

ORDINANCE NO. 63-2002

ORDINANCE OF THE CITY OF ORCHARD, TEXAS,
CORRECTING AN EXHIBIT TO ORDINANCE NO. 46-2000
EXTENDING AND EXPANDING THE CITY'S EXTRATERRITORIAL
JURISDICTION UPON THE REQUEST OF OWNERS OF TERRITORY

WHEREAS, pursuant to the provisions of Texas Local Government Code, Section 42.022(b), the owners of various tracts of land (the "Property") petitioned the City of Orchard, Texas (the "City"), to extend and expand its extraterritorial jurisdiction to include such territory; and

WHEREAS, the City reviewed said petition, determined that the facts therein stated were true and correct, determined that the petitioners owned the territory described in the petitions, determined that the territory requested to be included in the extraterritorial jurisdiction of the City was contiguous to the existing extraterritorial jurisdiction of the City, and by Ordinance 46-2000 dated October 28, 2000, expanded its extraterritorial jurisdiction to include the Property; and

WHEREAS, the City had its surveyors, Henry Steinkamp, Jr., Inc. (the "Surveyor"), prepare a map to reflect the land owned by the petitioners, which is attached to the City's Ordinance 46-2000 as Exhibit "A" (the "Map"); and

WHEREAS, the City has been informed by the Surveyor that Map inadvertently failed to accurately reflect the Property in that it omitted a small portion of Parcel 3 and Parcel 4 of the land owned by petitioner, Dorothy N. Tavener (the "Tavener Property"); and

WHEREAS, the Surveyor has provided a corrected survey of the Tavener Property and a corrected Map (the "Corrected Map") that corrects the inadvertent failure to color all of the Tavener Property pink on the Map and that more accurately depicts the Property that was added to the extraterritorial jurisdiction of the City on October 28, 2000.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF ORCHARD, TEXAS:

Section 1. The facts and recitals set forth in the preamble of this ordinance are hereby found and determined to be true and correct.

Section 2. The Corrected Map attached hereto as Exhibit "A" is hereby substituted for the Map previously attached to City Ordinance 46-2000 as Exhibit "A".

Section 3. As of October 28, 2000, the City of Orchard, Texas, extended and

expanded its extraterritorial jurisdiction to include all of the territory described in the Corrected Map, which is attached hereto as Exhibit "A" and incorporated for all purposes, and Exhibit "B" (the petitions of the owners of the Property) and Exhibit "C" (the list of the owners of the Property with the address and legal description of their respective tracts of land), which are attached to and incorporated by reference to the City Ordinance 46-2000 and fully incorporated herein.

Section 4. The City Secretary shall note the date of passage of this Ordinance in the minutes of the meeting. This Ordinance shall become effective immediately upon the date of its passage and adoption.

PASSED and APROVED this 31 day of Oct., 2002.



Eugene L. Demny
Mayor, City of Orchard, Texas



David Kolafa
Commissioner, City of Orchard,

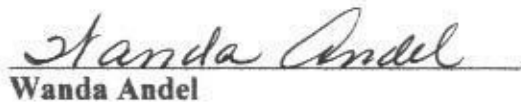
Texas



Rodney Pavlock
Commissioner, City of Orchard,

Texas

ATTEST:


Wanda Andel

Wanda Andel

HENRY STEINKAMP, JR. INC.
Land Boundary & Topographic Surveying
Rosenberg, Texas 77471
Telephone/Fax 281/342-2241

Franklin R. Schodek
Registered Professional Land Surveyor

James L. Syptak, Sr.
Registered Professional Land Surveyor

October 28, 2002

Parcel 3-Ordinance 46-2000

14.57 Acres in the Milton Perry Survey, Ab. 302

Evelyn T. Brown

Dorothy N. Tavener

Parcel 4-Ordinance 46-2000

1.0 Acre in the H.G. Taylor Survey, Ab. 336

Dorothy N. Tavener

A Field Note Description of 15.57 Acres of Land, being 14.57 Acres of Land (Volume 535, Page 41; Deed Records) in the Milton Perry Survey, Abstract 302 and a portion of the G.H. & S.A. Railroad and 1.0 Acre of Land (Volume 315, Page 580; Deed Records) and a portion of the U.S. Highway No. 90A, in the H.G. Taylor Survey, Abstract 336, Fort Bend County, Texas.

Begin at a point marking the Northeast corner of the Evelyn T. Brown & Dorothy N. Tavener 14.57 Acre Tract (Volume 535, Page 41; Deed Records), being in the West line of the City of Orchard, Texas Annexation No. 037-97 and marking the Northeast corner of and *place of beginning* for this description;

THENCE, South 06deg.31' East, along the West line of City of Orchard, Texas, Ordinance No. 037-97, 403.17 feet, more or less, to the Southwest corner of said Ordinance No. 037-97, 11,596.0 Acre Tract;

THENCE, South 83deg.30' West, along the North right-of-way line of said G.H. & S.A. Railroad, approximately 900.0 feet, more or less, to the Northerly projection of the East line of said Dorothy N. Tavener 1.0 Acre Tract for corner;

THENCE, South, crossing said G.H. & S.A. Railroad and U.S. Highway No. 90A, at approximately 200.0 feet passing the Northeast corner of said Dorothy N. Tavener 1.0 Acre Tract, in all 522.5 feet, more or less, to the Southeast corner of said Dorothy N. Tavener 1.0 Acre Tract;

THENCE, South 83deg.45' West, 45 yards (135.0 feet), more or less, to the Southwest corner of said Dorothy N. Tavener 1.0 Acre Tract;

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Page 2.
16.19 Acres
Fort Bend County, Texas.

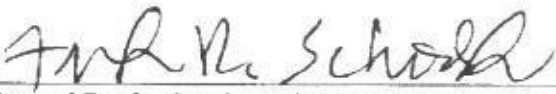
THENCE, North, at 107.5 yards (322.5 feet) pass the Northwest corner of said Dorothy N. Tavener 1.0 Acre Tract and the South right-of-way line of U.S. Highway No. 90A, in all 522.5 feet, more or less, to a point in the North right-of-way line of the G.H. & S.A. Railroad for corner;

THENCE, South 83deg.30' West, along the North right-of-way line of the G.H. & S.A. Railroad, 322.3 feet, more or less, to the Southwest corner of said 14.57 Acre Tract;

THENCE, North, 554.17 feet, more or less, to the Northwest corner of said 14.57 Acre Tract;

THENCE, East, 1302.43 feet, more or less, to the place of beginning and containing 16.19 Acres of Land.

Signed:



Registered Professional Land Surveyor No. 1535

Note: Not a field survey this date, prepared from deeds and available information.

M. PERRY

Robt J Blazek
0.303A A-302

Hattie Rosko
15 489 A

62.4 (Total)

60.69 A
W D. Blazek

Tex N Tavener

Evelyn T Brown

420 A
Wade McNeill

TAVENER

126 A

25 A
P.R. Sulak

Frank A Kovar

Tavener Farm Co 3A

PROB 6171 1935
1700 Terrace
1515 5001
12 B Eastman
1547 4001

Joyce B Otto
Wm C Buis
Olga Bielstein

46.86 A

BULS ROAD

80 A
T M Morrison Jr
Jack R Morrison

Elroy B
Otto H Hupe

H.G. TAYLOR
A-336

NORTHINGTON
A-65

Adolph Harelca

Jessie H Buis
Helen Buis
Savage

SUBD.

80 A
Adolph Harelca

AHAM

806 A

Buis Estate Partnership

1005 A

Linda Blazek Parrish 1/3
Dianne & Marie Blazek 1/3
Olga Peck 1/3

35 A
Im Koym
Koym

W.L. Mikeska

79 A
Vernell Mikeska

SAMUEL N. CROSS

118.5 A

398

72.6 A
Andrew Walzel

7007 A
Calvin W Wegner

52.25 A
Herman

100 A
Louis C Thelmann

55 A
Rich