

ORDINANCE NO. 643

AN ORDINANCE GRANTING THE PETITION FOR ANNEXATION FILED BY EDDIE DOUGLAS; PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF WEST COLUMBIA, TEXAS TO INCLUDE A 4.25 ACRES OUT OF THE M. VARNER, ABSTRACT 133, ALSO BEING A PART OF AND OUT OF A 17.59 ACRE TRACT, KIM TERRY KINCANNON, ET. UX.RECORDED IN VOLUME (86) 349, PAGE 185 OF THE OFFICIAL RECORDS OF BRAZORIA COUNTY, TEXAS; PROVIDING THAT SAID TERRITORY BEARS PRO RATA PART OF TAXES; ENTITLING INHABITANTS TO ALL RIGHTS AND PRIVILEGES OF CITIZENS AND BINDING INHABITANTS TO ACTS AND LAWS OF CITY; AND PROVIDING A SAVINGS CLAUSE.

WHEREAS, on March 30, 2016, Eddie Douglas filed a petition for annexation of property requesting the annexation of certain property located within the extraterritorial jurisdiction of the City of West Columbia; said property being less than one-half mile in width, is contiguous to the City of West Columbia, and is vacant and without residents or on which less than three (3) qualified voters reside; **See Exhibit "1"**; and

WHEREAS, the Texas Local Government Code Section 43.028 allows the annexation of a sparsely occupied area on petition of the area landowners; and

WHEREAS, a public hearing at a City Council meeting, where all interested persons were provided an opportunity to be heard on the proposed petition for annexation of the territory fully described in **Exhibit "1"**, was held on April 11, 2016, in the City Council Chambers of the City of West Columbia, in West Columbia, Texas; and

WHEREAS, April 11, 2016 is more than 5 days and less than 30 days from the date Eddie Douglass filed a petition for annexation of property requesting the annexation of the property; and

WHEREAS, the above described territory lies within the extraterritorial jurisdiction of the City of West Columbia, Texas;

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

Section 1. That all of the recitals and preambles hereinabove stated are found to be true and correct and are incorporated herein and made a part of this ordinance.

Section 2. That the following described land and territory lying adjacent to and adjoining the City of West Columbia, Texas, is hereby added and annexed to the City of West Columbia, Texas, and said territory hereinafter described shall hereafter be included within the boundary limits of the City of West Columbia, Texas, and the present boundary limits of such city, at the various points contiguous to the area hereinafter described, are altered and amended so as to include said area within the corporate limits of the City of West Columbia, Texas, to-wit:

SEE ATTACHED EXHIBIT "1"

Section 3. That the above described territory and the area so annexed shall be a part of the City of West Columbia, Texas, and the property so added hereby shall bear its pro rata part of the taxes levied by the City of West Columbia, Texas, and the inhabitants thereof shall be entitled to all of the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of West Columbia, Texas.

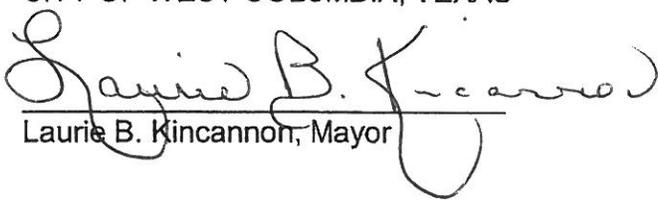
Section 4. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application thereof ineffective or inapplicable as to any territory, such unconstitutionality, illegality, invalidity, or ineffectiveness of such sections or part shall in no wise affect, impair, or invalidate the remaining portion or portions thereof, but as to such remaining portion or portions, the same shall be and remain in full force and effect.

Section 5. Should this ordinance for any reason be ineffective as to any part of the area hereby annexed to the City of West Columbia, such ineffectiveness of this ordinance as to any such part or parts of any such area shall not affect the effectiveness of this ordinance as to all of the remainder of the area. If there is included within the

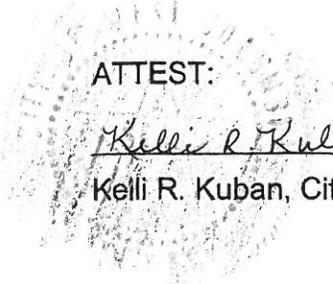
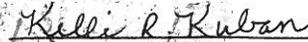
general description of territory set out in Section 2 of this Ordinance to be annexed to the City of West Columbia any lands or area which are presently part of and included within the limits of the City of West Columbia, or which are presently part of and included within the limits of any other city or within the extraterritorial jurisdiction of any other city, or which are not within the City of West Columbia's jurisdiction to annex, the same is hereby excluded and excepted from the territory to be annexed as fully as if such excluded and excepted area were expressly described herein.

Section 6. If there is included within the general description of territory set out in Section 2 of this Ordinance to be annexed to the City of West Columbia any lands or area which are presently part of and included within the limits of the City of West Columbia, or which are presently part of and included within the limits of any other city or within the extraterritorial jurisdiction of any other city, or which are not within the City of West Columbia's jurisdiction to annex, the same is hereby excluded and excepted from the territory to be annexed as fully as if such excluded and excepted area were expressly described herein.

PASSED AND APPROVED in West Columbia, Texas this 11th day of April, 2016.

CITY OF WEST COLUMBIA, TEXAS

Laurie B. Kincannon, Mayor

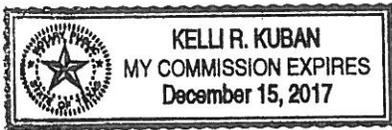
ATTEST:



Kelli R. Kuban, City Secretary

STATE OF TEXAS
COUNTY OF BRAZORIA

This instrument was acknowledged before me on the 11th day of April, 2016 by
Laurie B. Kincannon, the Mayor of the City of West Columbia, Texas.

Kelli R. Kuban
Notary Public, State of Texas



Kelli R. Kuban
Notary's Printed Name

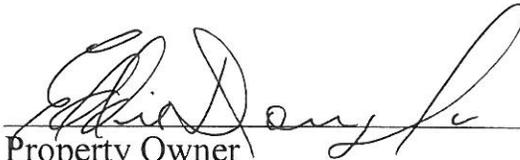
Commission Expires: 12-15-17

EXHIBIT 1
PETITION AND DESCRIPTION OF TRACT

PETITION FOR VOLUNTARY ANNEXATION

TO: THE MAYOR AND CITY COUNCIL OF THE CITY OF WEST COLUMBIA, TEXAS:

The undersigned owner(s) of the hereinafter described tract of land which is vacant and without residents, or on which less than three (3) qualified voters reside, hereby petition your honorable body to extend the present municipal limits so as to include and annex as a part of the City of West Columbia, Texas, the property described by metes and bounds on the attached Exhibit "A", which is incorporated herein for all purposes. We certify that this Petition is signed and acknowledged by each and every corporation and person owning said land or having an interest in any part thereof.

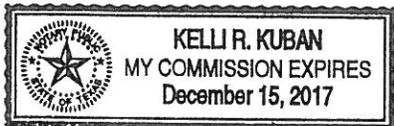

Property Owner

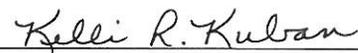
Property Owner

STATE OF TEXAS

COUNTY OF BRAZORIA

This instrument was acknowledged before me by Eddie Douglas
on the 30th day of March, 2016.




Notary Public, State of Texas
My commission expires: 12-15-17



4.25 ACRE ANNEXATION

Field Notes Description

A proposed annexation of approximately 4.25 acres out of the M. Varner Survey, Abstract 133, also being a part of and out of a 17.59 acre tract, Kim Terry Kincannon, et ux, recorded in Volume (86) 349, Page 185, of the Official Records of Brazoria County, Texas.

Being more fully described by metes and bounds as follows:

BEGINNING: at a found 5/8" iron rod ($Y = 13,621,177.12$, $X = 3,039,712.42$) for the North corner of this herein described tract;

THENCE: S 62°51'59" E – 832.20 feet to the East corner of this herein described tract;

THENCE: S 86°04'01" W – 839.26 feet to the West corner of this herein described tract;

THENCE: N 06°58'54" E – 103.90 feet along the East right-of-way line of FM 2852 and the West line of said 17.59 acre tract to the beginning of a curve to the right;

THENCE: Northeast along said curve having a radius of 1367.99', through a central angle of 14°27'45", an arc length of 345.31', also being the East right-of-way line of FM 2852 and the West line of said 17.59 acre tract, to the **POINT OF BEGINNING**, containing within these metes and bounds 4.25 acres, more or less, to be annexed into the City of West Columbia, in Brazoria County, Texas.

NOTE: The Basis of Bearing is Texas State Plane Coordinate System NAD 83, South Central Zone.

This Field Notes Description constitutes a legal document, and, unless it appears in its entirety, in its original form, including preamble, seal and signature, surveyor assumes no responsibility or liability for its correctness. It is strongly recommended, for the continuity of future surveys, that this document be incorporated in all future conveyances, without any revisions or deletions. This description and the accompanying Survey Plat were prepared from record data furnished by the client and was done without the benefit of a Title Report. Surveyor has made no investigation or search for easements or other matters of record that a Title Report would disclose and this survey does not represent a warranty of title or a guarantee of ownership.

PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

March 4, 2016
Job No. 140630
DJ

NOTE: COORDINATES SHOWN ARE BASED ON NAD83 TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS SOUTH CENTRAL ZONE.

I HEREBY STATE THAT THIS PLAT SHOWS THE SUBJECT LOCATION AS SURVEYED ON THE GROUND. THIS SHOULD NOT BE CONSIDERED A BOUNDARY SURVEY.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

SERGIO Z. CANALES
REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE NO. 6040

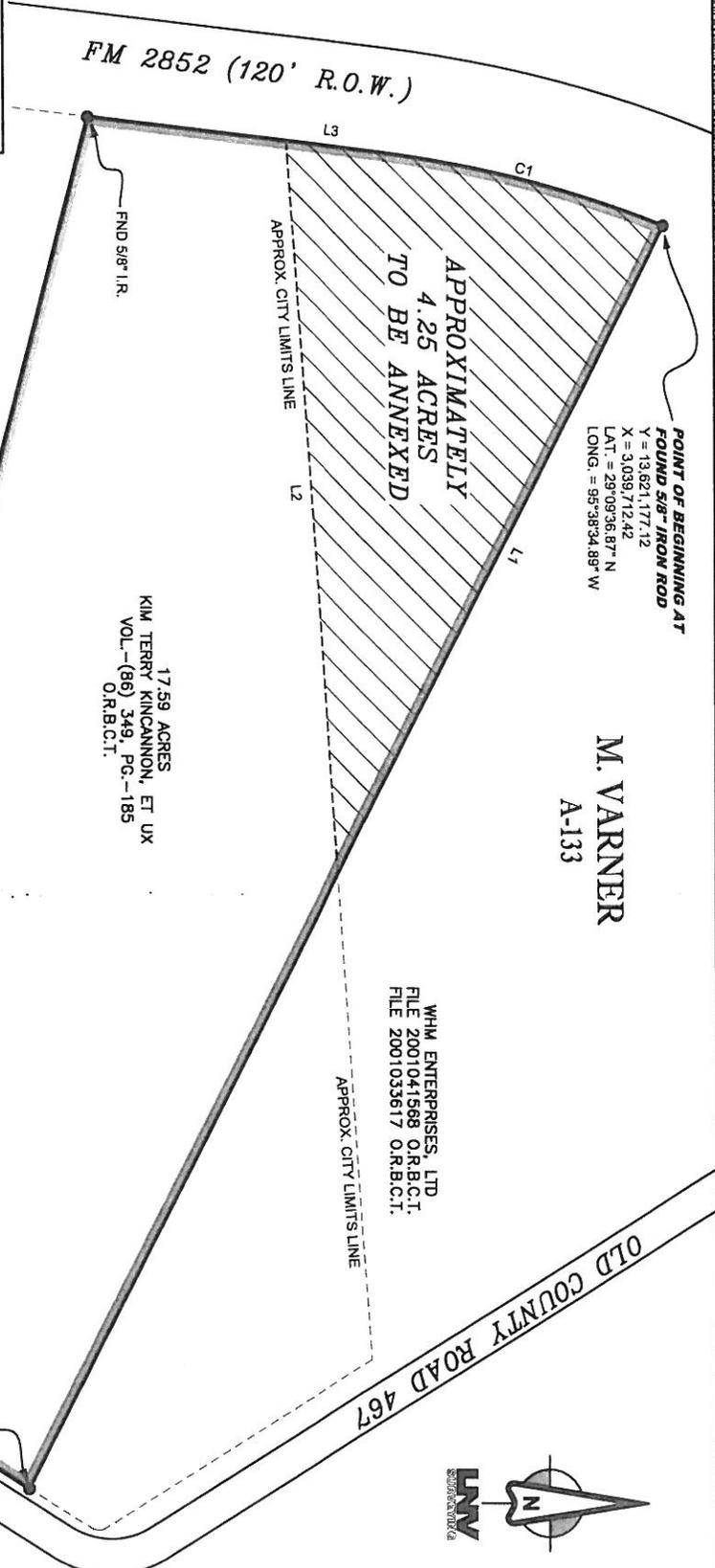
POINT OF BEGINNING AT
FOUND 5/8" IRON ROD
Y = 13,821,177.12
X = 3,039,712.42
LAT. = 29°03'36.87" N
LONG. = 95°38'34.89" W

M. VARNER
A-133

WHM ENTERPRISES, LTD.
FILE 2001041568 O.R.B.C.T.
FILE 2001033617 O.R.B.C.T.

17.59 ACRES
KIM TERRY KINCANNON, ET UX
VOL.-(86) 349, PG.-185
O.R.B.C.T.

WHM ENTERPRISES, LTD.
FILE 2001041568 O.R.B.C.T.
FILE 2001033617 O.R.B.C.T.



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1367.99'	345.31'	344.39'	N 14° 07' 32" E	14° 27' 45"

LINE	BEARING	DISTANCE
L1	S 62° 51' 59" E	832.20'
L2	S 86° 04' 01" W	839.26'
L3	N 06° 58' 54" E	103.90'

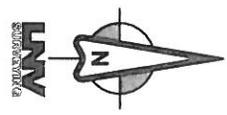
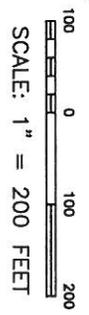


engineers | architects | surveyors
10000 West Loop South, Suite 1000
West Loop, TX 76061
WWW.LNVINC.COM
TELEPHONE NO. 1032880
FAX NO. 10311988

A PROPERTY EXHIBIT FOR:
WEST COLUMBIA COTTAGE & RV RESORT PARK, LTD.
PROPERTY ANNEXATION

SITUATED IN THE M. VARNER SURVEY, A-133, APPROXIMATELY 1.05 MILES NORTH OF WEST COLUMBIA IN BRAZORIA COUNTY, TEXAS

H:\DANIEL PEM\DA6 DEVELOPMENT RV PARK - WEST COLUMBIA\PLANTATION OAKS ANNEXATION.DWG



Survey Date: 3/3/16

Surveyed By: NF/MF

Drawn by: DJ

Checked by: SZC

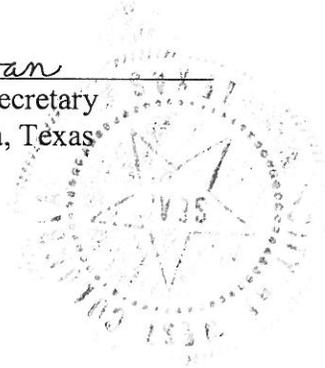
Job #: 140321_000

CERTIFICATE OF SECRETARY

I, Kelli R. 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 11th day of April, 2016, and recorded in the Code of Ordinances as Ordinance No. 643, 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.

I further certify that I have compared the attached Petition for Annexation, the original of which was filed with the City of West Columbia, Texas on the 30th day of March, 2016, and I hereby certify that the same is a true and correct copy thereof.

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



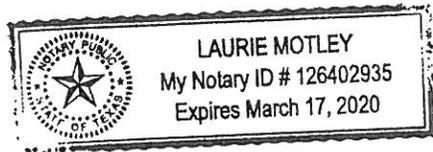
THE STATE OF TEXAS
COUNTY OF BRAZORIA

This instrument was acknowledged before me on the 23 day of June, 2016, by Kelli R. Kuban, City Secretary of the City of West Columbia, Texas.

Laurie Motley
Notary Public, State of Texas

Laurie Motley
Printed Name of Notary Public

March 17, 2020
Commission Expiration Date



FILED and RECORDED

Instrument Number: 2016030703

Filing and Recording Date: 07/01/2016 08:22:33 AM Pages: 10 Recording Fee: \$58.00

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 cursive script 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-wendy