

**PETITION FOR ADDITION OF CERTAIN LAND TO  
THE CITY OF BAY CITY, TEXAS MUNICIPAL BOUNDARIES**

STATE OF TEXAS

COUNTY OF MATAGORDA

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF BAY CITY,  
TEXAS:

The Matagorda County Rice and Irrigation Company, now known as the Lower Colorado River Authority ("Petitioner"), acting pursuant to the provisions of Chapter 43, Texas Local Government Code, particularly Subchapter C-3, Section 43.0671, petitions the Honorable Council Members to add the 8.13 acres of land described by metes and bounds in **Exhibit A** ("Land"), attached hereto and incorporated herein for all purposes, to the City of Bay City, Texas ("City") municipal boundaries, and in support of this petition the Petitioner represents, covenants, and agrees as follows:

Section 1: The Land sought to be added to the City lies entirely within Matagorda County, Texas, and is accurately described by metes and bounds in **Exhibit A**.

Section 2: The Petitioner holds fee simple title to and full ownership of all the Land, as shown on the appraisal rolls of Matagorda County, Texas, or, as indicated by the certificate of ownership provided by the Matagorda County Appraisal District and supplemented by a deed recorded in the Official Public Records of Matagorda County, Texas.

Section 3: All of the Land is within the extraterritorial jurisdiction of the City.

Section 4: The addition of the Land to the municipal boundaries of the City is feasible and practical and will be to the advantage of and a benefit to the City, and the water supply, sanitary sewer, and drainage systems and other improvements of the City are sufficient or will be sufficient to supply the added Land without injuring the land already within the City.

Section 5: The Petitioner hereby certifies that there are no qualified voters residing on the Land.

Section 6: The Petitioner hereby certifies that there are no holders of liens on the Land.

Section 7: Pursuant to Section 43.0672 of the Texas Local Government Code, Petitioner and the City have entered into the written Municipal Service Plan found in **Exhibit B**.

Section 8: Prior to the institution of annexation proceedings herein, the City, in compliance with Section 43.0673 of the Texas Local Government Code, published and posted timely notice of a public hearing that was duly held at which persons interested in such annexation were afforded an opportunity to be heard.

WHEREFORE, the Petitioner prays that this Petition be granted; that the Land be added to and become a part of the municipal boundaries of the City; and that this Petition, if granted, be filed

for record and be recorded in the Official Records of Matagorda County, Texas, and be filed with the Texas Comptroller's Office and the Matagorda County Appraisal District.

[Execution page follows.]

RESPECTFULLY SUBMITTED on \_\_\_\_\_, 20\_\_.

Lower Colorado River Authority

By: \_\_\_\_\_

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

Title: \_\_\_\_\_

STATE OF TEXAS

COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_, 20\_\_, by \_\_\_\_\_, as \_\_\_\_\_ of the Lower Colorado River Authority, a Texas conservation and reclamation district, on behalf of district..

\_\_\_\_\_  
Notary Public, State of Texas

(NOTARY SEAL)

Attachments

Exhibit A – Legal Description of the Land

Exhibit B – Written Municipal Services Plan Between Landowner/Petitioner and City of Bay City, Texas

**EXHIBIT A**  
**METES AND BOUNDS DESCRIPTION**  
**8.13 ACRE TRACT**  
**IN THE JOHN DUNCAN SURVEY, SECTION 3, ABSTRACT NO. 150**  
**MATAGORDA COUNTY, TEXAS**

A 8.13 ACRE TRACT OF LAND IN THE JOHN DUNCAN SURVEY, SECTION 3, ABSTRACT NO. 150, MATAGORDA COUNTY, TEXAS, BEING OUT OF A CALLED 15.9 ACRE TRACT OF LAND, CONVEYED TO THE MATAGORDA COUNTY RICE AND IRRIGATION COMPANY, AS RECORDED UNDER VOLUME 16, PAGE 249 OF THE MATAGORDA COUNTY DEED RECORDS (M.C.D.R.), THE SAID 8.13 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, (WITH BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE, AS DETERMINED BY GPS MEASUREMENTS):

**BEGINNING** at a capped 5/8-inch iron rod, stamped "E.H.R.A. 713-784-4500" found marking the most westerly corner of said 15.9 acre tract, an interior corner of a called 230.7 acre tract of land, conveyed to Francis Wayne Milberger and Carol M. Milberger, as recorded under Volume 490, Page 463, M.C.D.R., and the northwest corner of the herein described tract, from which a found 5/8-inch iron rod bears for reference South 54°41' West, a distance of 0.46 feet;

**THENCE**, North 54°41'00" East, along the northwesterly line of said 15.9 acre tract, common with a southwesterly line of said 230.7 acre tract, a distance of 212.96 feet to a 5/8-inch iron rod found marking an interior corner of said 230.7 acre tract and the northeast corner of said 15.9a acre tract and the herein described tract;

**THENCE**, South 55°24'42" East, along the northeasterly line of said 15.9 acre tract common with a southwesterly line of said 230.7 acre tract, a distance of 1,770.47 feet to the city limit line of Bay City, for the southeast corner of the herein described tract;

**THENCE**, South 54°29'19" West, along said city limit line, a distance of 212.70 feet to the southwest corner of the herein described tract;

**THENCE**, North 55°24'42" West, along the southwesterly line of said 15.9 acre tract, common with a northeasterly line of said 230.7 acre tract, a distance of 1,771.24 feet to the **POINT OF BEGINNING** and containing 8.13 acres of land. This description is accompanied by an exhibit of even date.

This document was prepared under 22 TAC 663.21 and 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.

**EDMINSTER, HINSHAW, RUSS AND ASSOCIATES, INC. dba EHRA, Inc. TBPLS No. 10092300**



Kevin M. Reidy, R.P.L.S.  
Texas Registration No. 6450  
10011 Meadowglen Lane  
Houston, Texas 77042  
713-784-4500



Date: November, 2021  
Job No: 201-007-00  
File No: R:\2020\201-007-00\Docs\Description\Boundary\8.13AC-MB.doc

NOTES:

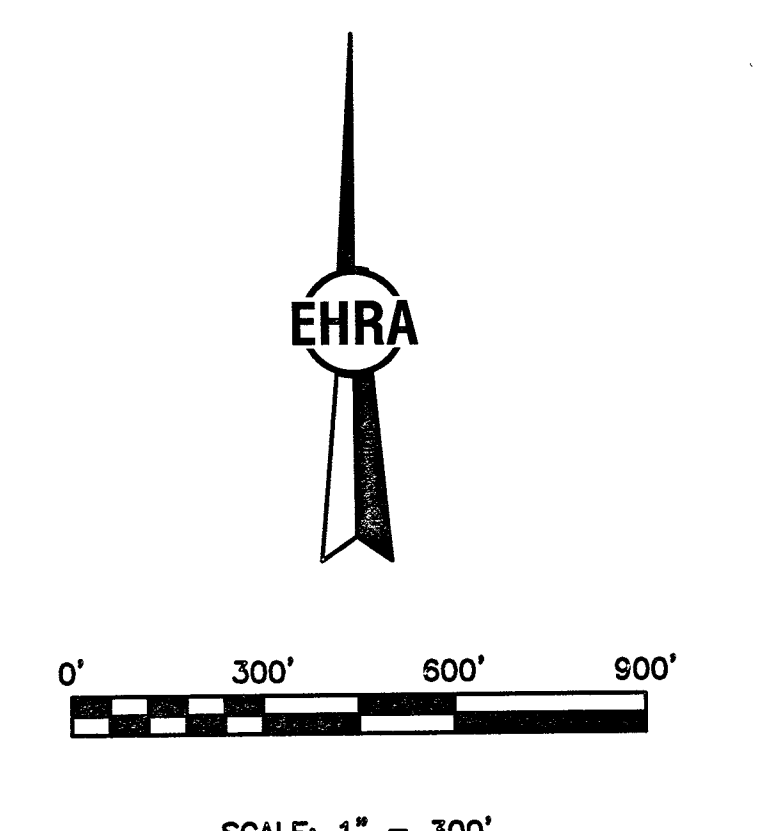
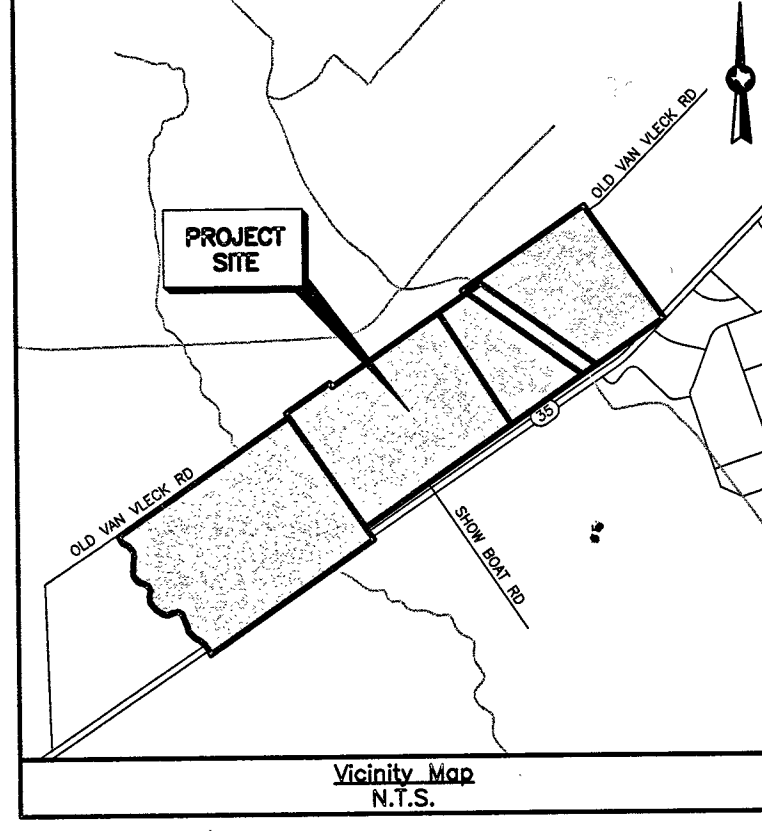
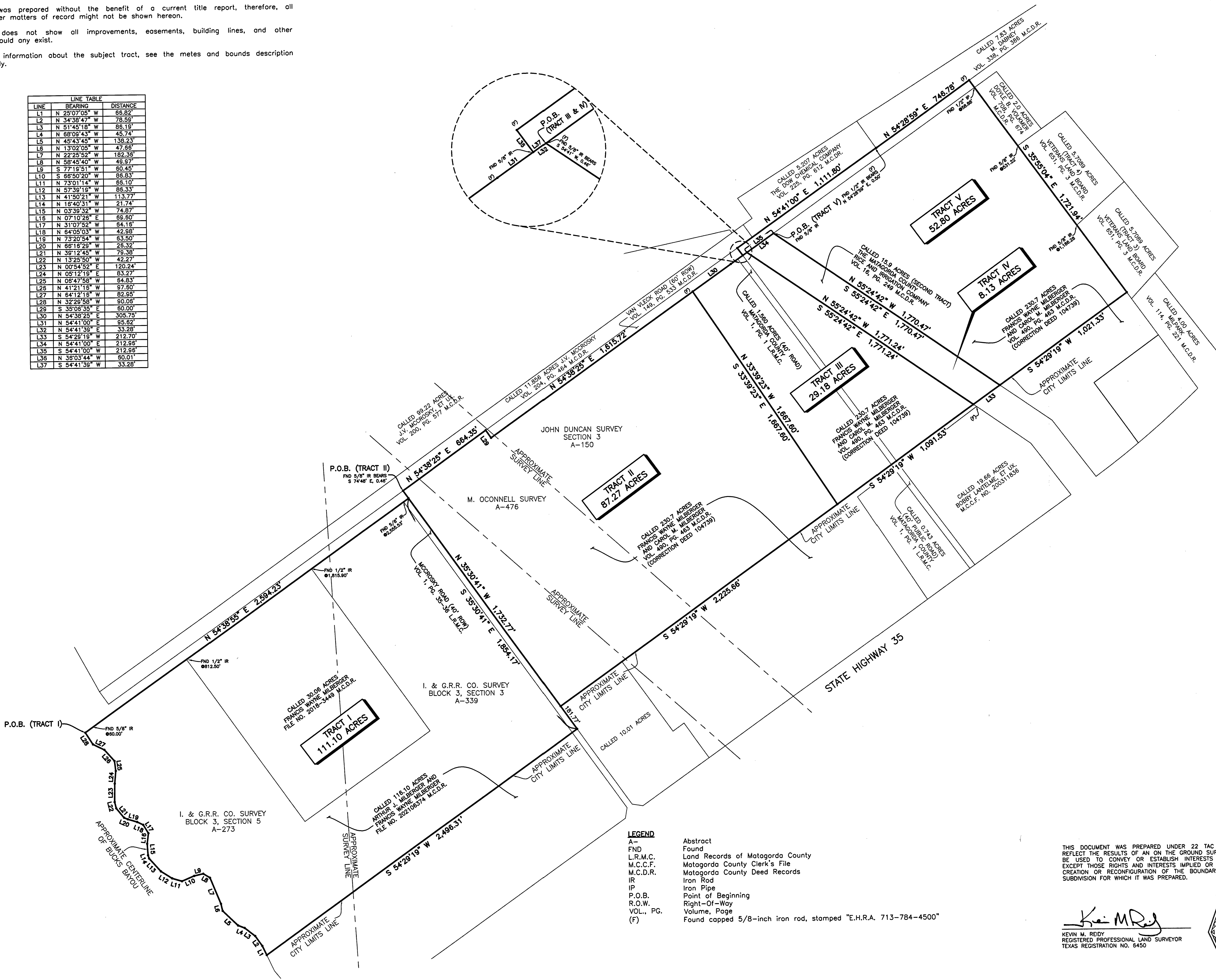
1. Bearings shown hereon refer to the Texas State Plane Coordinate System of 1983, South Central Zone, as determined by GPS measurements.

2. This exhibit was prepared without the benefit of a current title report, therefore, all easements or other matters of record might not be shown hereon.

3. This exhibit does not show all improvements, easements, building lines, and other encumbrances, should any exist.

4. For additional information about the subject tract, see the metes and bounds description prepared separately.

| LINE TABLE |               |          |
|------------|---------------|----------|
| LINE       | BEARING       | DISTANCE |
| L1         | N 25°07'05" W | 66.82'   |
| L2         | N 34°38'47" W | 78.59'   |
| L3         | N 51°45'16" W | 86.19'   |
| L4         | N 68°09'43" W | 45.74'   |
| L5         | N 45°43'45" W | 138.23'  |
| L6         | N 13°02'05" W | 47.68'   |
| L7         | N 22°25'52" W | 182.35'  |
| L8         | N 58°45'40" W | 49.87'   |
| L9         | S 77°19'51" W | 80.45'   |
| L10        | S 68°50'20" W | 88.83'   |
| L11        | N 73°01'14" W | 85.10'   |
| L12        | N 57°39'19" W | 86.33'   |
| L13        | N 41°50'21" W | 113.77'  |
| L14        | N 18°40'31" W | 21.74'   |
| L15        | N 03°39'32" W | 74.87'   |
| L16        | N 07°10'26" E | 69.60'   |
| L17        | N 31°07'52" W | 64.18'   |
| L18        | N 64°05'03" W | 42.98'   |
| L19        | N 73°20'54" W | 63.50'   |
| L20        | N 68°18'28" W | 25.32'   |
| L21        | N 38°12'45" W | 79.38'   |
| L22        | N 13°25'50" W | 42.27'   |
| L23        | N 00°54'52" E | 120.24'  |
| L24        | N 05°12'19" E | 83.27'   |
| L25        | N 09°47'58" W | 64.83'   |
| L26        | N 41°21'16" W | 97.60'   |
| L27        | N 64°12'16" W | 82.95'   |
| L28        | N 32°25'58" W | 90.08'   |
| L29        | S 35°08'33" E | 80.00'   |
| L30        | N 54°38'25" E | 305.73'  |
| L31        | N 54°41'00" E | 95.62'   |
| L32        | N 54°41'36" E | 33.28'   |
| L33        | S 54°29'19" W | 212.70'  |
| L34        | N 54°41'00" E | 212.98'  |
| L35        | S 54°41'00" W | 212.98'  |
| L36        | N 38°03'44" W | 80.01'   |
| L37        | S 54°41'36" W | 33.28'   |



|  |                   |                     |      |
|--|-------------------|---------------------|------|
| 3  |                   |                     |      |
| 2  |                   |                     |      |
| 1  |                   |                     |      |
| REV  | DESCRIPTION       | BY                  | DATE |
| <b>EHRA</b> 10011 MEADOWGLEN LN<br>HOUSTON, TEXAS 77042<br>713-784-4500<br>WWW.EHRAINING.COM<br>TBPE No. F-726<br>TBPLS No. 10092300 |                   |                     |      |
| ENGINEERING THE FUTURE<br>SINCE 1936   |                   |                     |      |
| CITY LIMITS OF BAY CITY<br>ANNEXATION MAP<br>5 TRACTS<br>MATAGORDA COUNTY, TEXAS   |                   |                     |      |
| DATE: November, 2021   | SCALE: 1" = 300'  | JOB NO.: 201-007-00 |      |
| DWG. NAME: Bay_City_Annexation.dwg   | DRAWING NO.: NONE |                     |      |

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.

KEVIN M. REIDY  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 6450

11-17-21  
STATE OF TEXAS  
KEVIN M. REIDY  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS REGISTRATION NO. 6450

**LEGEND**

A- Abstract  
FND Found  
L.R.M.C. Land Records of Matagorda County  
M.C.C.F. Matagorda County Clerk's File  
M.C.D.R. Matagorda County Deed Records  
IR Iron Rod  
IP Iron Pipe  
P.O.B. Point of Beginning  
R.O.W. Right-Of-Way  
VOL., PG. Volume, Page  
(F) Found capped 5/8-inch iron rod, stamped "E.H.R.A. 713-784-4500"