

## **RESOLUTION NO. 2021-05**

A RESOLUTION DECLARING THE INTENTION OF THE CITY OF TOMBALL, TEXAS, TO INSTITUTE PROCEEDINGS TO ANNEX CERTAIN TERRITORY; DESCRIBING SUCH TERRITORY; SETTING THE DATE, TIME, AND PLACE FOR PUBLIC HEARING AT WHICH ALL INTERESTED PARTIES SHALL HAVE AN OPPORTUNITY TO BE HEARD; PROVIDING FOR PUBLICATION OF NOTICE OF SUCH PUBLIC HEARING; AND DIRECTING PREPARATION OF A MUNICIPAL SERVICE PLAN FOR THE TERRITORY PROPOSED TO BE ANNEXED (*BEING A TRACT OR PARCEL CONTAINING 6.5681 ACRES OF LAND KNOWN AS TRACTs 1 & 2 OUT OF THAT CERTAIN CALL 40.1148 ACRE TRACT OF LAND SITUATED IN THE JOHN M. HOOPER SURVEY, A-375 IN HARRIS COUNTY, TEXAS, SAID 40.1148 ACRE TRACT BEING THAT SAME TRACT OF LAND AS DESCRIBED IN A DEED FILED FOR RECORD UNDER HARRIS COUNTY CLERK'S FILE NO. F41707.2 (13810 WINDY MEADOW RD HCAD 04304100000055)*)

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### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS:**

**Section 1.** The City Council of the City of Tomball hereby declares its intention to institute proceedings to annex to the City the territory described in Exhibit "A" attached hereto and made a part hereof by the passage of an ordinance of annexation extending the general corporate limits of the City of Tomball for all purposes to include such territory.

**Section 2.** The City Council of the City of Tomball hereby calls a public hearing at which all interested persons shall have the right and opportunity to appear and be heard upon such proposal to annex the territory described above. **No suitable location is available for a public hearing to be held on the property proposed for annexation. The public hearing shall be held in the City Council Chambers, 401 Market Street, City of Tomball, Texas, during a Regular Council Meeting at 6:00 o'clock (6:00 p.m.), on February 15, 2021.** The annexation proceeding, of which notice of intention to annex is given by this Resolution, subsequent to such public hearing.

**Section 3.** The City Secretary of the City of Tomball is hereby directed to cause notice of such public hearing to be given by publication in a newspaper having general circulation within the City of Tomball and within the territory proposed to be annexed, the publication of notice of public hearing to be made at least once in such newspaper not more than twenty (20) days nor less than ten (10) days prior to the day of that public hearing.

**Section 4.** The City Engineer is hereby directed to cause to be prepared a service plan that provides for the extension of municipal services to the territory that is proposed to be annexed. The proposed service plan shall be made available for public inspection and shall be explained to the inhabitants of the territory at the public hearing called herein. Such service plan shall be prepared in accordance with the provisions of Chapter 43 of the TEXAS LOCAL GOVERNMENT CODE.

**PASSED, APPROVED, AND RESOLVED** this 18th day of January 2021.

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GRETCHEN FAGAN, Mayor  
City of Tomball

ATTEST:

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Doris Speer, City Secretary  
City of Tomball

## Exhibit "A" – Page 1

 **EJC SURVEYING COMPANY**  
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Firm No. 100334-00

### Tract 1

All that certain tract or parcel containing 6.4955 acres of land known as Tract 1 out of that certain call 40.1148 acre tract of land situated in the John M. Hooper Survey, A-375 in Harris County, Texas, said 40.1148 acre tract being that same tract of land as described in a deed filed for record under Harris County Clerk's File No. F417072, said Tract 1 being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod with EIC cap (set) in the South right-of-way line of Alice Road, (60.00 feet in width), and the North line of said 40.1148 acre tract of land marking the Northeast corner of Tract 42 in Alice Acres, (unrecorded), as described in a deed filed for record under Harris County Clerk's File No. N225400 and the Northerly-Northwest corner and POINT OF BEGINNING of the herein described Tract 1;

THENCE N 87°38'44" E, a distance of 37.97 feet along the South right-of-way line of said Alice Road and the North line of said 40.1148 acre tract of land to a 5/8" iron rod (found) marking the intersection of the South right-of-way line of said Alice Road with the Southwest right-of-way line of State Highway 249 Southbound Feeder, (variable width), as described in instruments filed for record under Harris County Clerk's File No's R891794, R891795, X285321, Y393097 and 20070057608, same point marking an interior corner of the herein described Tract 1;

THENCE S 04°46'39" E, a distance of 30.09 feet along said Alice Road to a 5/8" iron rod with EIC cap (set) marking an interior corner of the herein described Tract 1;

THENCE N 87°34'54" E, a distance of 111.73 feet along said Alice Road to a 5/8" iron rod with EIC cap (set) at the Westerly end of a cut-back corner in the Southwest right-of-way line of said State Highway 249 Southbound Feeder marking the Northerly-Northeast corner of the herein described Tract 1;

THENCE S 61°02'40" E, a distance of 50.71 feet along said cut-back corner to a 3/4" iron rod (found) in the Southwest right-of-way line of said State Highway 249 Southbound Feeder marking the Easterly-Northeast corner of the herein described Tract 1;

THENCE S 26°14'09" E, a distance of 559.61 feet along the Southwest right-of-way line of said State Highway 249 Southbound Feeder to a 5/8" iron rod with EIC cap (set) marking the intersection of the West right-of-way line of Sarah Road, (60.00 feet in width, unimproved), as described in an instrument filed for record under Harris County Clerk's File No. J492760 with the Southwest right-of-way line of said State Highway 249 Southbound Feeder marking an interior corner of the herein described Tract 1;

THENCE S 02°19'40" E, a distance of 200.05 feet along the West right-of-way line of said Sarah Road to a 5/8" iron rod with EIC cap (set) marking an point where said Sarah Road turns Westerly, same point marking the Southeast corner of the herein described Tract 1;

THENCE S 87°40'19" W, a distance of 456.12 feet along the North right-of-way line of said Sarah Road to a 5/8" iron rod with EIC cap (set) in the East line of Tract L, a call 15,045 square foot tract of land as described in a deed filed for record under Harris County Clerk's File No. 20060199244 marking the Southerly-Southwest corner of the herein described Tract 1;

THENCE N 02°19'41" W, a distance of 110.00 feet along the East line of said Tract L to a point for corner under a debris pile marking the Northeast corner of said Tract 1 and an interior corner of the herein described Tract 1;

THENCE S 87°40'19" W, along the North line of said Tract L, passing at 88.50 feet the Northwest corner of said Tract L and the Northeast corner of Tract M, a call 15,000 square foot tract of land as described in a deed filed for record under Harris County Clerk's File No. 20060199244, a total distance of 177.68 feet to a p.k. nail in asphalt (set) in the centerline of the East end of Windy Meadow Road, (60.00 feet in width), same point marking the Northeast corner of Tract 14 in said Alice Acres as described in a deed filed for record under Harris County Clerk's File No. 20120190138, the Southeast corner of Tract 15 in said Alice Acres as described in a deed filed for record under Harris County Clerk's File No. K156930 and the Westerly-Southwest corner of the herein described Tract 1;

THENCE N 02°57'38" W, along the East line of said Tract 15, passing at 30.00 feet the North right-of-way line of said Windy meadow Road, a total distance of 170.00 feet to a 5/8" iron rod with EIC cap (set) marking the Northeast corner of said Tract 15, the Southeast corner of Tract 38 in said Alice Acres as described in a deed filed for record under Harris County Clerk's File No. R323731, the Southwest corner of Tract 39 in said Alice Acres as described in a deed filed for record under Harris County Clerk's File No. 20120190136 and the Westerly-Northwest corner of the herein described Tract 1;

THENCE N 89°11'40" E, a distance of 150.00 feet along the South line of said Tract 39 to a 5/8" iron rod (found) for angle point marking the Southeast corner of said Tract 39 and an interior corner of the herein described Tract 1;

## Exhibit "A" – Page 2



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THENCE N 29°15'53" E, a distance of 131.33 feet along the Easterly line of said Tract 39 to a ¾" iron rod (found) for angle point marking an interior corner of the herein described Tract 1;

THENCE N 02°57'38" W, along the East line of said Tract 39, passing at 45.02 feet a ½" iron rod (found) marking the Northeast corner of said Tract 39 and the Southeast corner of Tract 40 in said Alice Acres as described in a deed filed for record under Harris County Clerk's File No. RP-2019-121066, a total distance of 110.00 feet to a 5/8" iron rod with EIC cap (set) marking the Southwest corner of that certain call 0.0941 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. RP-2019-518294 and an interior corner of the herein described Tract 1;

THENCE N 87°37'30" E, a distance of 80.00 feet to a 5/8" iron rod with EIC cap (set) marking the Southeast corner of said 0.0941 acre tract of land and an interior corner of the herein described Tract 1;

THENCE N 02°57'38" W, a distance of 70.00 feet to a 5/8" iron rod with EIC cap (set) marking the Easterly-Northeast corner of said 0.0941 acre tract of land and an interior corner of the herein described Tract 1;

THENCE S 87°37'30" W, a distance of 35.00 feet to a 5/8" iron rod with EIC cap (set) marking an interior corner of said 0.0941 acre tract of land and an interior corner of the herein described Tract 1;

THENCE N 02°57'38" W, a distance of 25.00 feet to a 5/8" iron rod with EIC cap (set) marking the Northerly-Northeast corner of said 0.0941 acre tract of land and an interior corner of the herein described Tract 1;

THENCE S 87°37'30" W, a distance of 40.00 feet to a 5/8" iron rod with EIC cap (set) marking the Northerly-Northwest corner of said 0.0941 acre tract of land and an interior corner of the herein described Tract 1;

THENCE S 02°57'38" E, a distance of 25.00 feet to a 5/8" iron rod with EIC cap (set) marking the interior corner of said 0.0941 acre tract of land and an interior corner of the herein described Tract 1;

THENCE S 87°37'30" W, a distance of 5.00 feet to a 5/8" iron rod with EIC cap (set) in the East line of Tract 41 in said Alice Acres as described in a deed filed for record under Harris County Clerk's File No. RP-2019-121066 marking the Westerly-Northwest corner of said 0.0941 acre tract of land and an interior corner of the herein described Tract 1;

THENCE N 02°57'38" W, along the East line of said Tract 41, passing at 92.52 feet the Northeast corner of said Tract 41 and the Southeast corner of said Tract 42, from this point a 1" iron pipe (found) bears N 68°39'16" E, 0.51 feet, also from this point a 5/8" iron rod (found) bears N 61°13'42" E, 0.21 feet, a total distance of 200.00 feet to the POINT OF BEGINNING and containing 6.4955 acres of land.

Surveyed on the ground February 20, 2020.

Job No. 20-67-02. (See corresponding plat)

The basis of bearing is S 26°14'09" E along the Southwest right-of-way line of State Highway 249 South Bound Feeder per RTK GPS Observation using the Leica Network, NAD 83, Texas South Central Zone 2004



## Exhibit "A" – Page 3

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Firm No. 100334-00

#### Tract 2

All that certain tract or parcel containing 0.0726 acres of land known as Tract 2 out of that certain call 40.1148 acre tract of land situated in the John M. Hooper Survey, A-375 in Harris County, Texas, said 40.1148 acre tract being that same tract of land as described in a deed filed for record under Harris County Clerk's File No. F417072, said Tract 2 being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8" iron rod with EIC cap (set) in the South right-of-way line of Alice Road, (60.00 feet in width), and the North line of said 40.1148 acre tract of land marking the Northeast corner of Tract 42 in Alice Acres, (unrecorded), as described in a deed filed for record under Harris County Clerk's File No. N225400;

THENCE N 87°38'44" E, a distance of 37.97 feet along the South right-of-way line of said Alice Road and the North line of said 40.1148 acre tract of land to a 5/8" iron rod (found) marking the intersection of the South right-of-way line of said Alice Road with the Southwest right-of-way line of State Highway 249 Southbound Feeder, (variable width), as described in instruments filed for record under Harris County Clerk's File No's R891794, R891795, X285321, Y393097 and 20070057608;

THENCE S 04°46'39" E, a distance of 30.09 feet along said Alice Road to a 5/8" iron rod with EIC cap (set);

THENCE N 87°34'54" E, a distance of 111.73 feet along said Alice Road to a 5/8" iron rod with EIC cap (set) at the Westerly end of a cut-back corner in the Southwest right-of-way line of said State Highway 249 Southbound Feeder;

THENCE S 61°02'40" E, a distance of 50.71 feet along said cut-back corner to a 3/4" iron rod (found) in the Southwest right-of-way line of said State Highway 249 Southbound Feeder;

THENCE S 26°14'09" E, along the Southwest right-of-way line of said State Highway 249 Southbound Feeder, passing at 559.61 feet a 5/8" iron rod with EIC cap (set) marking the intersection of the West right-of-way line of Sarah Road, (60.00 feet in width, unimproved), as described in an instrument filed for record under Harris County Clerk's File No. J492760 with the Southwest right-of-way line of said State Highway 249 Southbound Feeder, a total distance of 707.66 feet to a 5/8" iron rod with EIC cap (set) marking the intersection of the East right-of-way line of Sarah Road with the Southwest right-of-way line of said State Highway 249 Southbound Feeder marking the Northerly corner and POINT OF BEGINNING of the herein described Tract 2;

THENCE continuing S 26°14'09" E, a distance of 111.40 feet along the Southwest right-of-way line of said State Highway 249 Southbound Feeder to a 5/8" iron rod with Weissner Surveying cap (found) marking the Northerly corner of that certain call 0.0066 acre tract of land as described in a deed filed for record under Harris County Clerk's File No. 20150332006 and the Easterly-Southeast corner of the herein described Tract 2;

THENCE S 30°43'05" W, a distance of 27.27 feet along the Westerly line of said 0.0066 acre tract of land to a 5/8" iron rod with Harris County cap (found) in the South line of said 40.1148 acre tract of land, the South line of said John M. Hooper Survey, the North line of the Chauncey Goodrich Survey, A-305 in said Harris County, Texas, the North line of Unrestricted Reserve "A" in Block 1 of Willow Creek Campus, Section 1 a subdivision in said Harris County, Texas according to the map or plat thereof filed for record under Film Code No. 686614 of the Harris County Map Records and the North line of North Humble Lake Road, (60.00 feet in width), marking the Southwest corner of said 0.0066 acre tract of land and the Southerly-Southeast corner of the herein described Tract 2;

THENCE S 87°40'19" W, a distance of 30.28 feet along the South line of said John M. Hooper Survey, the South line of said 40.1148 acre tract of land, the North line of said Chauncey Goodrich Survey, the North line of said Unrestricted Reserve "A" and the North line of North Humble Lake Road to a 5/8" iron rod with EIC cap (set) marking the Southeast corner of said Sarah Road and the Southwest corner of the herein described Tract 2;

THENCE N 02°19'40" W, a distance of 124.70 feet along the East right-of-way line of said Sarah Road to the POINT OF BEGINNING and containing 0.0726 acre of land.

Surveyed on the ground February 20, 2020.

Job No. 20-67-02. (See corresponding plat)

The basis of bearing is S 26°14'09" E along the Southwest right-of-way line of State Highway 249 South Bound Feeder per RTK GPS Observation using the Leica Network, NAD 83, Texas South Central Zone 2004

Land Boundary / Topographic Surveying  
*A Division of Everything in Christ Services, Inc.*



# Exhibit "B" – Page 1

