

# **SERVICE PLAN CITY OF BULVERDE, TEXAS**

## **SERVICE PLAN FOR THE ANNEXATION OF APPROXIMATELY 1.012 SQUARE MILES OF LAND GENERALLY LOCATED NORTH OF TEXAS HWY 46, WEST OF THE CURRENT CITY LIMITS LINE AND EAST OF SPRING BRANCH ROAD**

**October 2018**

This service plan shall be valid for ten (10) years from and after the effective date of the annexation ordinance annexing this specific land, all of which is lying within the City's Extraterritorial Jurisdiction (ETJ); legal description of said property described by metes and bounds attached as Exhibit A and all property incorporated herein by reference, is hereby added and annexed to the City of Bulverde, Texas and said territory as described shall hereafter be included within the boundary limits of said City, and the present boundary limits of said City, at the various points contiguous to the area described by metes and bounds in Exhibit "A". Renewal of the service plan shall be solely at the discretion of the City of Bulverde.

This service plan is a contractual obligation that is not subject to amendment or repeal except that if the City Council determines at public hearings required by Chapter 43 of the Texas Local Government Code, that changed conditions or subsequent occurrences make this service plan unworkable or obsolete, the City Council may amend the service plan to conform to the change conditions or subsequent occurrences. An amended service plan shall provide for services that are comparable to or better than those established in the service plan before amendment. Before any amendment is adopted, the City Council shall provide an opportunity for interested persons to be heard at public hearings called and held in the manner provided by Chapter 43 of the Texas Local Government Code.

Upon annexation of the area identified above and as more particularly identified in Exhibit A, the City of Bulverde will provide City services utilizing methods by which it extends services to any other equivalent area of the City.

### **SERVICES PROVIDED BY THE EFFECTIVE DATE OF ANNEXATION**

As used in this plan, the term "services provided" includes having services provided by any method or means by which the City may extend municipal services to any other area of the City with like topography, land use and population density as those found within the newly annexed areas, including the City's infrastructure extension policies and developer or property owner participation in accordance with applicable City ordinances.

#### **1. Police Protection**

The City of Bulverde will provide law enforcement services to newly annexed areas at the same or similar level of service currently being provided to other areas of the City with like topography, land use and population density as those found within the newly annexed areas.

#### **2. Fire Protection and Emergency Medical Services**

The City of Bulverde does not have a municipal fire department. Fire Protection services are currently provided within the City by the Comal County Emergency Services Districts #4 and #5. The Comal County Emergency Services Districts #4 and #5 will continue to provide fire protection to newly annexed areas at the same or similar level of service currently being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas.

The City of Bulverde does not have a municipal Emergency Medical Service (EMS). EMS services are currently provided within the City by the Comal County Emergency Services District #1. The Comal County Emergency Services District #1 will provide EMS services to newly annexed areas at the same or similar level of service currently being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas.

**3. Maintenance of Water and Wastewater Facilities**

All water and wastewater facilities owned or maintained by the City of Bulverde at the time of the proposed annexation shall continue to be maintained by the City of Bulverde. All water and wastewater facilities which may be acquired subsequent to the annexation of the proposed areas shall be maintained by the City of Bulverde to the extent of its ownership. The now existing water and wastewater mains at existing locations shall be available for the point of use extension based upon the City of Bulverde standard extension policy now existing or as may be amended. On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances.

**4. Solid Waste Collection**

Solid waste collection services are provided within the City of Bulverde by a solid waste management service provider who holds an exclusive franchise agreement with the City. Solid waste management services will be provided to citizens in the newly annexed areas at the same or similar level of service currently being provided to other areas of the City with like topography, land use and density as those found within the newly annexed areas. After the second anniversary of the annexation date, the City will prohibit the collection of solid waste in the area by any solid waste management service provider other than the solid waste management provider holding a franchise agreement with the City.

**5. Maintenance of Roads, Streets and Control Devices**

Any and all public roads, streets or alleyways shall be maintained to the same degree and extent that other public roads, streets, and alleyways are maintained in areas of the City with like topography, land use and density as those found within the newly annexed areas. Private roads will remain under the ownership of the private entities which own them and as such will be maintained by said entities. The City will assume the expenses for operation and maintenance of publicly owned streetlights at intersections, dead ends and other locations that conform to the City's policy for placing streetlights. Publicly owned streetlights, traffic control devices and street signs will be maintained by the City.

**6. Maintenance of Parks, Playgrounds, and Swimming Pools**

The City of Bulverde, Texas is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the private entities which own them and as such will be maintained by said entities.

**7. Maintenance of any Publicly Owned Facility, Building or Municipal Service**

The City of Bulverde, Texas is not aware of the existence of any publicly owned facility, building, or other municipal service now located in the proposed areas of annexation that the City would be required acquire due to annexation of such facility. In the event any such publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such

areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

#### **8. Other Services**

The City of Bulverde, Texas finds and determines that such services as planning, code enforcement, animal control, parks and recreation, municipal court and general administration will be made available after the effective date of annexation at the same or similar level of service currently being provided to other areas of the City with similar topography, land use and density as those found within the newly annexed areas.

### **CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BE COMPLETED WITHIN 2 ½ YEARS**

#### **1. Police and Fire Protection and Solid Waste Collection**

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Bulverde, Texas with like topography, land use and population density as those found within the newly annexed areas.

#### **2. Water and Wastewater Facilities**

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing Water and Wastewater services. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Bulverde, Texas with like topography, land use and population density as those found within the newly annexed areas.

#### **3. Roads and Streets**

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of roads and streets.

#### **4. Maintenance of Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service**

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of parks maintenance, playgrounds, swimming pools and other publicly owned facility, building or service.

### **SPECIFIC FINDINGS**

The City of Bulverde, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation that were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

**TERMS**

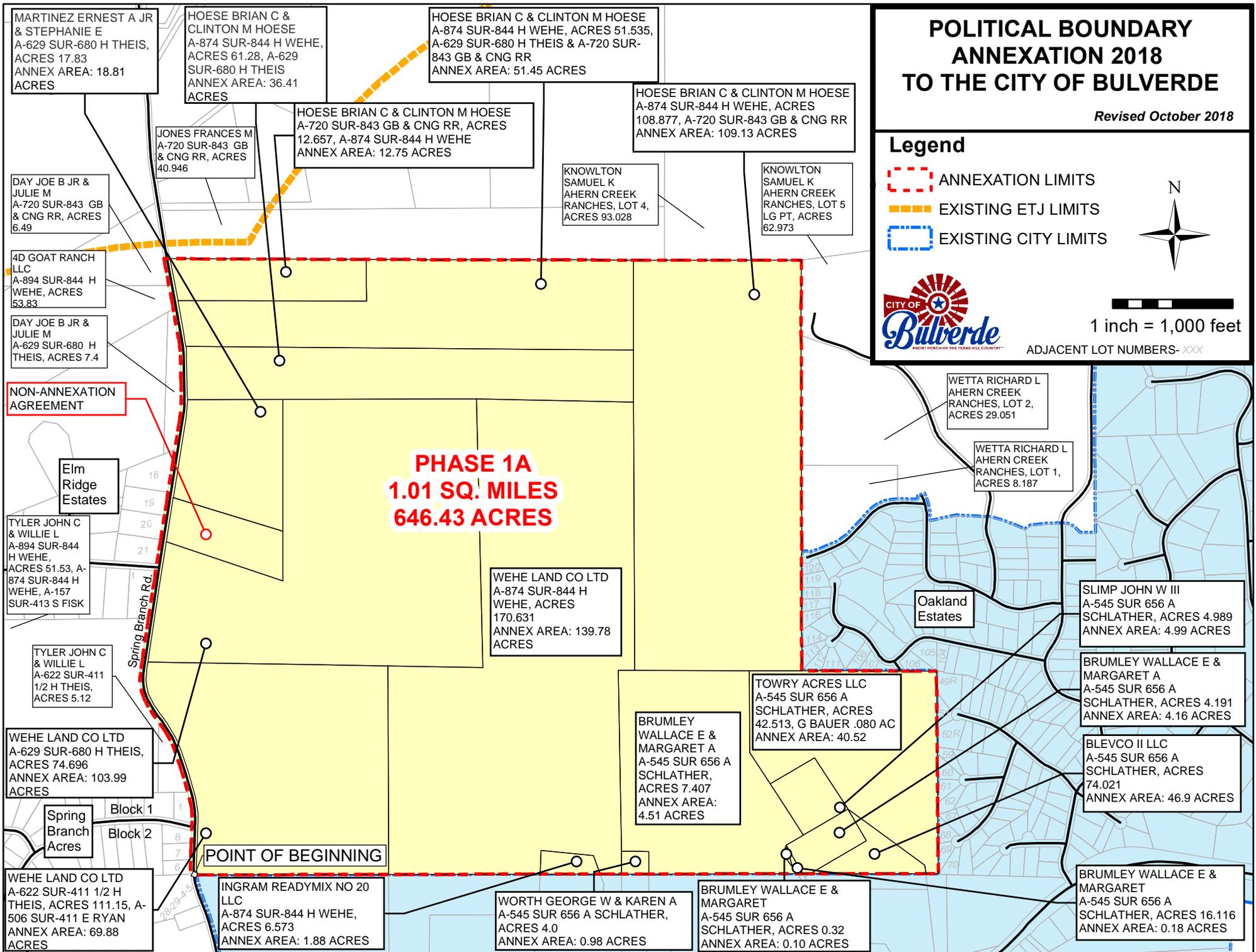
This plan shall be valid for a term of ten (10) years. Renewal of the Service Plan is at the sole discretion of the City of Bulverde.

**LEVEL OF SERVICE**

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 areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

**AMENDMENTS**

The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.



# POLITICAL BOUNDARY ANNEXATION 2018 TO THE CITY OF BULVERDE

Revised October 2018

## Legend

- ANNEXATION LIMITS
- EXISTING ETJ LIMITS
- EXISTING CITY LIMITS



1 inch = 1,000 feet

ADJACENT LOT NUMBERS- XXX

**PHASE 1A**  
**1.01 SQ. MILES**  
**646.43 ACRES**

MARTINEZ ERNEST A JR & STEPHANIE E  
A-629 SUR-680 H THEIS,  
ACRES 17.83  
ANNEX AREA: 18.81  
ACRES

HOESE BRIAN C &  
CLINTON M HOESE  
A-874 SUR-844 H WEHE,  
ACRES 61.28, A-629  
SUR-680 H THEIS  
ANNEX AREA: 36.41  
ACRES

HOESE BRIAN C & CLINTON M HOESE  
A-874 SUR-844 H WEHE, ACRES 51.535,  
A-629 SUR-680 H THEIS & A-720 SUR-  
843 GB & CNG RR  
ANNEX AREA: 51.45 ACRES

HOESE BRIAN C & CLINTON M HOESE  
A-874 SUR-844 H WEHE, ACRES  
108.877, A-720 SUR-843 GB & CNG RR  
ANNEX AREA: 109.13 ACRES

JONES FRANCES M  
A-720 SUR-843 GB  
& CNG RR, ACRES  
40.946

HOESE BRIAN C & CLINTON M HOESE  
A-720 SUR-843 GB & CNG RR, ACRES  
12.657, A-874 SUR-844 H WEHE  
ANNEX AREA: 12.75 ACRES

KNOWLTON  
SAMUEL K  
AHERN CREEK  
RANCHES, LOT 4,  
ACRES 93.028

KNOWLTON  
SAMUEL K  
AHERN CREEK  
RANCHES, LOT 5  
LG PT, ACRES  
62.973

DAY JOE B JR &  
JULIE M  
A-720 SUR-843 GB  
& CNG RR, ACRES  
6.49

4D GOAT RANCH  
LLC  
A-894 SUR-844 H  
WEHE, ACRES  
53.83

DAY JOE B JR &  
JULIE M  
A-629 SUR-680 H  
THEIS, ACRES 7.4

NON-ANNEXATION  
AGREEMENT

Elm  
Ridge  
Estates

TYLER JOHN C  
& WILLIE L  
A-894 SUR-844  
H WEHE,  
ACRES 51.53, A-  
874 SUR-844 H  
WEHE, A-157  
SUR-413 S FISK

TYLER JOHN C  
& WILLIE L  
A-622 SUR-411  
1/2 H THEIS,  
ACRES 5.12

WEHE LAND CO LTD  
A-629 SUR-680 H THEIS,  
ACRES 74.696  
ANNEX AREA: 103.99  
ACRES

Spring  
Branch  
Acres  
Block 1  
Block 2

WEHE LAND CO LTD  
A-622 SUR-411 1/2 H  
THEIS, ACRES 111.15, A-  
506 SUR-411 E RYAN  
ANNEX AREA: 69.88  
ACRES

POINT OF BEGINNING

INGRAM READYMIX NO 20  
LLC  
A-874 SUR-844 H WEHE,  
ACRES 6.573  
ANNEX AREA: 1.88 ACRES

WEHE LAND CO LTD  
A-874 SUR-844 H  
WEHE, ACRES  
170.631  
ANNEX AREA: 139.78  
ACRES

BRUMLEY  
WALLACE E &  
MARGARET A  
A-545 SUR 656 A  
SCHLATHER,  
ACRES 7.407  
ANNEX AREA:  
4.51 ACRES

TOWRY ACRES LLC  
A-545 SUR 656 A  
SCHLATHER, ACRES  
42.513, G BAUER .080 AC  
ANNEX AREA: 40.52

WORTH GEORGE W & KAREN A  
A-545 SUR 656 A SCHLATHER,  
ACRES 4.0  
ANNEX AREA: 0.98 ACRES

BRUMLEY WALLACE E &  
MARGARET  
A-545 SUR 656 A  
SCHLATHER, ACRES 0.32  
ANNEX AREA: 0.10 ACRES

WETTA RICHARD L  
AHERN CREEK  
RANCHES, LOT 2,  
ACRES 29.051

WETTA RICHARD L  
AHERN CREEK  
RANCHES, LOT 1,  
ACRES 8.187

Oakland  
Estates

SLIMP JOHN W III  
A-545 SUR 656 A  
SCHLATHER, ACRES 4.989  
ANNEX AREA: 4.99 ACRES

BRUMLEY WALLACE E &  
MARGARET A  
A-545 SUR 656 A  
SCHLATHER, ACRES 4.191  
ANNEX AREA: 4.16 ACRES

BLEVCO II LLC  
A-545 SUR 656 A  
SCHLATHER, ACRES  
74.021  
ANNEX AREA: 46.9 ACRES

BRUMLEY WALLACE E &  
MARGARET  
A-545 SUR 656 A  
SCHLATHER, ACRES 16.116  
ANNEX AREA: 0.18 ACRES

FIELD NOTES DESCRIPTION  
ANNEXATION 2018  
PHASE 1A  
OF APPROXIMATELY 1.01 SQUARE MILES  
FOR POLITICAL BOUNDARY PURPOSES

BEING AN APPROXIMATE 1.01 SQUARE MILE TRACT OF LAND SITUATED IN COMAL. SAID 1.01 SQUARE MILE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT SOUTHWESTERLY CORNER OF THAT CERTAIN CALLED 111.15 ACRE TRACT CONVEYED TO WEHE LAND CO LTD, BEING IN THE WESTERLY RIGHT OF WAY OF SPRING BRANCH ROAD, FOR THE SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTHERLY, ALONG THE WESTERLY RIGHT OF WAY OF SAID SPRING BRANCH ROAD, AN APPROXIMATE DISTANCE OF 5400 FEET TO THE COMMON CORNER OF THAT CERTAIN 12.657 ACRE TRACT OF LAND CONVEYED HOESE BRIAN C. & CLINTON M. HOESE AND THAT CERTAIN 40.946 ACRE TRACT CONVEYED TO JONES FRANCES M., FOR THE NORTHWESTERLY OF THE HEREIN DESCRIBED TRACT;

THENCE, EASTERLY, ALONG THE NORTHERLY LINE OF SAID 12.657 ACRE TRACT, THE NORTHERLY LINE OF THAT CERTAIN TRACT 51.535 ACRE TRACT CONVEYED TO HOESE BRIAN C. & CLINTON M. HOESE AND ALSO THAT CERTAIN TRACT 108.877 ACRE TRACT CONVEYED TO HOESE BRIAN C. & CLINTON M. HOESE, AN APPROXIMATE DISTANCE OF 5300 FEET, FOR THE NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTHERLY, ALONG THE EAST LINE OF SAID 108.877 ACRE TRACT AND AN APPROXIMATE DISTANCE OF 3400 FEET TO THE NORTHERLY LINE OF THAT CERTAIN TRACT 42.513 ACRE TRACT CONVEYED TO TOWRY ACRES LLC, FOR AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, EASTERLY, ALONG THE NORTH LINE OF SAID 42.513 ACRE, AN APPROXIMATE DISTANCE OF 1120 FEET, FOR AN EXTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTHERLY, ALONG THE EAST LINE OF SAID 42.513 ACRE TRACT, AN APPROXIMATE DISTANCE OF 1685 FEET, FOR THE SOUTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, WESTERLY, ACROSS 74.021 ACRE TRACT CONVEYED TO BLEVCO II LLC, ACROSS 16.116 ACRE TRACT CONVEYED TO BRUMLEY WALLACE E & MARGARET, ACROSS 4.0 ACRE TRACT CONVEYED TO WORTH GEORGE & KAREN A., ACROSS 6.573 ACRE TRACT CONVEYED TO INGRAM READYMIX No 20 LLC., AND ACROSS THAT CERTAIN 139.78 ACRE TRACT CONVEYED TO WEHE LAND CO. LTD., AN APPROXIMATE DISTANCE OF 6220 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF APPROXIMATELY 1.01 SQUARE MILES OF LAND, MORE OR LESS.

THIS DOCUMENT 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 INTERERST IN EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.