

ORDINANCE NO. 13,466

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, MAKING CERTAIN FINDINGS; PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF BAYTOWN, TEXAS, AND THE ANNEXATION OF APPROXIMATELY 28.04 ACRES, SAVE AND EXCEPT (I) 0.178 ACRES PREVIOUSLY ANNEXED BY ORDINANCE 12,684 AND (II) 11.262 ACRES PREVIOUSLY ANNEXED BY ORDINANCE 11,914, LOCATED ON THE EAST SIDE OF N. MAIN STREET ACROSS FROM THE TERMINATING POINT OF HUNT ROAD AT ITS INTERSECTION WITH N. MAIN STREET; ADJACENT TO THE PROPERTY AT 6730 N. MAIN STREET, AND LEGALLY DESCRIBED AS PART OF AND OUT OF LOTS 27, AND 28, BLOCK 19, HIGHLAND FARMS, HARRIS COUNTY, TEXAS, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS FOR THE CITY OF BAYTOWN, TEXAS.

WHEREAS, there being no request for an "on-site" hearing, two public hearings before the City Council of the City of Baytown, Texas, where all interested persons were provided with an opportunity to be heard on the proposed annexation of the property described in Section 2 of this ordinance, were held, during the City Council meetings on the 13th day of April, 2017, in the City Council Chamber of the City Hall of the City of Baytown, Texas, which dates are not more than forty (40) nor less than twenty (20) days prior to the institution of annexation proceedings; and

WHEREAS, notices of the first and second public hearings were published in a newspaper having general circulation in the City of Baytown, Texas, and in the below described territories on the 30th day of March, 2017, which date is not more than twenty (20) nor less than ten (10) days prior to the date of such public hearings; and

WHEREAS, notice of the first and second public hearings were posted on the City of Baytown's notice board and website on the 29th day of March, 2017, which date is not more than twenty (20) nor less than ten (10) days prior to the date of the public hearings; and

WHEREAS, each notice posted on the City of Baytown's notice board and website remained posted until the date of the hearing referenced in the notice; and

WHEREAS, the total corporate area of the City of Baytown, Texas, on the 1st day of January, 2017, was 53 square miles; and

WHEREAS, the population of the City of Baytown, Texas, is approximately 79,215 inhabitants; and

WHEREAS, the below-described property lies within the extraterritorial jurisdiction of the City of Baytown, Texas; NOW THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That all matters and facts set forth in the recitals hereinabove are found to be true and such recitals are hereby approved and made a part of this ordinance for all purposes and are adopted as a part of the judgment and findings by the City Council of the City of Baytown, Texas.

Section 2: That the following described land and territories lying adjacent to and adjoining the City of Baytown are hereby added and annexed to the City of Baytown, Texas, and shall hereinafter be included within the boundary limits of the City of Baytown, Texas, and present boundary limits of such City, at the various points contiguous to the areas hereinafter described, are altered and amended so as to include said areas within the corporate limits of the City of Baytown, Texas, to-wit:

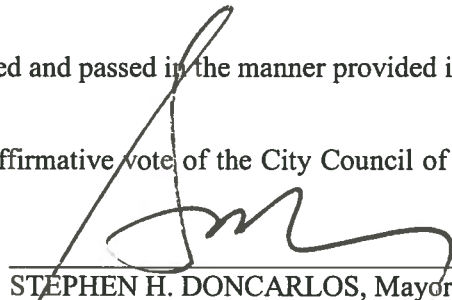
SEE EXHIBIT "A"

Section 3: The above described territories and the areas so annexed shall be a part of the City of Baytown, Texas, and the property so added hereby shall bear its pro rata of the taxes levied by the City of Baytown, Texas, and the inhabitants thereof shall be entitled to all of the rights and privileges of all the citizens of the City of Baytown and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Baytown, Texas.

Section 4: In accordance with Texas Local Government Code Annotated §43.056, as amended, the service plan prepared by the City for providing municipal services to the annexed areas is hereby approved and is attached hereto as Exhibit "B," and is incorporated herein by this reference for all intents and purposes.

Section 5: This ordinance shall be published and passed in the manner provided in Article 1, Section 9, of the Charter of the City of Baytown, Texas.


INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Baytown this the 11th day of May, 2017.


STEPHEN H. DONCARLOS, Mayor

ATTEST:

LETICIA BRYSCH, City Clerk



APPROVED AS TO FORM:

IGNACIO RAMIREZ, SR., City Attorney

INTRODUCED, READ and PASSED on the SECOND AND FINAL READING this the 8th day of June, 2017.

STEPHEN H. DONCARLOS, Mayor

ATTEST:

LETICIA BRYSCH, City Clerk

APPROVED AS TO FORM:

IGNACIO RAMIREZ, SR., City Attorney

"EXHIBIT A"

**28.04 (CALLED 28.0505) ACRES OF LAND
PART OF LOTS 27 AND 28, BLOCK 19
HIGHLAND FARMS SUBDIVISION,
HARRIS COUNTY, TEXAS**

BEING 28.04 (Called 28.0505) acres of land, part of Lots 27 and 28, Block 19, Highland Farms Subdivision, recorded in Volume 10, Page, 47, Map Records, Harris County, Texas; being mat same tract of and conveyed to Ladgie and Sidonia Acres, LLC, recorded in File No. 20150018034, Official Public Records of Real Property, Harris County, Texas; said 28.04 acre tract being more fully described by metes and bounds as follows, to wit

COMMENCING at a brass disc found on the West line of a 60' wide dedicated public right of way known as Crosby-Cedar Bayou Road, for the Northeast corner of a (Called 12.372) acre tract of land blown as Tract One, conveyed to Randal B. McDonald, recorded in File No. N517854, Official Public Records of Real Property, Harris County, Texas; said brass disc having State Plane Coordinate Values of N: 13862087.91, E: 3249058.68;

THENCE, South 12 deg., 28 min., 06 sec., East (Called South 12 deg., 28 min., 25 sec, East), on the West right of way line of said Crosby-Cedar Bayou Road, a distance of 577.52' (Called 577.54') to a 2" steel pipe found for the POINT OF BEGINNING and Northeast corner of the herein described tract; same being the Southeast corner of the (Called 12.372) acre tract and the Northeast corner of said Lot 27, Block 19; said 2" steel pipe having State Plane Coordinate Values of N: 13861524.01, E: 3249183.37;

THENCE, South 12 deg., 19 min., 29 sec., East (Called South 12 deg., 19 min., 26 sec., East), continuing on the West right of way line of said Crosby-Cedar Bayou Road, a distance of 1159.63' to a point for corner for the Northeast corner of a (Called 0.3748) acre tract of land conveyed to Diamond Shamrock Corporation, recorded in File No. F046418, Official Public Records of Real Property, Harris County, Texas and the Southeast corner of the herein described tract; from which an aluminum disc in concrete found, bears North 70 deg., 15 min., 45 sec., West (Called North 69 deg., 40 min., 53 sec., West), a distance of 0.98' (Called 1.05'); also from said point for corner a 5/8" steel rod, capped and marked "BHA", found on the intersection of the West right of way line of said Crosby-Cedar Bayou Road and the apparent North line of a 60' wide unimproved roadway, known as Hunt Road, bears South 12 deg., 19 min., 29 sec., East (Called South 12 deg., 19 min., 26 sec., East), a distance of 71.00' (Called 71.11');

THENCE, South 59 deg., 59 min., 12 sec., West, on the North line of the (Called 0.3748) acre tract, a distance of 338.74' (Called 338.98') to a point for corner on the center line of said Hunt Road for the most Westerly corner of the (Called 0.3748) acre tract and an angle point in the South line of the herein described tract; from which an aluminum disc in concrete found, bears North 39 deg., 51 min., 21 sec., West (Called South 13 deg., 36 min., 09 sec., East), a distance of 0.39' (Called 0.40');

THENCE, South 77 deg., 20 min., 26 sec., West, on the center line of said Hunt Road, a distance of 861.86' to a 5/8" steel rod found on the East line of a 100' wide dedicated public right of way, known as Norm Main Street, for the Southwest corner of the herein described tract;

THENCE, North 02 deg., 03 min., 42 sec., West (Called North 02 deg., 03 min., 02 sec., West), on the East right of way line of said North Main Street, at 30.44' (Called 30.52'), passing a 5/8" steel rod, capped and marked "BHA", found on the intersection of the East right of way line of said North Main Street and the apparent North line of said Hunt Road, and continuing a total distance of 1068.88' to a 5/8" steel rod, capped and marked "BHA", found for the Southwest corner of a (Called 2.588) acre tract of land conveyed to Baytown Land, LLC, recorded in File No. 20140380017, Official Public Records of Real Property, Harris County, Texas, and the Northwest corner of the herein described tract;

THENCE, North 77 deg., 31 min., 04 sec., East (Called North 77 deg., 30 min., 29 sec., East), on the South line of the (Called 2.588) acre tract, a distance of 548.61' (Called 548.55') to a 5/8" steel rod, capped and marked "BHA", found for the Southeast corner of the (Called 2.588) acre tract;

THENCE, North 12 deg., 30 min., 36 sec., West (Called North 12 deg., 29 min., 31 sec., West), on the East line of the (Called 2.588) acre tract, a distance of 212.99' (Called 213.00') to a 5/8" steel rod, capped and marked "BHA", found on the South line of the (Called 12.372) acre tract, same being the common line of Lots 26 and 27, Block 19, for the Northeast corner of the (Called 2.588) acre tract;

THENCE, North 77 deg., 30 min., 25 sec., East (Called North 77 deg., 30 min., 29 sec., East), on the South line of the (Called 12.372) acre tract, same being the common line of Lots 26 and 27, Block 19, a distance of 446.21' (Called 446.24') to the **POINT OF BEGINNING** and containing 28.04 acres of land, more or less.

PLAT REVISION RECORD SHEET OF JOB
NO. 151855A-0001
PLAT NO. 151855A-0001
DATE OF REVISION: 7/8/16

THIS PLAT IS A REVISION OF PLAT NO. 151855A-0001, DATED 7/8/16, AND IS SUBJECT TO THE SAME CONDITIONS AND RESTRICTIONS AS THE ORIGINAL PLAT. THE REVISIONS ARE AS FOLLOWS:

1. CORRECTED THE AREA OF THE PLAT TO BE 1.2345 ACRES, AS SHOWN ON THE ATTACHED SURVEY MAP.

2. CORRECTED THE PERIMETER OF THE PLAT TO BE 1,234.56 FEET, AS SHOWN ON THE ATTACHED SURVEY MAP.

3. CORRECTED THE LOCATION OF THE PLAT TO BE AS SHOWN ON THE ATTACHED SURVEY MAP.

4. CORRECTED THE BOUNDARIES OF THE PLAT TO BE AS SHOWN ON THE ATTACHED SURVEY MAP.

5. CORRECTED THE AREA OF THE PLAT TO BE 1.2345 ACRES, AS SHOWN ON THE ATTACHED SURVEY MAP.

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13. CORRECTED THE AREA OF THE PLAT TO BE 1.2345 ACRES, AS SHOWN ON THE ATTACHED SURVEY MAP.

14. CORRECTED THE PERIMETER OF THE PLAT TO BE 1,234.56 FEET, AS SHOWN ON THE ATTACHED SURVEY MAP.

15. CORRECTED THE LOCATION OF THE PLAT TO BE AS SHOWN ON THE ATTACHED SURVEY MAP.

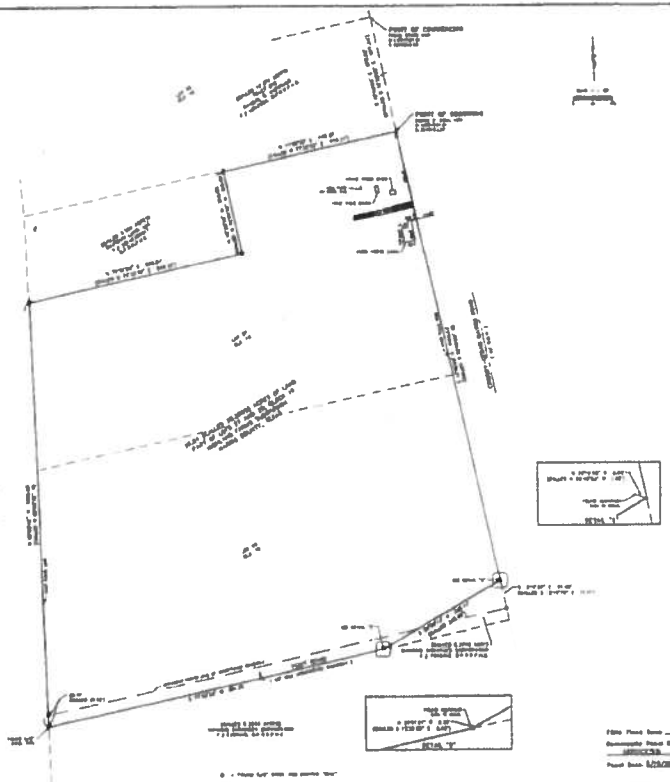
16. CORRECTED THE BOUNDARIES OF THE PLAT TO BE AS SHOWN ON THE ATTACHED SURVEY MAP.

17. CORRECTED THE AREA OF THE PLAT TO BE 1.2345 ACRES, AS SHOWN ON THE ATTACHED SURVEY MAP.

18. CORRECTED THE PERIMETER OF THE PLAT TO BE 1,234.56 FEET, AS SHOWN ON THE ATTACHED SURVEY MAP.

19. CORRECTED THE LOCATION OF THE PLAT TO BE AS SHOWN ON THE ATTACHED SURVEY MAP.

20. CORRECTED THE BOUNDARIES OF THE PLAT TO BE AS SHOWN ON THE ATTACHED SURVEY MAP.



<p>THE STATE OF TEXAS, COUNTY OF DALLAS, TEXAS, BEING THE PLACE WHEREIN SAID LAND IS LOCATED, I, THE UNDERSIGNED, A PUBLIC SURVEYOR, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL SURVEY MAP AS FILED IN MY OFFICE, AND THAT THE SAME IS IN ACCORDANCE WITH THE LAWS OF THIS STATE.</p> <p>_____ PUBLIC SURVEYOR</p>		<p>SOUTEX SURVEYORS & ENGINEERS</p> <p>3727 DUCKSON DRIVE FORT WORTH, TEXAS 76107 TEL: 817 335 8004 FAX: 817 335 8003 www.soutexsurvey.com</p>	<p>THIS PLAT IS A REVISION OF PLAT NO. 151855A-0001, DATED 7/8/16, AND IS SUBJECT TO THE SAME CONDITIONS AND RESTRICTIONS AS THE ORIGINAL PLAT. THE REVISIONS ARE AS FOLLOWS:</p> <p>1. CORRECTED THE AREA OF THE PLAT TO BE 1.2345 ACRES, AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>2. CORRECTED THE PERIMETER OF THE PLAT TO BE 1,234.56 FEET, AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>3. CORRECTED THE LOCATION OF THE PLAT TO BE AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>4. CORRECTED THE BOUNDARIES OF THE PLAT TO BE AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>5. CORRECTED THE AREA OF THE PLAT TO BE 1.2345 ACRES, AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>6. CORRECTED THE PERIMETER OF THE PLAT TO BE 1,234.56 FEET, AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>7. CORRECTED THE LOCATION OF THE PLAT TO BE AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>8. CORRECTED THE BOUNDARIES OF THE PLAT TO BE AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>9. CORRECTED THE AREA OF THE PLAT TO BE 1.2345 ACRES, AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>10. CORRECTED THE PERIMETER OF THE PLAT TO BE 1,234.56 FEET, AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>11. CORRECTED THE LOCATION OF THE PLAT TO BE AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>12. CORRECTED THE BOUNDARIES OF THE PLAT TO BE AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>13. CORRECTED THE AREA OF THE PLAT TO BE 1.2345 ACRES, AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>14. CORRECTED THE PERIMETER OF THE PLAT TO BE 1,234.56 FEET, AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>15. CORRECTED THE LOCATION OF THE PLAT TO BE AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>16. CORRECTED THE BOUNDARIES OF THE PLAT TO BE AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>17. CORRECTED THE AREA OF THE PLAT TO BE 1.2345 ACRES, AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>18. CORRECTED THE PERIMETER OF THE PLAT TO BE 1,234.56 FEET, AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>19. CORRECTED THE LOCATION OF THE PLAT TO BE AS SHOWN ON THE ATTACHED SURVEY MAP.</p> <p>20. CORRECTED THE BOUNDARIES OF THE PLAT TO BE AS SHOWN ON THE ATTACHED SURVEY MAP.</p>	<p>FILED IN THE OFFICE OF THE PUBLIC SURVEYOR, COUNTY OF DALLAS, TEXAS, ON 7/8/16 AT 10:00 AM.</p> <p>_____ PUBLIC SURVEYOR</p>	<p>PLAT NO. 151855A-0001</p> <p>DATE: 7/8/16</p> <p>SCALE: 1" = 40'</p> <p>AREA: 1.2345 ACRES</p> <p>PERIMETER: 1,234.56 FEET</p> <p>LOCATION: AS SHOWN ON THE ATTACHED SURVEY MAP</p> <p>BOUNDARIES: AS SHOWN ON THE ATTACHED SURVEY MAP</p>
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