

CITY OF ORCHARD, TEXAS
ORDINANCE NO. 045-00

AN ORDINANCE OF THE CITY OF ORCHARD, TEXAS, EXTENDING AND
EXPANDING THE CITY EXTRATERRITORIAL JURISDICTION
UPON THE REQUEST OF OWNER OF TERRITORY

WHEREAS, pursuant to Section 42.022, V.T.C.A., Local Government Code, George B. Wingate (the "Petitioners"), have presented to the City of Orchard, Texas, (the "City"), a petition requesting that the City extend and expand its extraterritorial jurisdiction to include all of the territory described in Exhibit "A" attached hereto and incorporated herein for all purposes; and

WHEREAS, the City has reviewed the petition and has determined that the facts therein stated are true and correct; that Petitioners are the owners of all the territory described in Exhibit "A" hereto; and that said territory is wholly contiguous to the existing extraterritorial jurisdiction of the City, and that no portion of the territory is in any other city's extraterritorial jurisdiction; and

WHEREAS, the City has determined that it will be in the best interests of the City and the Petitioners, and will benefit the territory if the City extends and expands its extraterritorial jurisdiction to include all of the territory;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ORCHARD, TEXAS:

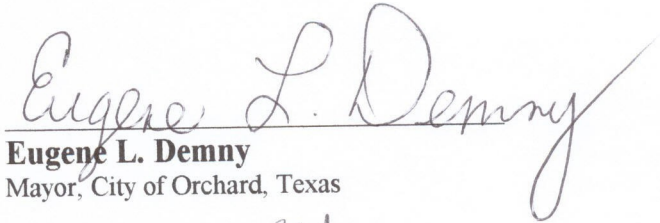
Section 1: All of the facts and recitals set forth in the preamble of this Ordinance are hereby found and determined to be true and correct.

Section 2: The City of Orchard, Texas, hereby extends and expands its extraterritorial jurisdiction to include all of the Territory described in Exhibit "A" hereto, which exhibit is incorporated herein and made a part hereof for all purposes.

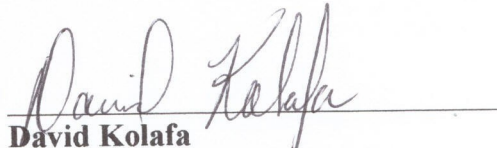
Section 3: The City Secretary is hereby directed to file with the County Clerk of Fort Bend County, Texas, a certified copy of this Ordinance.

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

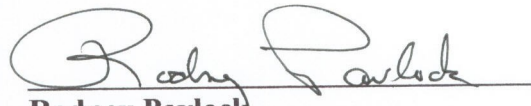
PASSED and APPROVED this 11 day of OCTOBER, 2000.


Eugene L. Demny

Mayor, City of Orchard, Texas

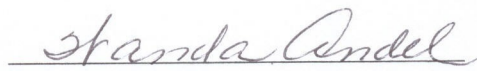

David Kolafa

Commissioner, City of Orchard, Texas


Rodney Pavlock

Commissioner, City of Orchard, Texas

ATTEST:


Wanda Andel

City Secretary, City of Orchard, Texas

PETITION REQUESTING EXTENSION AND EXPANSION
OF EXTRATERRITORIAL JURISDICTION

TO THE HONORABLE MAYOR AND THE COMMISSIONERS OF THE CITY OF
ORCHARD, TEXAS:

The undersigned owners (herein the "Petitioners"), owners of all of the territory described in Exhibit "A" attached hereto and incorporated herein for all purposes (the "Territory"), hereby petition and request the City of Orchard, Texas, (the "City"), to extend and expand the City's extraterritorial jurisdiction to include all the Territory, and would show the following:

I.

Petitioners are the owners of title to all of the land within the Territory, which land is shown on a map or plat submitted with this Petition and described in Exhibit "A" attached hereto.

II.

The Territory is wholly contiguous to the existing extraterritorial jurisdiction of the City.

III.

Petitioners believe that none of the Territory is located within any other city's existing extraterritorial jurisdiction or city limits; however, if Petitioners are incorrect, Petitioners request that the boundaries of the Territory be revised and reformed so that none of the Territory to be included within the City's extraterritorial jurisdiction shall be located within any other city's existing extraterritorial jurisdiction or city limits.

IV.

If any portion of this Petition is invalid or unenforceable for any reason, including but not limited to, because parts of this Territory are ineligible for inclusion in the extraterritorial Jurisdiction of the City, and this Petition shall be construed as if such invalid or unenforceable provision had never been contained herein.

V.

This Petition and request is made pursuant to the provisions of the Texas Local Government Code, 42.022(b).

VI.

Petitioners believe that it will be in the best interest of Petitioners, the Territory, and the City, if the City extends and expands its extraterritorial jurisdiction to include all of the Territory.

WHEREFORE, Petitioners pray that this petition be heard and that the City of Orchard, Texas, duly pass and adopt an ordinance extending and expanding the City's extraterritorial jurisdiction to include all of the Territory described in Exhibit "A" hereto.

RESPECTFULLY EXECUTED on the respective dates appearing hereinafter opposite the names and signatures of the Petitioners.

9/12/00
Date


George B. Wingate

114.3 Acres, Sarah Kennedy League, Ales[#] 45
St. Bend County, Texas

HENRY STEINKAMP, JR. INC.
Land Boundary & Topographic Surveying
909 Fifth Street
P.O. Box 192
Rosenberg, Texas 77471
281/342-2241

Franklin R. Schodek
Registered Professional Land Surveyor

James L. Syptak, Sr.
Registered Professional Land Surveyor

July 20, 2000

A Field Note Description of the George Wingate call 114.3 Acre Tract (See Volume 267, Page 189; Deed Records), in the Sarah Kennedy League, Abstract 45, Fort Bend County, Texas.

Begin at a point on the South Bank of the Brazos River marking the Northwest corner of Extra-Territorial Jurisdiction Annexing Ordinance No. 45-00, 406.1 Acre Tract, more or less, dated Sept. 17, 1997; said corner being the Northeast corner and Place of Beginning for this Tract;

THENCE, Southerly, along the West line of said 406.1 Acre Tract, more or less 5040 feet, more or less, to the Southeast corner of this Tract, said corner being the Southeast corner of Lot No. 11 of FRUITLAND FARMS SUBDIVISION;

THENCE, Westerly, along the centerline of Johnson Road, 938.0 feet, more or less, to the Southwest corner of this Tract;

THENCE, North 0deg. 30' 20" East, 5610.57 feet, more or less, along the East line of the Dr. George E. Slater Call 493.13 Acre Tract (Volume 2312, Page 1025, Official Records) to a point marking the Northwest corner of this Tract;

THENCE, Southeasterly along the South Bank of the Brazos River to the Place of Beginning and Containing 114.3 Acres of Land, more or less.