

**ORDINANCE NO. 109**

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF PATTISON, TEXAS AND EXTENDING THE BOUNDARIES OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY.

WHEREAS, the City of Pattison is a general-law municipality.

WHEREAS, the owners of the territory have petitioned the City Council for the City of Pattison in writing to annex the proposed area;

the territory proposed to be annexed is one-half mile or less in width;

the territory is contiguous to the annexing municipality; and

fewer than three qualified voters reside on the proposed territory.

WHEREAS, the City has prepared a service plan for said territory which is attached as **Exhibit "B"** to this ordinance;

WHEREAS, the City has published notice of hearings on said annexation and held hearings as required by law; and

WHEREAS, after hearing arguments for annexation and no arguments against the annexation the City Council has voted to annex said territory into the City.

NOW THEREFORE, be it ordained by the City Council of the City of Pattison, Texas, that the following described property, to-wit:

That the property is described in a field note description attached to this ordinance as **Exhibit "A"** and incorporated and adopted in it's entirety as part of this ordinance for all purposes.

be and the same is hereby annexed to and made a part of the City of Pattison, Texas and that the corporate limits of said City of Pattison, Texas, are hereby extended so as to embrace and incorporated with the City of Pattison, Texas, all the territory, lands, and property within the bounds of the territory included within the metes and bounds hereinabove described and attached to this ordinance as **Exhibit "A"**.

That the inhabitants of the above described territory so hereby annexed shall be entitled to and shall receive all the rights and privileges accruing to citizens of said City the same as other inhabitants of said City now in force and effect and those that may hereafter be passed by the City Council of the City of Pattison.

That the municipal service plan for the herein annexed territory provided for in **Exhibit "B"** attached here to is adopted.

The City Secretary is hereby directed to file with the County Clerk of Waller County, Texas a certified copy of this ordinance.

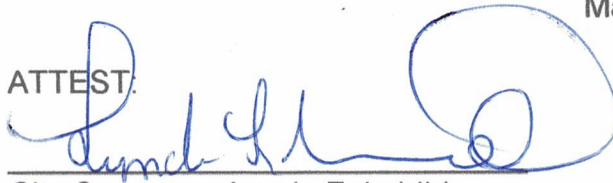
PASSED by an affirmative vote of a majority of the members of the City Council, this 15th day of August, 2017.

APPROVED:



Mayor, Joe Garcia

ATTEST:



City Secretary, Lynda Fairchild

INDIVIDUAL ACKNOWLEDGMENT

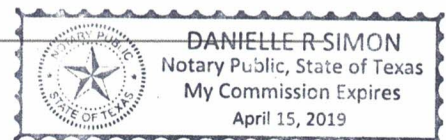
State of Texas
County of Waller

On August 16, 2017, Lynda L Fairchild and _____
personally came before me and, being duly sworn, did state that he or she is the person described in the above document and that he or she signed the above document in my presence as a free and voluntary act for the purposes stated.

Notary Signature Danielle R. Simon

Notary Public, In and for the County of Waller
State of Texas

My commission expires: April 15, 2019



PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

TO THE MAYOR OF THE GOVERNING BODY OF Pattison, TEXAS:

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby [if applicable: waive the requirement to be offered a development agreement pursuant to Section 43.035, and] petition your honorable Body to extend the present city limits so as to include as part of the City of Pattison, Texas, the following described territory, to wit:

See attached two pages
(Here describe the territory covered by the petition by metes and bounds)

We certify that the above described tract of land is contiguous and adjacent to the City of Pattison, Texas, is not more than one-half mile in width, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: Jimmy Brewett
Signed: Shirley C. Brewett
Signed: _____

THE STATE OF TEXAS

COUNTY OF Waller

BEFORE ME, the undersigned authority, on this day personally appeared Jimmy Brewett and Shirley C. Brewett, known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 10 day of July, 2017.



Ariana Rodriguez Gierbolini
Notary Public in and for
Waller County, Texas.

METES AND BOUNDS DESCRIPTION
20.000 ACRES

Being all that certain 20.000 acres (871,200 square feet) of land located in the Samuel C. Hady Survey, Abstract No. 31, Waller County, Texas, said tract being a part of that certain 51.660 acre tract described in deed dated April 5, 1995 from Larry G. Hammerling to B. K. Watson, III, Trustee as recorded in Volume 514, Page 589 of the Deed Records of Waller County, Texas and being the same 51.660 acre tract delineated on plat prepared by Charlie Kalkomey, R.P.L.S No. 1399, dated March 3, 1995, said 20.000 acres (871,200 square feet) of land being more particularly described by metes and bounds as follows to wit:

COMMENCING at a 1 inch iron pipe found for the southwest corner of said 51.660 acre parent tract, according to the map or plat thereof prepared by Charlie Kalkomey, R.P.L.S. No. 1399, being on the easterly line of that certain call 100 acre tract described in Volume 215, Page 411, of the Deed Records of Waller County Texas (bearings based on the west line said 51.6600 acre parent tract);

THENCE South 55°19'52" East (called South 55°19'39" East), with the southerly line of said 51.660 acre parent tract and with the north line of that certain 48.286 acre tract recorded in Volume 454, Page 532 of the Deed Records of Waller County Texas, a distance of 549.63 feet to a 5/8 inch iron rod set for the **POINT OF BEGINNING**, being the southwest corner of herein described tract;

THENCE North 34°40'08" East, perpendicular to the south line of said parent tract and with the westerly line of herein described 20.000 acre tract, a distance of 807.49 feet to a 5/8 inch iron rod set for the northwest corner of herein described tract;

THENCE North 77°43'26" East, with the north line of the herein described tract, a distance of 714.03 feet to a 5/8 inch iron rod set for a point located on the west right-of-way of F.M. 359 (100 feet wide) and being the northeast corner of herein described tract;

THENCE South 12°16'34" East (called South 12°16'27" East), with the westerly right-of-way of F.M. 359 (100 feet wide), a distance of 349.29 feet to a ½ inch iron pipe found at the beginning of a curve to the right;

THENCE in a southerly direction along said curve to the right having a radius of 5687.34 feet, a central angle of 00°30'42", a chord bearing and length of South 11°30'52" East, 50.78 feet (called South 11°33'33" East, 50.71 feet) and an arc distance of 50.79 feet to a ½ inch iron pipe found for the northeast corner of a cemetery tract;


THENCE South 66°13'24" West, (called South 66°14'39" West), with the chain link fenced north line of said cemetery tract, a distance of 194.58 feet (called 194.63 feet) to the call corner of said 51.6600 acre parent tract, from which a ½ inch iron pipe bears North 41°35'29" West, 0.23 of a foot;

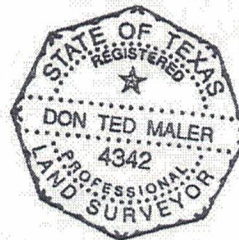
THENCE South 09°38'23" West, with the chain link fenced west line of said cemetery tract and with the easterly adjoining line of herein described tract, a distance of 569.00 feet to the call corner of the aforementioned 51.6600 acre parent tract being on the north line of that certain 6.00 acre church site as found for record in Volume 403, Page 636 of the Deed Records of Waller County Texas, from which a ½ inch iron pipe bears North 26°40'29" East, 0.23 of a foot;

THENCE North 69°42'45" West, with the fenced north line of said cemetery tract and with the call line of the aforementioned 51.6600 acre parent tract, a distance of 149.92 feet, from which a found ½ inch iron pipe bears North 62°39'49" East, 0.24 of a foot;

THENCE South 33°51'21" West, (called South 33°50'01" West) with the fenced west line of said church tract and with the aforementioned easterly line of said 51.6600 acre parent tract, a distance of 337.03 feet (called 337.15 feet) to a 1 inch iron pipe found for corner;

THENCE North 55°19'52" West, (called North 55°19'39" West), with the southerly line of the 51.6600 acre parent tract and with the northerly line of that certain aforementioned 48.286 acre tract described in Volume 454, Page 532 of the Deed Records of Waller County Texas, a distance of 777.80 feet to the POINT OF BEGINNING and containing 20.00 acres 871,220 square feet) of land more or less.


Don T. Maler, R.P.L.S. No. 4342



February 17, 1996

Book A
Page 2 of 2

Filed for Record Mar. 5
RECORDED Mar. 14

A.D., 1996 at 3:30 o'clock P M.
A.D., 1996 at 11:50 o'clock A M.
CHERYL PETERS, County Clerk, Waller County, Texas

By Dana Nolan Deputy

EXHIBIT "B"
TO ORDINANCE NO. 109
ANNEXATION SERVICE PLAN
FOR A TRACT OF 20.00 ACRES, MORE OR LESS,
PREWITT PROPERTY

FOR SERVICES ON THE EFFECTIVE DATE OF ANNEXATION:

1. POLICE PROTECTION

The City of Pattison, Texas does not have a police department. Law enforcement will be provided by the Waller County sheriff's office at the same or similar level of service now being provided to other areas of the City of Pattison, Texas, with similar topography, land use and population within the newly annexed area.

2. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

The City of Pattison, Texas, is presently serviced by the Pattison Area Volunteer Fire Department, which will provide fire protection services to the newly annexed tract at the same or similar level of service now being provided to other areas of the City of Pattison, Texas, with similar topography, land use and population within the City. At the present time, emergency medical services are provided in this area by the Brookshire-Pattison Ambulance service.

3. SOLID WASTE COLLECTION

At the present time the City of Pattison, Texas, does not furnish solid waste and refuse service within the city limits of the City of Pattison, Texas.

4. MAINTENANCE OF WATER AND WASTE WATER FACILITIES

The City of Pattison does not provide water or wastewater services or facilities in the City and no such service is expected to be required in the area (cemetery) to be annexed.

5. MAINTENANCE OF ROADS AND STREETS

The City Council of the City of Pattison, Texas, is not aware of the existence of any roads or streets now located in the area proposed for annexation. In the event any such roads or streets do exist and are public facilities owned by or dedicated to the City of Pattison, Texas, the City will maintain such areas to the same extent and degree that it maintains roads and streets and other similar facilities of the City of Pattison, Texas. Any and all roads or streets which have been dedicated to and accepted by the City of Pattison, Texas, or which are owned by the City of Pattison, Texas, shall be maintained to the same degree and extent that other roads and streets are maintained in areas with similar topography, land use and population density. Any and all lighting of road and streets which may be positioned in a right-of-way, roadway or utility company easement shall be maintained by the applicable utility company servicing the City of Pattison, Texas, pursuant to the rules, regulations and fees of such utility.

6. MAINTENANCE OF PARKS, PLAYGROUNDS AND SWIMMING POOLS

The City Council of the City of Pattison, Texas, is not aware of the existence of any parks,

playgrounds or public swimming pools now located in the area proposed for annexation. In the event any such parks, playgrounds or swimming pools do exist and are public facilities, the City of Pattison, Texas, will maintain such areas to the same extent and degree that it maintains parks, playgrounds and swimming pools and other similar areas of the City now incorporated in the City of Pattison, Texas.

7. MAINTENANCE OF ANY PUBLICLY OWNED FACILITY, BUILDING OR MUNICIPAL SERVICE

The City Council of the City of Pattison, Texas, is not aware of the existence of any publicly owned facility, building or other municipal service now located in the area proposed for annexation. In the event any such publicly owned facility, building or municipal service does exist and are public facilities, the City of Pattison, Texas, will maintain such areas to the same extent and degree that it maintains publicly owned facilities, buildings or municipal services of the City now incorporated in the City of Pattison, Texas.

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BEGIN WITHIN 2-1/2 YEARS:

1. POLICE PROTECTION, FIRE PROTECTION & SOLID WASTE COLLECTION

The City Council of the City of Pattison, Texas, finds and determines it to be unnecessary to acquire or construct any capital improvement within 2-1/2 years of the effective date of the annexation of the particular annexed area for the purposes of providing police protection, fire protection or solid waste collection. The City Council finds and determines that it has at the present time adequate facilities to provide the same type, kind and level of protection and service which is presently being administered to other areas already incorporated in the City of Pattison, Texas, with the same or similar topography, land use and population density.

2. WATER AND WASTEWATER FACILITIES

During the next 2-½ years the City Council of the City of Pattison, Texas, does not anticipate that any water or wastewater mains for points of connection for serviceable extensions to provide water and wastewater service will be necessary within the area to be annexed, but if such need arises the City will provide such facilities pursuant to the City's standard water extension policies now in existence.

3. ROADS AND STREETS

Maintenance of properly dedicated roads and streets will be consistent with the maintenance provided by the City to other roads and streets in areas of similar topography, land use and development of the annexed property.

4. MAINTENANCE OF PARKS, PLAYGROUNDS, AND SWIMMING POOLS, AND THE MAINTENANCE OF ANY OTHER PUBLICLY OWNED FACILITY, BUILDING OR SERVICE

To the extent that it becomes necessary because of development demands, population growth, and a bona fide need, the City Council of the City of Pattison, Texas, will undertake to provide any such facility which it deems necessary to adequately provide for the health and safety of the citizens of the

SPECIFIC FINDINGS

The City Council of the City of Pattison, Texas, finds and determines that this proposed Service Plan will not provide any fewer services, and it will not provide a lower level of service in the area proposed to be annexed than were in existence in the proposed area at the time immediately preceding the annexation process.

Furthermore, the City Council of the City of Pattison, Texas, finds and determines the nature of the area is characteristically different from other developed areas within the corporate limits of the City of Pattison, Texas. Consequently, because of the differing characteristics of topography, land utilization and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from services provided other areas of the City of Pattison, Texas. These differences are specifically dictated because of differing characteristics of the property and the City of Pattison, Texas, will undertake to perform consistent with this service plan so as to provide this newly annexed area with the same type, kind and quality of service presently enjoyed by the citizens of the City of Pattison, Texas, who reside in areas of similar topography, land utilization and population.

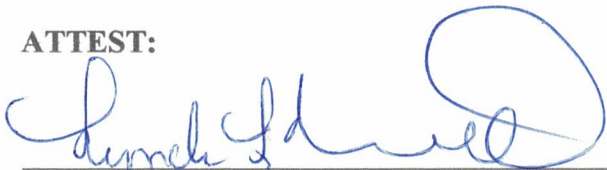
APPROVED on this the 15th day of August, 2017.

CITY OF PATTISON, TEXAS



Joe Garcia, Mayor

ATTEST:



Lynda Fairchild, City Secretary

INDIVIDUAL ACKNOWLEDGMENT

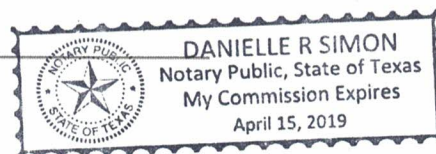
State of Texas
County of Waller

On August 16, 2017, Lynda L Fairchild and _____
personally came before me and, being duly sworn, did state that he or she is the person described in the above document and that he or she signed the above document in my presence as a free and voluntary act for the purposes stated.

Notary Signature Danielle R Simon

Notary Public, In and for the County of Waller
State of Texas

My commission expires: April 15, 2019



FILED AND RECORDED

Instrument Number: 1706336

Filing and Recording Date: 08/16/2017 03:39:02 PM Pages: 9 Recording Fee: \$44.00

I hereby certify that this instrument was FILED on the date and time stamped hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of Waller County,



Debbie Hollan, County Clerk
Waller 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.

Kim Imhoff, Deputy

Returned To:
THE CITY OF PATTISON

Daystar Publishing, Inc.

The Times Tribune

PO Box H, Katy, Texas 77492

281-934-4949 • Fax 281-934-2012

Invoice No. 13522

CITY OF PATTISON
P.O. BOX 223
ATTN: ACCOUNTS PAYABLE
PATTISON, TX 77466-0223

Invoice Date: August 14, 2017

Payment Terms: Net 30 Days

Due Date: September 13, 2017

Customer PO:

Customer ID: CITY OF PATTISON

All invoices due and payable in Waller County, Texas

Item	Description	Amount
LEGAL NOTICE	08-03-17 NOTICE OF PUBLIC HEARING - ANNEXATION INTO THE CITY OF PATTISON	112.13
AFFIDAVIT	PROOF OF PUBLICATION AND TEARSHEETS	10.00

MAIL PAYMENT TO:

Daystar Publishing, Inc.
The Times Tribune
P.O. Box H
Katy, Texas 77492

Total Invoice Amount 122.13

Payment:

Amount Due: 122.13

DAYSTAR PUBLISHING, INC.

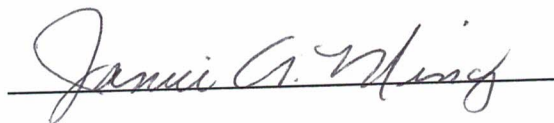
DbatThe Times Tribune
PO Box H, Katy, Texas 77492

PUBLISHER'S AFFIDAVIT

Proof of Publication Provided to: CITY OF PATTISON

RE: Legal Notice Captioned: NOTICE OF PUBLIC HEARING

Description: PROPOSED ANNEXATION BY THE CITY OF PATTISON



Janice A. Mincy, Publisher

Before me, the undersigned authority, on this day personally appeared Janice A. Mincy, Publisher of The Times Tribune, a weekly newspaper of general circulation, published at Brookshire, in Waller County, Texas, who deposes and says that the above referenced advertisement, as per copy(s) attached, was Published in the regular issue(s) dated:

THURSDAY, AUGUST 03, 2017

Subscribed and sworn to before me this the 15th day of August, 2017.



Notary Public in and for Waller County, Texas