

ORDINANCE NO. 636

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, the City Council of the City of West Columbia, Texas, an incorporated city, authorizes the annexations of territory, subject to the laws of this state; and

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

ALL THAT CERTAIN 40.5522 ACRE tract of land lying and situated in the Josiah H. 1½ League Grant, Abstract 40, Brazoria County, Texas, being all that certain called 56.62 acre tract of land conveyed by deed on June 28, 1940 from Neal Giesecke, et al, to Aileen F. Wright, as recorded in Volume 335, Page 197 of the Brazoria County Deed Records (B.C.D.R.), less and except, all that certain called 0.48 acre tract of land conveyed by right-of-way deed on February 10, 1948 from Aileen F. Wright to the State of Texas, as recorded in Volume 426, Page 524 of the B.C.D.R., all that certain called 4.27 acre tract of land described in the quitclaim deed dated March 17, 1947 from Neal Giesecke, et al, to Aileen F. Wright, as recorded in Volume 413, Page 435 of the B.C.D.R. and being a portion of the 100 foot wide road right-of-way conveyed by deed on February 28, 1929 from R. B. and Z. W. Loggins to Brazoria County, as recorded in Volume 212, Page 443 of the B.C.D.R., all that certain called 12.27 acre tract of land being a called 11.77 acre tract conveyed by special warranty deed on March 12, 2010 from Robert L. Wright, Independent Executor of the Estate of Aileen Wright, to Jenn Property Investments, LLC, as recorded in Clerks File No. 2010-012569 of the Brazoria County Official Records (B.C.O.R.) and a called 0.58 acre tract conveyed by general warranty deed on July 7, 2011 from Jerral and Susan Crutcher to Jenn Commercial Investments, Inc., as recorded in Clerk's File No. 2011-027652 of the B.C.O.R., herein described 40.5522 acre tract of land hereby conveyed being more particularly described by metes and bounds, using survey terminology which refers to the Texas State Plane Coordinate System, South Central Zone (NAD 83) in which the directions are Lambert grid bearings and the distances are surface level horizontal lengths (S.F.= 0.9998721761) attached hereto as Exhibit "A".

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

RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon, or photo-copy, discolored paper, ect. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

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 this the 11th day of may, 2015.

CITY OF WEST COLUMBIA, TEXAS


LAURIE B. KINCANNON, MAYOR

ATTEST:

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



MUNICIPAL SERVICE PLAN

FIRE

Existing Services: None

Services to be Provided: Fire suppression will be available to the area upon annexation. Primary fire response will be provided by West Columbia Volunteer Fire Department, located at 314 E. Clay St. Adequate fire suppression activities can be afforded to the annexed area within current budget appropriation. Fire prevention activities will be provided by the Fire Marshall's office as needed.

POLICE

Existing Services: 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 West Columbia Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

BUILDING INSPECTION

Existing Services: None

Services to be Provided: The Building Inspection 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 West Columbia.

PLANNING AND ZONING

Existing Services: None

Services to be Provided: The City of West Columbia currently has no Zoning Ordinance, but the property will be regulated under the requirements of the City of West Columbia Subdivision and Resident Protection Ordinances. These services can be provided within the department's current budget.

LIBRARY

Existing Services: None

Services to be Provided: Upon the effective date of annexation, free library use privileges will be available to anyone residing in this area. These privileges can be provided within the current budget appropriation.

HEALTH DEPARTMENT – HEALTH CODE ENFORCEMENT SERVICE

Existing Services: None

Services to be Provided: The Brazoria County Health Department will implement the enforcement of the City of West Columbia's health ordinances and regulations on the effective date of the annexation. Such services can be provided with current Health Department Personnel and within the current budget appropriation. In addition, animal control services will be provided to the area as needed.

STREET

Existing Services: County Street Maintenance

Services to be Provided: Maintenance to the street facilities will be provided by the City upon the effective date of the annexation. This service can be provided within the current budget appropriation.

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 the City Engineer at time of completion. The City will then maintain the drainage upon approval.

STREET LIGHTING

Existing Services: None

Services to be Provided: The City of West Columbia will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy.

TRAFFIC ENGINEERING

Existing Services: None

Services to be Provided: The Traffic Engineering Department will be able to provide, after the effective date of annexation, any additional traffic control devices.

WATER SERVICE

Existing Services: None

Services to be Provided: Water service to the area will be provided in accordance with the applicable codes and departmental policy. When other property develops in the adjacent area, water service shall be provided in accordance with extension ordinances. Extension of service shall comply with city codes and ordinances.

SANITARY SEWER SERVICE

Existing Services: None

Services to be Provided: Sanitary sewer service to the area of proposed annexation will be provided in accordance with applicable codes and departmental policy. When property develops in the adjacent areas, sanitary sewer service shall be provided in accordance with the present extension ordinance. Extension of service shall comply with applicable codes and ordinances.

SOLID WASTE SERVICES

Existing Services: None

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

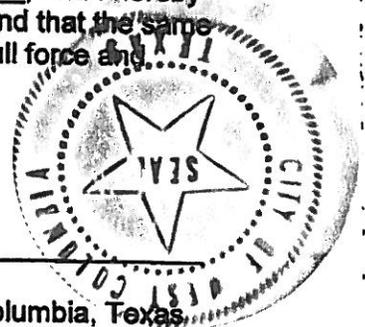
MISCELLANEOUS

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

CERTIFICATE OF SECRETARY

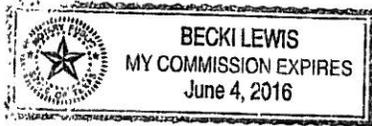
I, Kelli Kuban, City Secretary of the City of West Columbia, Brazoria County, Texas, have compared the attached Ordinance passed by the City Council of the City of West Columbia, Texas, at a regular meeting held on the 14th day of May 2015, and recorded in the Code of Ordinances as Ordinance No. _____, 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 15 day of May, 2015, by Kelli Kuban, City Secretary of the City of West Columbia, Texas.



Becki Lewis
Notary Public, State of Texas

FILED and RECORDED

Instrument Number: 2015024947

Filing and Recording Date: 06/05/2015 12:21:10 PM Pages: 8 Recording Fee: \$50.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in black ink that reads "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-megan