughout the city.

**OPERATION AND MAINTENANCE OF PUBLIC PARKS AND OTHER PUBLICLY OWNED FACILITIES**

If any public park, playground, swimming pool, or any other publicly owned facility, building or service is located within the annexed area, it will be maintained on the effective date of the annexation on the same basis and at the same level as similar facilities are maintained throughout the city.

**OTHER SERVICES**

Other services that may be provided by the city such as planning, code enforcement, animal control, library, park and recreation, 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.

**CAPITAL IMPROVEMENTS**

The city will make available to the annexed area any necessary water, sewer, street, and drainage facilities within two and one-half (2-1/2) years of the effective date of the annexation unless the construction of the necessary facilities is interrupted by circumstances beyond the control of the city, or unless this period is extended by an arbitration decision. No impact fees will be charged to any developer or landowner within the annexed area except in conformity with Local Government Code Ch. 395. 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.

**UNIFORM LEVEL OF SERVICES MAY NOT BE REQUIRED**

Nothing in this plan shall 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.

**TERM**

This service plan shall be valid for a term of ten (10) years.

**AMENDMENTS**

The plan shall not be amended unless public hearings are held in accordance with Local Government Code Section 43.0561.

**AGREEMENT**

I desire to enter into this written agreement for municipal services with the City of Schertz pursuant to Section 43.0672 of the Local Government Code. I certify that I was offered a development agreement pursuant to Section 43.016 of the Local Government Code and still requested annexation. I certify that this petition is signed and duly acknowledged by each and every person, corporation, or entity having an ownership interest in said Property.

**OWNER(S): (add additional signature lines for each owner)**

Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

**NOTARY ACKNOWLEDGEMENT**

**STATE OF TEXAS           §**  
  **§**  
**COUNTY OF \_\_\_\_\_ §**

**BEFORE ME**, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed on behalf of the Owner.

Given under my hand and seal of office this \_\_\_\_ day of \_\_\_\_\_, 2021.

(SEAL)

\_\_\_\_\_  
NOTARY PUBLIC in and for the  
STATE OF TEXAS

\_\_\_\_\_  
Printed Name  
My commission expires: \_\_\_\_\_

**ATTEST:**

**SIGNED:**

---

---

City Secretary

City Manager

**Exhibit A**

**Metes and Bounds Description**

**APPROXIMATELY 142 ACRES**



**LEGAL DESCRIPTION  
141.494 ACRES OF LAND**

141.494 acres of land located in the Vicente Micheli Survey Number 114, Abstract Number 383, Comal County, Texas and being a portion of that certain 142.096 acres of land conveyed to Schertz 312, LLC, as described in Document Number 201806024987, Official Public Records of Comal County, Texas; said 141.494 acres being more particularly described as follows:

**BEGINNING**, at a found ½ inch iron rod located in the northwesterly right of way line of the Union Pacific Railroad and marking the most easterly corner of the said 142.096 acres;

**THENCE**, South 61deg 54' 35" West, along the northwesterly right of way line of the Union Pacific Railroad, a distance of 2,601.87 feet, to a found ½ inch iron rod with "CUDE" cap marking the most southerly corner of the said 142.096 acres;

**THENCE**, North 30deg 20' 49" West, leaving the northwesterly right of way line of the Union Pacific Railroad and along the southwesterly line of the said 142.096 acres, a distance of 1843.02 feet, to a found ½ inch iron rod with "CUDE" cap marking the most westerly corner of the said 142.096 acres;

**THENCE**, North 59deg 35' 59" East, along a northwesterly line of the said 142.096 acres, a distance of 1,074.50 feet, to a found ½ inch iron rod with "CUDE" cap marking an interior corner of the said 142.096 acres;

**THENCE**, North 29deg 38' 06" West, along the southwesterly line of the said 142.096 acres, a distance of 817.74 feet, to a found ½ inch iron rod with "CUDE" cap located in the southeasterly right of way line of the Missouri Pacific Railroad and marking the most northerly westerly corner of the said 142.096 acres;

**THENCE**, North 60deg 06' 45" East, along the southeasterly right of way line of the said Missouri Pacific Railroad, a distance of 1,514.91 feet, to a point located in the current city limit line of the City of Schertz, Texas;

**THENCE**, along the northeasterly line of the said 142.096 acres, same being the current city limit line of the City of Schertz, Texas, the following courses:

South 30deg 28' 21" East, a distance of 1,132.16 feet, to a found ½ inch iron rod;

South 30deg 16' 16" East, a distance of 1,619.85 feet, to the **POINT OF BEGINNING** and containing 141.494 acres of land, more or less.

Basis of bearings is the Texas State Plane Coordinate System, South Central Zone (4204), NAD 83 (93).

This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

*James W. Russell* 7/23/20

James W. Russell  
Registered Professional Land Surveyor No. 4230  
Cude Engineers  
4122 Pond Hill Road, Suite 101  
San Antonio, Texas 78231  
TBPELS Firm No. 10048500  
TBPE Firm No. 455  
Job No. 03227-007

