

ORDINANCE NO. 20221213-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS, ACCEPTING THE INCLUSION OF THE HEREIN DESCRIBED PROPERTY INTO THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF ANGLETON, AND EXTENDING THE BOUNDARY LIMITS OF SAID EXTRATERRITORIAL JURISDICTION TO INCLUDE SAID HEREIN DESCRIBED PROPERTY TOTALING 145.1 ACRES, LOCATED EAST AND NORTH OF THE INTERSECTION OF ANCHOR RD./COUNTY RD. 44 AND FM 521, AND GRANTING TO ALL INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OFFERED BY LAW AND BINDING SAID INHABITANTS BY ALL THE ACTS, ORDINANCES, RESOLUTIONS, LAWS AND REGULATIONS OF THE CITY OF ANGLETON AND THE STATE THAT MAY BE APPLIED OR ENFORCED WITHIN THE EXTRATERRITORIAL JURISDICTION.

WHEREAS, TEXAS LOCAL GOVERNMENT CODE Section 42.022(b), provides that owners of land contiguous to the existing extraterritorial jurisdiction ("ETJ") of a municipality, may petition to be included in the municipality's ETJ;

WHEREAS, the authority granted by TEXAS LOCAL GOVERNMENT CODE Section 42.022(b) requires consent of the governing body ("Council") of the municipality before inclusion into the ETJ;

WHEREAS, the City received a notarized petition titled "Petition Requesting Inclusion in the Extraterritorial Jurisdiction of the City of Angleton, Texas" (Exhibit "A") from Wildrock Holdings LLC, a Delaware limited liability company by SVAG Investments LLC, a Texas limited liability company its Manager; by SVAG Asset Management LLC, a Texas limited liability company its Manager by Sudharshan Vembutty, Manager; Anchor Holdings MP, LLC, a Texas limited liability company by SVAG Investments LLC, a Texas limited liability company its Manager, by SVAG Asset Management, LLC, a Texas limited liability company its Manager by Sudharshan Vembutty, Manager seeking inclusion into the City's ETJ;

WHEREAS, the property subject to the petition and request ("Property") has been identified by in Exhibit "A" & Map Exhibit "B" and as described in the petition as 145.1 acres of land;

WHEREAS, the Property is not included in the ETJ or municipal boundaries of any other municipality;

WHEREAS, the Council held a meeting on Tuesday, December 13, 2022 at 6:00 p.m. and considered an agenda item that read, " AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS, ACCEPTING THE INCLUSION OF

THE HEREIN DESCRIBED PROPERTY INTO THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF ANGLETON, AND EXTENDING THE BOUNDARY LIMITS OF SAID EXTRATERRITORIAL JURISDICTION TO INCLUDE SAID HEREIN DESCRIBED PROPERTY TOTALING 145.1 ACRES, LOCATED EAST AND NORTH OF THE INTERSECTION OF ANCHOR RD./COUNTY RD. 44 AND FM 521, AND GRANTING TO ALL INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OFFERED BY LAW AND BINDING SAID INHABITANTS BY ALL THE ACTS, ORDINANCES, RESOLUTIONS, LAWS AND REGULATIONS OF THE CITY OF ANGLETON AND THE STATE THAT MAY BE APPLIED OR ENFORCED WITHIN THE EXTRATERRITORIAL JURISDICTION, all in strict compliance with the TEXAS OPEN MEETINGS ACT, TEXAS GOVERNMENT CODE, Chapter 551; and

WHEREAS, at that meeting, the Council voted, by majority, to accept the petition and to include the Property into the ETJ of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS THAT:

SECTION 1. The above recitals are hereby found to be true and correct and are incorporated herein for all purposes. The recitals and language of the petition for inclusion into City's ETJ, shall be incorporated herein for all purposes.

SECTION 2. Exhibit "A" is a petition and metes and bounds description for Tracts 1, 2, 3 and 4) and Map Exhibit "B" for inclusion into the City's ETJ and accurately identifies a tract of land ("Property") owned by acknowledged persons and legal entities owning said tract.

SECTION 3. The Property is hereby accepted into the City's ETJ, as described in Exhibit "A " and Map Exhibit "B", to include all of the "Property" the petitioners have legal title to.

SECTION 4. The Council finds the Property, subject to this petition for inclusion into the City's ETJ, is contiguous to the City's existing ETJ at the time of the acceptance, in full compliance with law.

SECTION 5. The City Secretary shall maintain a file of the original petition and any relevant supporting documents for the Property included in Exhibit "A " and Map Exhibit "B".

SECTION 6. For purposes of determining the date by which the Property was included into the City's ETJ, the effective date of this Ordinance shall govern.

SECTION 7. If the petition subject to this Ordinance shall be deemed unlawful, unconstitutional, or otherwise invalid, the validity or legality of any other ETJ inclusion requests received before or after shall remain unaffected and shall be in full force and effect.

SECTION 8. This Ordinance shall become effective immediately upon its passage.

SECTION 9. The City Secretary is directed to record/file a certified copy of this Ordinance and its supporting exhibits and paperwork with the Brazoria County Clerk's land records and deeds.

SECTION 10. The City Manager or his designee is directed to update the city's boundary and ETJ map available to the public to include the new tract of land into the city's ETJ and to make said map available to any government or coalition of governments that maintains such city boundary maps.

PASSED AND APPROVED ON THIS 13TH DAY OF DECEMBER 2022.

CITY OF ANGLETON, TEXAS

Jason Perez
Mayor

ATTEST:

Michelle Perez, TRMC
City Secretary