

ORDINANCE NO. 686

AN ORDINANCE GRANTING THE PETITION FOR ANNEXATION FILED BY ONE (1) LANDOWNER; PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF WEST COLUMBIA, TEXAS TO INCLUDE AN ONE (1.00) ACRE TRACT OF LAND OUT OF THAT CERTAIN FOUR HUNDRED FIFTY SEVEN AND ONE HALF (457.5) ACRE TRACT OF LAND SITUATED IN BRAZORIA COUNTY, TEXAS DESCRIBED IN VOLUME 87, PAGES 336-338, DEED RECORDS, BRAZORIA COUNTY; 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 May 10, 2021, one (1) landowner filed a petition for annexation of property, requesting the annexation of certain property located within the extraterritorial jurisdiction of the City of West Columbia, the property being less than one-half mile in width, contiguous to the City of West Columbia, and vacant and without residents or on which less than three (3) qualified voters reside; and

**WHEREAS**, the Texas Local Government Code Section 43.0671 allows the annexation upon request of the area landowner; and

**WHEREAS**, the landowner and the City of West Columbia entered into an agreement for the provision of services (the "Service Plan") upon annexation as detailed in **Exhibit B** attached hereto and incorporated herein on May 10, 2021; and

**WHEREAS**, a public hearing, where all interested persons were provided with an opportunity to be heard on the proposed petition for annexation of the territory fully described in **Exhibit "A"** was held on June 14, 2021 at City Hall, at 512 E. Brazos Ave, West Columbia, TX 77486 in the City of West Columbia, Texas; and

**WHEREAS**, the City Council, thereafter, granted the petition for annexation; and

**WHEREAS**, the tract of land subject to the petition for annexation is described by metes and bounds in this ordinance; and

**WHEREAS**, the above described territory lies within the extraterritorial jurisdiction 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, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

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

**Section 1.** That all 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 "A"**

**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.** That the service plan attached hereto as **Exhibit "B"** is hereby adopted as part of the annexation of the property described in **Exhibit "A"**.

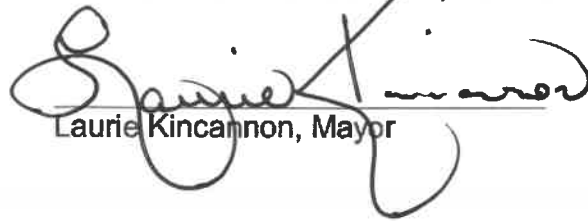
**Section 5.** Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application thereof ineffective or inapplicable as to any territory, such unconstitutionality, illegality, invalidity, or ineffectiveness of such sections or part shall in no wise affect, 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 6.** 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.

PASSED AND APPROVED in West Columbia, Texas this 14th day of June, 2021.

CITY OF WEST COLUMBIA, TEXAS



Laurie Kincannon, Mayor

ATTEST:

Kelli R. Kuban  
Kelli Kuban, City Secretary

STATE OF TEXAS  
COUNTY OF BRAZORIA

This instrument was acknowledged before me on the 14th day of June, 2021 by  
Laurie 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: 12-15-2021

Please Return Recorded Copy to:  
Kelli Kuban, City Secretary

## EXHIBIT A

### METES AND BOUNDS PROPERTY DESCRIPTION

A 1.00 ACRE TRACT OF LAND OUT OF THE J.G. DANCE 457.5 ACRE TRACT (VOLUME 87, PAGES 336-338, DEED RECORDS, BRAZORIA COUNTY, TEXAS) IN THE J.H. BELL 1-1/2 LEAGUE GRANT, ABSTRACT 40, BRAZORIA COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY MEETS AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8" iron rod found at the intersection of the Southwest right-of-way line of Marshall Street (City of West Columbia) with the Southeast right-of-way line of Dance Drive (City of West Columbia);

THENCE; South 23° 25' 53" East 217.80 feet, along the Southwest right-of-way line of Marshall Street, to a 1/2" iron rod set for corner;

THENCE; South 66° 35' 46" West 200.00 feet to a 1/2" iron rod set for corner;

THENCE; North 23° 25' 53" West 217.80 feet to a 1/2" iron rod set for corner in the Southeast right-of-way line of Dance Drive;

THENCE; North 66° 35' 46" East (Reference Bearing) 200.00 feet, along the Southeast right-of-way line of Dance Drive, to the Place of Beginning; Said tract therein containing 1.00 acre of land, more or less.

**EXHIBIT B**  
**ANNEXATION SERVICE PLAN**

April 27, 2015

The City of West Columbia, Texas will provide for the extension of municipal services into the territory annexed in accordance with the following schedule:

1. **POLICE PROTECTION:** Provided immediately upon annexation. Service will be provided to the resident of the annexed area on the same basis as those residents currently living within the City limits.

2. **FIRE PROTECTION:** Provided immediately upon annexation. Service will be provided to the resident of the annexed area on the same basis as those residents currently living within the City limits.

3. **EMERGENCY MEDICAL SERVICES:** Provided immediately upon annexation. Service will be provided to the resident of the annexed area on the same basis as those residents currently living within the City limits.

4. **SOLID WASTE COLLECTION:** Immediately upon annexation, the resident within the annexed area will be provided with solid waste collection; cost to be at the prevailing rates of the City's franchise hauler.

5. **PARKS, PLAYGROUNDS AND SWIMMING POOLS:** The City parks and all recreational facilities will be available for use by the resident of the annexed area, beginning on the effective date of the annexation ordinance.

6. **CODE ENFORCEMENT SERVICES:**

- a. Enforcement of the City's ordinances will be provided within the annexed area on the effective date of the annexation ordinance. These ordinances and other regulations will be enforced using

existing personnel.

- b. Complaints of ordinance violations or other code violations within the annexed area will be answered and investigated by existing personnel on the effective date of the annexation ordinance.
- c. Animal Control services will be provided to those areas within the annexed area on the effective date of the annexation ordinance using existing personnel and equipment.
- d. Vector control services will be provided to the area within the annexed area on the effective date of the annexation ordinance using existing personnel and equipment.

7. **MISCELLANEOUS:** General municipal administration and administrative services of the City shall be available to the annexed area beginning with the effective date of the annexation ordinance.

8. **LIBRARY SERVICES:** The City Library and facilities will be available for use by the resident of the annexed area, beginning on the effective date of the annexation ordinance.

9. **SANITARY SEWER:** Sanitary services will be provided in accordance with a utilities service agreement subsequent to the date of the approval of the annexation ordinance.

# FILED and RECORDED

Instrument Number: 2021041244

Filing and Recording Date: 06/23/2021 01:12:38 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, appearing to read "Joyce Hudman".

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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-clare