

***City of Pattison******P.O. Box 223******Pattison, TX 77466*****ORDINANCE NO. 2023-162**

AN ORDINANCE OF THE CITY OF PATTISON, TEXAS, ANNEXING THE HEREINAFTER DESCRIBED TERRITORY WHICH IS NOT ALREADY IN THE CITY LIMITS INTO THE CITY OF PATTISON, WALLER COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, ADOPTING A SERVICE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Pattison, Texas ("City") received a voluntary petition for annexation from David Borg requesting annexation of certain property consisting of approximately 1.4905 acres, more or less, ("Property") into the City; and

WHEREAS, the Property sought to be annexed meets the applicable requirements of law for annexation of property by voluntary petition of landowners as authorized by Chapter 43, Subchapter C-3 of the Texas Local Government Code; and

WHEREAS, the Property to be annexed into the corporate and territorial limits of the City is property which is not already in the City limits as described in Exhibit "A" which is attached hereto and incorporated herein for all purposes, and

WHEREAS, the procedures prescribed by the Texas Local Government Code and the laws of this State have been duly followed with respect to the Property described in Exhibit "A";

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

Section 1. That the facts and recitations found in the preamble of this Ordinance are true and correct and incorporated herein for all purposes.

Section 2. That the Property described in Exhibit "A" which is not already in the City limits is hereby annexed into the City of Pattison, Waller County, Texas, and that the boundary limits of the City of Pattison, Texas, are hereby extended to include the above described Property within the territorial limits of the City of Pattison, Texas, and the same shall hereafter be included within the territorial limits of said City, and the



City of Pattison
P.O. Box 223
Pattison, TX 77466

inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the City and they shall be bound by this Resolution and the acts, ordinances, resolutions, and regulations of said City.

Section 3. A Service Plan for the Property is hereby adopted and attached hereto and incorporated herein for all purposes as Exhibit "B".

Section 4. The City Secretary is hereby directed to file with the County Clerk of Waller County, Texas, a certified copy of this Ordinance.

Section 5. *Severability.* In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Pattison, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 6. *Effective Date.* This ordinance shall become effective upon passage after second reading.

PASSED, APPROVED AND ADOPTED at the second reading on the 2nd day of February 2023.



Joe Garcia, Mayor

ATTEST:



Lorene L. Hartfiel, City Secretary

"EXHIBIT A"

STATE OF TEXAS

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§
§
§
§

COUNTY OF WALLER §

Metes and Bounds Description

All that certain 5.4901 acre tract of land situated in the Samuel C. Heady Survey, Abstract No. 31, Waller County, Texas: said 5.4901 acre tract being the same property described in General Warranty Deed filed for record in Volume 1118, Page 524 Waller County Deed Records (WCDR) and being more particularly described by metes and bounds as follows:

BEGINNING at an iron pipe found in the East line of Avenue J at the Northwest corner of the Mario Zamarron Tract (Volume 825, Page 471 WCDR) for the Southwest corner of the herein described tract;

Thence North 32°58'31" East along the East line of Avenue J, a distance of 302.86 feet to an iron rod found at an angle point;

Thence North 32°24'42" East continuing along the East line of Avenue J, a distance of 152.44 feet to an iron rod found at the Southwest corner of the Kevin W. Harris Tract (Volume 589, Page 112 WCDR) and the Northwest corner of a Non-Exclusive Access Easement (Volume 1082, Page 55 Official Property Records of Waller County [OPRWC]) for the Northwest corner of the herein described tract;

Thence South 66°25'15" East along the South line of said Harris Tract, a distance of 207.20 feet to an iron rod set at the Southeast corner of said Harris Tract at an "el" corner of the Nelson Branch, Jr. Tract (Volume 252, Page 982 WCDR) for an angle point of the herein described tract;

Thence South 65°57'12" East along a common line with said Branch Tract, a distance of 57.09 feet to an iron rod set for corner;

Thence South 30°08'41" West along a common line with said Branch Tract, a distance of 78.97 feet to an iron rod set for corner;

Thence South 65°19'15" East along a common line with said Branch Tract, a distance of 39.94 feet to a point in the side of a concrete slab at the foundation of a brick building at the West corner of the 35.89 square-foot triangular Tract (Volume 1107, Page 422 OPRWC);

Thence South 55°29'14" East along the side of said concrete slab and the South line of said triangular Tract, a distance of 20.34 feet to the corner of said concrete slab at the South corner of said triangular Tract;

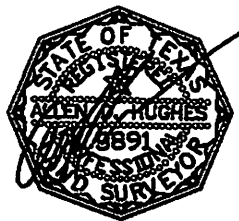
Thence North 34°30'44" East along the East side of said concrete slab and the East line of said triangular Tract, a distance of 2.53 feet to a point in the lower South line of said Branch Tract;

Thence South 65°31'18" East along the South line of said Branch Tract, a distance of 282.63 feet to an iron rod found in the West line of the Charles W. Shearer Tract (Volume 673, Page 888 WCDR) at the Southeast corner of said Branch Tract for the Northeast corner of the herein described tract;

Thence South 40°38'31" West along the West line of said Shearer Tract, a distance of 73.01 feet to an iron rod set at an angle point;

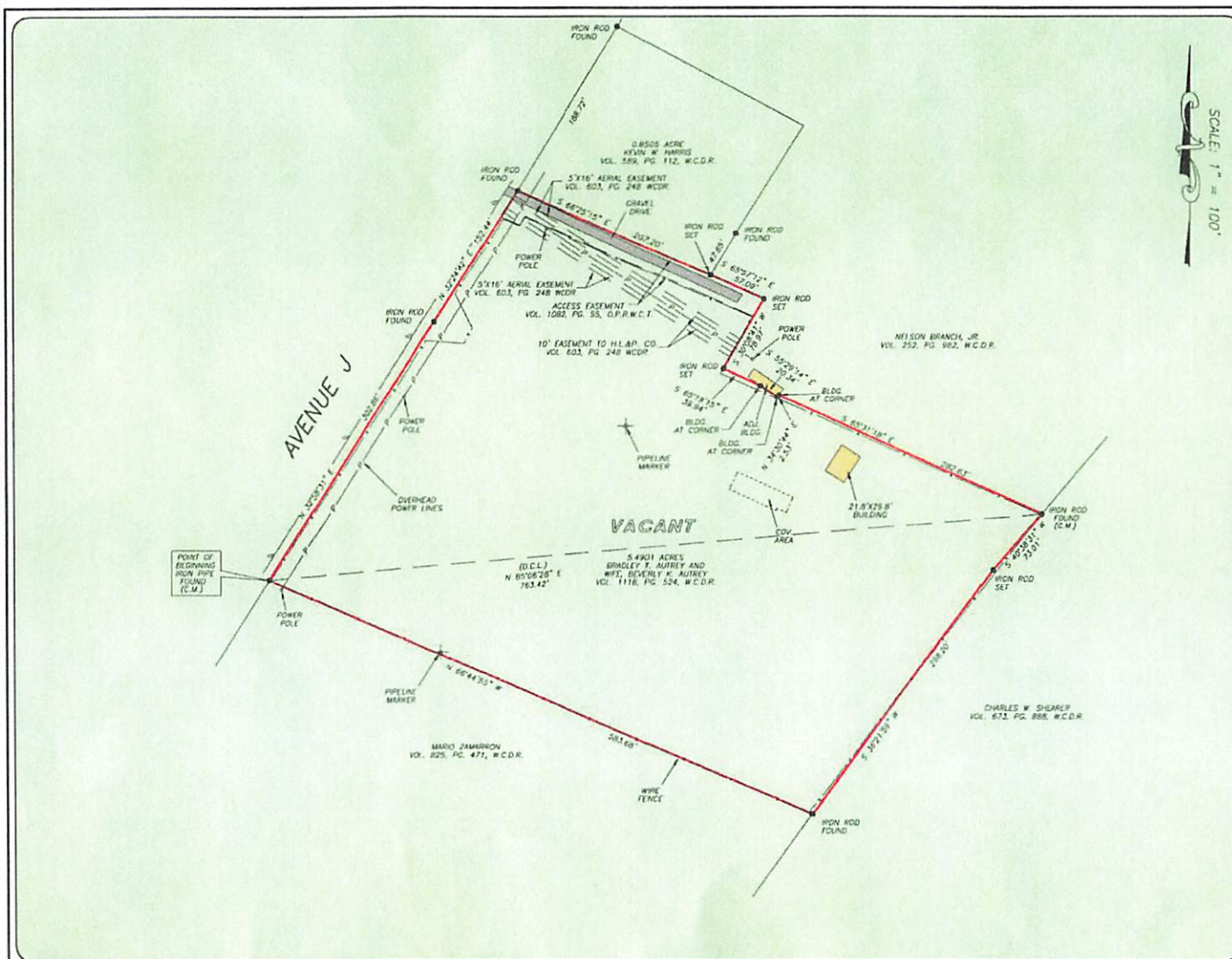
Thence South 36°21'59" West along the West line of said Shearer Tract, a distance of 298.20 feet to an iron rod found at the Northeast corner of said Zamarron Tract the Southeast corner of the herein described tract;

Thence North 66°44'55" West along the North line of said Zamarron Tract, a distance of 583.68 feet to the **POINT OF BEGINNING** and containing 5.4901 acres of land.



Allen D. Hughes
Professional Land Surveyor, No. 3891
June 1, 2011
Job No. 11-04633mb

See drawing attached



SCALE: 1" = 100'

GF NO. WR-11-091 BOTT'S TITLE
ADDRESS: AVENUE J
PATTISON, TEXAS 77466
BORROWER: DAVID G. BORG

5.4901 ACRES
SITUATED IN THE
S.C. HEADY SURVEY LEAGUE, A-31
WALLER COUNTY, TEXAS
(SEE ATTACHED METES AND BOUNDS)

NOTE: 15' RIGHT OF WAY EASEMENT CENTERED ON WALTER
LINE AS INSTALLED VOL. 1098, PG. 48, W.C.D.R.
NOTE: RIGHT OF WAY EASEMENT AS PER VOL. 1005, PG. 248, W.C.D.R.
NOTE: RIGHT OF WAY EASEMENT AS PER VOL. 1008, PG. 48, W.C.D.R.
NOTE: MAY BE SUBJECT TO DEED RESTRICTIONS AND/OR
ADDITIONAL GOVERNMENTAL BUILDING REQUIREMENTS.



THIS PROPERTY DOES NOT LIE WITHIN THE
100 YEAR FLOOD PLAIN AS PER FIRM
MAP NO. 18412C 0350 E
MAP REVISION 06/18/2007
CON. 2
BASED ONLY ON VISUAL EXAMINATION OF MAPS
INACCURACIES OF FEMA MAPS PREVENT EXACT
DETERMINATION WITHOUT DETAILED FIELD STUDY.

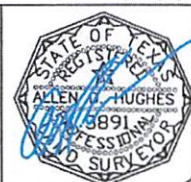
A SUBSURFACE INVESTIGATION
WAS BEYOND THE SCOPE OF THIS SURVEY

D.C.L. = DIRECTIONAL CONTROL LINE
RECORD BEARING VOL. 1118, PG. 524, W.C.D.R.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE
ON THE GROUND, THAT THIS PLAT CORRECTLY
REPRESENTS THE FACTS FOUND AT THE
TIME OF SURVEY AND THAT THERE ARE NO
ENCUMBRANCES APPARENT ON THE GROUND,
EXCEPT AS SHOWN HEREON. THIS SURVEY IS
CERTIFIED FOR THIS TRANSACTION ONLY AND
ABSTRACTING PROVIDED IN THE ABOVE
REFERENCED TITLE COMMITMENT WAS RELIED
UPON IN PREPARATION OF THIS SURVEY.

ALLEN D. HUGHES
PROFESSIONAL LAND SURVEYOR
NO. 3891
JOB NO. 17-04833
JUNE 01, 2011

DRAWN BY: DBR



PRECISION
surveyors

1-800-LANDSURVEY
WWW.PRECISIONSURVEYORS.COM
281-416-1586 FAX 281-498-1867 210-829-4941 FAX 210-829-1555
14623 MEMORIAL DRIVE SUITE 8100 HOUSTON, TEXAS 77059 1777 NE LOOP #10 SUITE 800 SAN ANTONIO, TEXAS 78217

"EXHIBIT B"

**EXHIBIT "B"
TO ORDINANCE
NO. 162
ANNEXATION
SERVICE PLAN
FOR A TRACT OF 1.4905 ACRES, MORE OR
LESS, OUT OF 5.4905 ACRES TRACT OF
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 and Waller Harris Emergency Services District No. 200, 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 and Waller Harris Emergency Services District No. 200. These 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.

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 to be annexed.

5. MAINTENANCE OF ROADS AND STREETS

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.

8. CODE ENFORCEMENT & INSPECTION SERVICES & INTERLOCAL AGREEMENTS

Code enforcement services will be available on the effective date of annexation. Code enforcement services include the response, investigation and potential abatement of property maintenance issues, nuisance issues, sanitation issues, illegal signs, abandoned or inoperable vehicles and other code of ordinance violations.

Upon the effective date of annexation, the City will provide building permits and inspection services to the Property. This service will be made available to the Property on the same basis and at the same level of service as similar facilities throughout the city.

The City has an interlocal agreement with Waller County for animal control and for compliance in the area of OSSF.

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 2-1/2 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 City.

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.

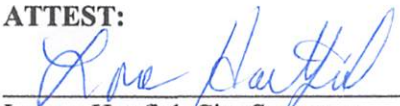
Furthermore, the City Council of the City of Pattison, Texas, finds and determines the nature of the area is characteristically different from other developed areas within the corporate limits of the City of Pattison, Texas. Consequently, because of the differing characteristics of topography, land utilization 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 2 day of February, 2023.

CITY OF PATTISON, TEXAS


Joe Garcia, Mayor

ATTEST:


Lorene Hartfiel, City Secretary

State of Texas

County of Waller

On JANUARY 13, 2023 David L. Bogg and N/A
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

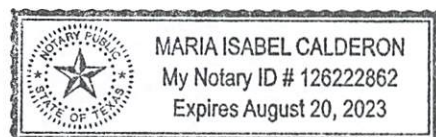
Notary Print

My commission expires:



Maria Calderon

August 20, 2023



FILED AND RECORDED

Instrument Number: 2301484

Filing and Recording Date: 02/08/2023 10:31:30 AM 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,



A handwritten signature in black ink, reading "Debbie Hollan".

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.

Marlene Arranaga, Deputy

Returned To:
CITY OF PATTISON