

ORDINANCE NO. 2011-O-6C

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ANGLETON TEXAS, AND THE VOLUNTARY ANNEXATION OF CERTAIN TERRITORY, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ANGLETON, TEXAS; AND PROVIDING THAT FROM HENCEFORTH SAID TERRITORY SHALL BE A PART OF THE CITY OF ANGLETON, TEXAS, SUBJECT TO AND BOUND BY THE PROVISIONS OF ALL ORDINANCES AND CODIFICATION OF ORDINANCES OF SAID CITY; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, two (2) public hearings were held before the City Council of the City of Angleton at Angleton, Texas, on the 10th day of May, 2011, and all interested persons were provided with an opportunity to be heard on the proposed annexation of the lands described in Exhibit "A" attached hereto and incorporated herein by reference:

WHEREAS, the population of the City of Angleton, Texas, is in excess of 5,000 inhabitants, to-wit: said City having had a population of 18,862 inhabitants according to the Federal Census Report of 2010; and

WHEREAS, the described territory lies within the extraterritorial jurisdiction of the City of Angleton;

WHEREAS, the land owner has voluntarily petitioned the City for annexation; and

WHEREAS, the territory lies adjacent to and adjoins the City of Angleton, Texas; and

WHEREAS, the territory described is one-half mile or less in width;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS, DULY ASSEMBLED:

SECTION 1. The City of Angleton hereby annexes for all purposes the territory described as follows:

Being a 4.000 acre tract of land, 375 IT Tinsley LTS 74A1, also known as 1236 E. Kiber, Angleton, Brazoria County, Texas,

and more particularly described in Exhibit "A", which is attached hereto and incorporated herein in full. The boundary limits of the City shall include said territory. The ordinances, codes, resolutions, regulations, and all laws of the City shall apply to said territory. The City Council finds that all requirements of law for this annexation have been satisfied.

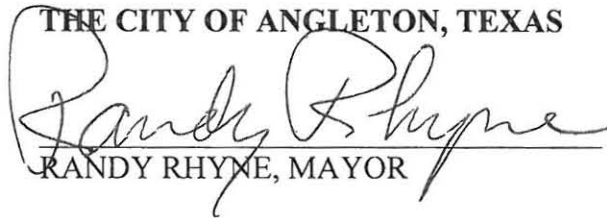
SECTION 2. Where applicable, the land owner shall be responsible for the cost of extending any water or sewer lines to his property and the City will then provide all City services to the area.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of said conflict.

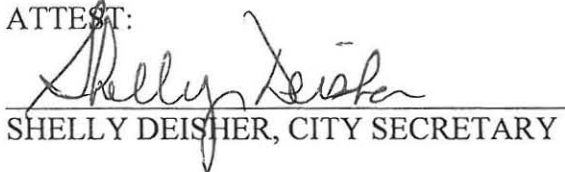
SECTION 4. If any section or part of this Ordinance is unconstitutional, illegal, or invalid, then such unconstitutionality, illegality, or invalidity of such section or part shall in no way effect, impair or invalidate the remaining portion thereof, but such remaining portion shall remain in full force and effect.

SECTION 5. This ordinance shall be effective from and after its passage and adoption.

PASSED AND ADOPTED, this 14th day of June, 2011.

THE CITY OF ANGLETON, TEXAS

RANDY RHYNE, MAYOR

ATTEST:


SHELLY DEISHER, CITY SECRETARY

APPROVED AS TO FORM:


MARY KAY FISCHER, CITY ATTORNEY

Brazoria CAD

Property Search Results > Property ID 170949 R H REED CORPORATION for Year 2011

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Website version: 1.2.2.0

Database last updated on: 3/29/2011 4:11 AM
This site only supports Internet Explorer 6+, Netscape 7+ and Firefox 1.5+.

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http://propaccess.trueautomation.com/Map/Map.aspx?cid=51&prop_id=170949&year=2... 04/06/2011

EXHIBIT "A"

MUNICIPAL SERVICE PLAN

FIRE

Existing Services: Fire suppression is provided by the Angleton Volunteer Fire Fighters Association, who has an agreement with Brazoria County.

Services to be Provided: Fire suppression will be available by the Angleton Volunteer Fire Fighters Association, who has an agreement with the City of Angleton. Fire prevention and fire code enforcement activities will be provided by the Fire Marshal's office as needed. Fire cause and origin determination will be provided by the Fire Marshal's office and supported by the Angleton Police Department.

POLICE

Existing Service: None.

Services to be Provided: Currently, the area is under the jurisdiction of the Brazoria County Sheriff's Office. However, upon annexation, the City of Angleton Police Department will extend regular and routine patrols to that area. It is anticipated that the implementation of police patrol activities can be effectively accommodated with the current budget and staff appropriation.

BUILDING INSPECTION

Existing Services: None

Services to be Provided: The Building Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulated building construction within the City of Angleton.

PLANNING AND ZONING

Existing Services: None

Services to be Provided: The City of Angleton's responsibility for regulating development and land use through the administration of the City of Angleton Zoning Ordinance will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Angleton Subdivision Ordinance. These services can be provided within the department's current budget.

EXHIBIT "B"

STORM WATER MANAGEMENT

Existing Services: None

Services to be Provided: Developers will provide storm water drainage at their own expense and will be inspected by city engineers at time of completion. Further expansion will require additional detention to compensate for lack of detention on existing area.

WATER SERVICE

Existing Services: None

Services to be Provided: Property owner shall be responsible for the cost of extending water lines to his/her property. After water line is constructed by property owner in accordance with all applicable codes, ordinances and departmental policies and final inspection has been completed and approved by the City, City water service will then be provided to the area.

SANITARY SEWER SERVICE

Existing Services: None

Services to be Provided: Prior to the City providing sanitary sewer service to the area, at his/her own expense, Property owner must install a grinder pump or small lift station in accordance with applicable codes and departmental policies and maintain said equipment or at owner's expense a gravity line could possibly be laid to the manhole at the corner of Downing Road and Kiber Street. Property owner's engineer would need to check if the gravity line is possible and present its findings to the city engineer. After proper facilities described above have been inspected and approved by the City, sanitary sewer service will then be provided to the area.

SOLID WASTE SERVICES

Existing Services: None

Services to be Provided: Solid Waste Collection shall be provided to the area of annexation in accordance with the present ordinance. Services shall comply with existing policies, beginning with occupancy of structures.

MISCELLANEOUS

All other applicable municipal services will be provided to the area in accordance with the City of Angleton's established policies governing extension of municipal services to newly annexed areas.

EXHIBIT "B"

PETITION REQUESTING ANNEXATION BY AREA LANDOWNER(S)

TO THE MAYOR OF THE GOVERNING BODY OF ANGLETON, TEXAS:

The undersigned owner(s) of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby waive the requirement to be offered a development agreement pursuant to Section 43.035, and petition the City Council of the City of Angleton, Texas, to extend the present city limits so as to include as part of the City of Angleton, Texas, the following described territory, to wit:

375 IT Tinsley LTS 74A1, Acres 4.00 (see attached metes and bounds description)

I (We) certify that the above described tract of land is contiguous and adjacent to the City of Angleton, Texas, is not more than one-half mile in width, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

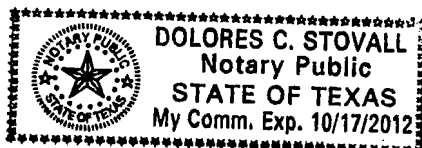
Signed: _____

THE STATE OF TEXAS
COUNTY OF BRAZORIA

BEFORE ME, the undersigned authority, on this day personally appeared Wilfredo Rivera, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 13th day of April, 2011.

[SEAL]



Dolores C. Stovall
Notary Public in and for
Brazoria County, Texas



**CITY OF ANGLETON
APPOINTMENT OF AGENT**

As owner of the property described as 1236 Kiber - Angleton
I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: Robert H. Reed

Mailing Address: 270 Wayne DR Email: breed1288@

City: Clute, State: TX Zip: 77531 Comcast.
net

Home Phone: 979 482-0915 Business Phone: () Same

I verify that I am the legal owner of the subject property and I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

be the point of contact between myself and the City: make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; to consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me.

I understand that the City will deal only with a fully authorized agent. At any time it should appear that my agent has less than full authority to act, then the application may be suspended and I will have to personally participate in the disposition of the application. I understand that all communications related to this application are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, I agree to hold harmless and indemnify the City of Angleton, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter. If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have legal authority to make this binding appointment on behalf of the entity, and every reference herein to 'I', 'my', or 'me' is a reference to the entity.

Signature of owner Wilfredo Rivera Title OWNER
Printed/Typed Name of owner Wilfredo Rivera Date 4/13/11

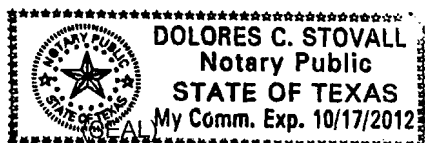
*Application must be signed by the individual applicant, by each partner of a partnership, or by an officer of a corporation or association.

STATE OF TEXAS §

COUNTY OF Brazoria § Dolores C. Stovall

Before me, Wilfredo Rivera on this day personally appeared Wilfredo Rivera
known to me (or proved to me on the oath of _____ or through (_____) to be the
person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same
for the purpose and consideration therein expressed.

Given under my hand and seal of office this 13th day of April, 2011



Dolores C. Stovall
Notary Public Signature
10/17/2012
Commission Expires