

ORDINANCE NO. 623

AN ORDINANCE OF THE CITY OF WEST COLUMBIA, TEXAS, ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF WEST COLUMBIA, BRAZORIA COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED REAL PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN.

WHEREAS, section 43.103 of the Texas Local Government Code authorizes the general law municipality with a population of 500 or more, to annex, by ordinance, and without the consent of any person the part of a street, highway, alley or other public and private way that is adjacent and runs parallel to the boundaries of the municipality; and

WHEREAS, the City of West Columbia, Texas, is a general law municipality with population 500 or more; and

WHEREAS, it has come to the attention of the City Council that certain portions of Business State Highway 35 described by meets and bounds in Exhibit A attached hereto and Incorporated herein, and which are adjacent to and run parallel with the existing boundaries of the City are not included within the boundaries of the city; and

WHEREAS, the City Council has determined that it is in the best interest of the City to annex those portions of Business State Highway 35 described in Exhibit A; and

WHEREAS, the procedures described by the Texas Local Government Code and all other applicable laws of this state have been duly followed with respect to the following described territory, to wit:

Being that 5.7 acre tract of land in the J.H. Bell 1-1/2 League Grant, Abstract 40, Brazoria County, Texas, being a portion of the right-of-way of State Highway 35 southwest of its intersection with State Highway 36, with all bearings based upon the northwest line of an adjoining called 26.07 acre tract recorded under County Clerk's file number 2010036933, Office of the County Clerk, Brazoria County, Texas, as being north 48 degrees 49 minutes 27 seconds east (called north 48 degrees to 49 minutes 27 seconds east), and being more particularly described in field notes attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST COLUMBIA, TEXAS:

Section 1

1. That the heretofore described property is hereby annexed to the City of West Columbia, Brazoria County, Texas, and that the boundary limits of the City of West Columbia, Texas, be and the same are hereby extended to include the above described territory within the city limits of the City of West Columbia, Texas, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City of West Columbia, and they shall be bound by the acts, ordinances, resolutions and regulations of said city.

2. A service plan for the area is adopted and attached hereto as Exhibit "B".

Section 2

Any and all Code provisions, rules, ordinances, police regulations, resolutions, and/or informal policies of the City of West Columbia, whether written, or otherwise, which are in any manner in conflict with or inconsistent with this article, shall be and are hereby repealed to the extent of such conflict and/or inconsistency.

Section 3

It is hereby declared to be the intention of the City Council that the several provisions of this Ordinance are severable, and if any court of competent jurisdiction enters a final order which holds that any section; sub-section, sentence, clause, phrase, or other portion of this article is invalid, illegal, or otherwise unenforceable, then any such portion shall be deemed a separate, distinct and independent provision, and any such ruling shall not affect any other provisions of this Ordinance which are not specifically designated as being illegal, invalid, or unenforceable.

Section 4

This Ordinance shall be effective upon its passage and approval. The City Secretary is directed to file with the County Clerk of Brazoria County, Texas, a certified copy of this Ordinance.

PASSED AND APPROVED by the City Council this 15th day of October, 2013.

CITY OF WEST COLUMBIA, TEXAS


LAURIE B. KINCANNON, MAYOR

ATTEST:

By: Kelli R. Kuban
KELLI R. KUBAN, CITY SECRETARY

CHARLIE KALKOMEY SURVEYING, INC.

A JONES & CARTER COMPANY

6415 READING ROAD
ROSENBERG, TEXAS 77471
281 342-2033

FIELD NOTES FOR A 5.7 ACRE TRACT OF LAND IN THE J. H. BELL 1-½ LEAGUE GRANT, ABSTRACT 40, BRAZORIA COUNTY, TEXAS, BEING A PORTION OF THE RIGHT-OF-WAY OF STATE HIGHWAY 35 SOUTHWEST OF ITS INTERSECTION WITH STATE HIGHWAY 36, WITH ALL BEARINGS BASED UPON THE NORTHWEST LINE OF AN ADJOINING CALLED 26.07 ACRE TRACT RECORDED UNDER COUNTY CLERK'S FILE NUMBER 2010036933, OFFICE OF THE COUNTY CLERK, BRAZORIA COUNTY, TEXAS, AS BEING NORTH 48 DEGREES 49 MINUTES 27 SECONDS EAST (CALLED NORTH 48 DEGREES TO 49 MINUTES 27 SECONDS EAST).

BEGINNING at a ½ inch iron rod with cap marked "Stroud 2112" found in the southeast right-of-way line of State Highway 35 for the most westerly north corner of said adjoining called 26.07 acre tract;

THENCE South 42 degrees 12 minutes 28 seconds East (adjoiner called South 42 degrees 12 minutes 28 seconds East) along the northeasterly line of said adjoining called 26.07 acre tract, 11.43 feet to a 5/8 inch iron rod found for corner, being the west corner of an adjoining called 6.115 acre tract (Tract Two) recorded under County Clerk's File Number 02-009938, Office of the County Clerk, Brazoria County, Texas;

THENCE North 47 degrees 46 minutes 56 seconds East along the northwest line of said adjoining called 6.115 acre tract, 45.46 feet to a point on said line at its intersection with the centerline of Bell Creek for the east corner of the herein described tract, said point being in the existing City Limits of the City of West Columbia;

THENCE along the centerline of Bell Creek, being the existing City Limits of the City of West Columbia, and crossing State Highway 35, with the following meanders:

North 68 degrees 54 minutes 58 seconds West, 34.17 feet;

North 38 degrees 31 minutes 39 seconds West, 110.48 feet to a point on said centerline at its intersection with the northwest right-of-way line of State Highway 35 (130-foot wide this location) for the north corner of the herein described tract;

THENCE South 48 degrees 49 minutes 27 seconds West along the northwest right-of-way line of State Highway 35, 710.96 feet to a point for the upper west corner of the herein described tract;

THENCE South 41 degrees 10 minutes 33 seconds East continuing along the northwest right-of-way line of State Highway 35, 30.00 feet to a point for a reentry corner to the herein described tract;

CHARLIE KALKOMEY
REGISTERED PROFESSIONAL LAND SURVEYOR

CHARLES A. KALKOMEY
REGISTERED PROFESSIONAL LAND SURVEYOR

CHRIS D. KALKOMEY
REGISTERED PROFESSIONAL LAND SURVEYOR

THENCE South 48 degrees 49 minutes 27 seconds West continuing along the northwest right-of-way line of State Highway 35 (100-foot wide this location), 1,189.62 feet to an angle point in the apparent occupied right-of-way;

THENCE South 48 degrees 27 minutes 00 seconds West continuing along the northwest right-of-way line of State Highway 35, 371.40 feet to a point for the lower west corner of the herein described tract;

THENCE South 41 degrees 33 minutes 00 seconds East crossing State Highway 35, 100.00 feet to a ½ inch iron rod found in the southeast right-of-way line of State Highway 35 for the south corner of the herein described tract, said point being the west corner of an adjoining called 1.58 acre tract recorded under County Clerk's File Number 2008024117, Office of the County Clerk, Brazoria County, Texas;

THENCE North 48 degrees 27 minutes 00 seconds East along the southeast right-of-way line of State Highway 35, 371.07 feet to a 1-inch iron pipe found for angle point, said point being the north corner of said adjoining called 1.58 acre tract, and being in the west line of that certain called 47.85 acre tract recorded in Volume 335, Page 195, Volume 413, Page 437, and Volume 1068, Page 492, Deed Records, Brazoria County, Texas;

THENCE North 48 degrees 49 minutes 27 seconds East continuing along the southeast right-of-way line of State Highway 35, 1,865.40 feet to the **Place of Beginning** and containing 5.7 acre of land, more or less.

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.



A handwritten signature in black ink, appearing to read "Chris D. Kalkomey".

Chris D. Kalkomey, R.P.L.S.
Texas Registration Number 5869
November 2, 2010

Job Number R8004-070-05

NOTES:
 1. - Bearings are based upon the True North line of 1880 which is 42.25 true north as being
 South 84 degrees 22 minutes 00 seconds True North South 87 degrees 30 minutes West.

LINE	BEARING	DISTANCE
1	S 45° 47' 00" W	371.00'
2	N 45° 27' 00" E	371.00'
3	S 45° 48' 27" W	1,183.40'
4	N 45° 48' 27" W	1,183.40'
5	S 45° 48' 27" W	710.00'
6	N 45° 48' 27" W	710.00'

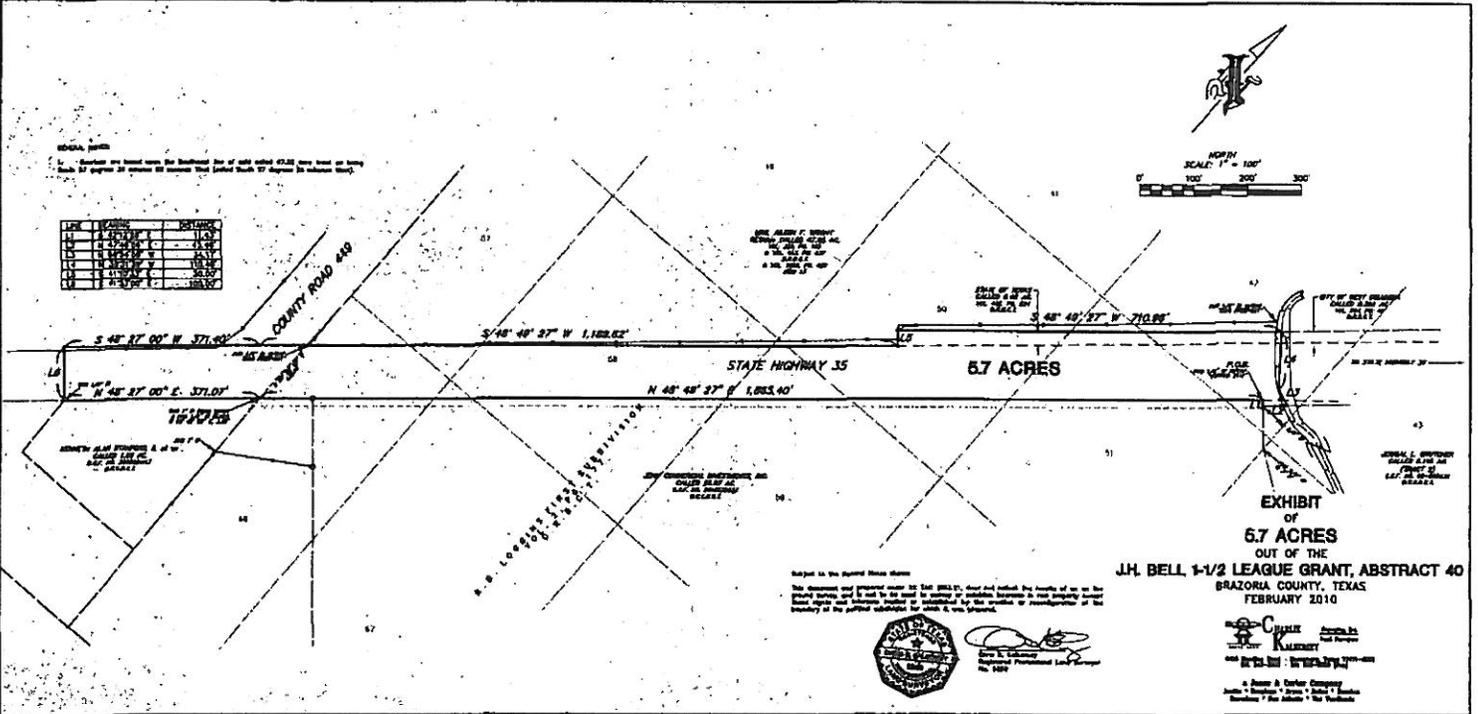
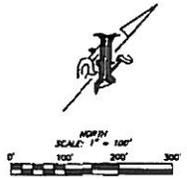


EXHIBIT
 OF
6.7 ACRES
 OUT OF THE
J.H. BELL, 1-1/2 LEAGUE GRANT, ABSTRACT 40
 BRAZORIA COUNTY, TEXAS
 FEBRUARY 2010

Subject to the Record State Maps
 The boundaries and acreage shown on this plat are based on the best available information and are subject to change in the future. The surveyor is not responsible for the accuracy of the information shown on this plat.



[Signature]
 State of Texas
 Professional Surveyor No. 1007

C. K.
 Surveyor
 State of Texas
 No. 1007

CERTIFICATE OF SECRETARY

I, Kelli Kuban, City Secretary of the City of West Columbia, Brazoria County, Texas, have compared the attached Ordinance passed by the City Council of the City of West Columbia, Texas, at a regular meeting held on the 15th day of October 2013, and recorded in the Code of Ordinances as Ordinance No. 623, and I hereby certify that the same is a true and correct and complete copy thereof, and that the same has not been altered, amended, rescinded or repealed, and is now in full force and effect.

Kelli R. Kuban
Kelli Kuban
City Secretary, City of West Columbia, Texas

THE STATE OF TEXAS
COUNTY OF BRAZORIA

This instrument was acknowledged before me on the 15th day of October, 2013, by Kelli Kuban, City Secretary of the City of West Columbia, Texas.

Becki Lewis
Notary Public, State of Texas

