

ORDINANCE NO. 58-2001

ORDINANCE OF THE CITY OF ORCHARD, TEXAS, EXTENDING AND EXPANDING THE CITY'S EXTRATERRITORIAL JURISDICTION UPON THE REQUEST OF OWNERS OF TERRITORY

WHEREAS, Pursuant to the provisions of the Texas Local Government Code, Section 42.022(b), (formerly Subsection C of Section 3 of the Municipal Annexation Act, Article 970 a, Vernons Texas Civil Statutes, as amended), the owner of the tracts of land comprising the territory depicted and outlined in pink on Exhibit "A", a map dated July 11, 2001, have petitioned the City of Orchard, Texas ("the City") to extend and expand its extraterritorial jurisdiction to include all of that territory. All of those petitions are included in Exhibit "B", and Exhibit "C" is a list of those owners with the address and legal description of their respective tracts of land. Exhibits "A", "B", and "C" are attached to this ordinance and are incorporated herein by reference for all purposes. purposes; and

WHEREAS, THE City has reviewed said petition and has determined that the facts therein stated are true and correct; the Petitioner is the owner of the territory described in Exhibit "A" hereto; and that said territory is wholly contiguous to the existing extraterritorial jurisdiction to include such territory;

WHEREAS, the City has determined that it will be in the best interests of the City and the territory described in Exhibit "A" attached hereto if the City extends and expands its extraterritorial to include such territory;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF 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.

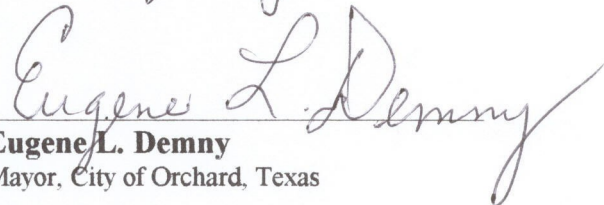
Section 2. The City of Orchard, Texas, hereby extends and expands its extraterritorial jurisdiction to include all of the territory described in Exhibit "A", and further described in Exhibits "B" and "C", which exhibits, as already recited in the preamble to this ordinance, are attached to and incorporated in this ordinance by reference for all purposes.

Section 3. 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.


If any section 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 section or part shall in no way 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: and should this Ordinance for any reason be ineffective as to any part of the territory hereby included within the extraterritorial jurisdiction of the City of Orchard, such ineffectiveness of this Ordinance, as to any such part or parts of any such territory, and the City Council hereby declares it to be its purpose to include within the extraterritorial jurisdiction of the City every part of the territory described in this Ordinance, regardless of whether any other part of such described territory is hereby effectively included within the extraterritorial jurisdiction of the City. Provided, further, if there is included in the general description of territory set out in this Ordinance to be hereby included within the extraterritorial jurisdiction of the City of Orchard, any territory which is already a part of and included within the extraterritorial jurisdiction or general limits of the City, or which is presently part of and included within the limits or extraterritorial jurisdiction of any other city, town, or village, the same is hereby excluded and excepted from the territory to be included within the City's extraterritorial jurisdiction hereby, as fully as if such excluded and excepted territory were especially and specifically described herein.

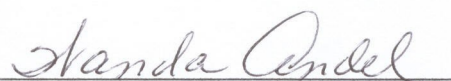
PASSED and APPROVED this 11 day of July, 2001.


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

MAY 9, 2001 ETJ

OWNER ADDRESS DEED	PROPERTY ADDRESS	LEGAL DESCRIPTION
1. Sharon Stilabower Gale Scholles 1005 Mossey Oak Dr. Keller, Texas 76248-3250	Aylor Road	Sarah Kennedy League Section 14 129.3 Ac.
2. Frank Hafernick PO. Box 391 Orchard, Texas 77464	Aylor Road	Sarah Kennedy League 155.12 Ac.
3. Willie Sliva P.O. Box 29 Orchard, Texas 77464	Roper Road	Wilson T. Lightfoot Survey Abstract 282 21.336 Ac.
4. Herman Kellner P.O. Box 36 Orchard, Texas 77464	Aylor Road	Sarah Kennedy League 63.48 Ac.
5. Kenneth Vacek 7234 Fireside Ct. Sugar Land, Texas 77479	Long Lane	Sarah Kennedy League 75 Ac.
6. John Mikeska 3291 Windsor Pearland, Texas 77581	Long Lane	Gail Borden League Abstract 12 26.61 Ac.
7. Melvin, Wilbur & Gerald Mikeska P.O. Box Orchard, Texas 77464	Long Lane	Gail Borden League Abstract 12 24.61 Ac.
8. Joe & Josephine Mikeska 9408 Johnson Rd. Wallis, Texas 77485	Johnson Road	Gail Borden League Abstract 12 18.861 Ac.
9. Joe Dujka/LaNelle Kalkomey 1115 Copperwood Ct. Richmond, Texas 77469	Long Lane	Gail Borden League Abstract 12 50.2149 Ac.
10. Geraldine Sliva P.O. Box 29 Orchard, Texas 77464	Long Lane	Gail Borden League Abstract 12 30 Ac.
11. Milton Kellner 3020 Terry Land Baytown, Texas 77521	Long Lane	Gail Borden League Abstract 12 28.3850 Ac.
12. Sharon Stilabower Gale Schoelles 1005 Mossey Oak Dr. Keller, Texas 76248-3250	Hwy 1489	Gail Borden League Abstract 12 80 Ac.

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| 13. Sharon Stilabower
Gale Schoelles
1005 Mossey Oak Dr.
Keller, Texas 76248-3250 | Hwy 1489 | Gail Borden League
Section 5
150 Ac. |
| 14. Daniel Petrash
4014 Marlborough
Houston, Texas 77092 | Sulak Road | Charles Baird League
Abstract 6
64.578 Ac. |
| 15. Glen Blahuta
3630 FM 1952
Wallis, Texas 77485 | FM 1952 | Andrew Moore Survey
Abstract 293
250.14 Ac. |
| 16. Hilda Blahuta
3738 FM 1952
Wallis, Texas 77485 | FM 1952 | Andrew Moore Survey
Abstract 293
1.012 Ac. |
| 17. Somer Family Trust
Glen Somer
2604 Richard St.
Rosenberg, Texas 77471 | Krasna Road | J.S. O'Conner League
101.165 Ac. |
| 18. Mary Criswell
Joe Dusek Jr.
Patrick Dusek
Cynthia Beseda
JoAnn Demny
1939 Sulak Road
East Bernard, Texas 77435 | Sulak Road | Charles Baird League
Abstract 6
68.1323 Ac. |
| 19. Linda Parish/Marie Hrcir
Dianne Viktorin
15110 County Road 212
East Bernard, Texas 77435 | | S E Cross Survey
118.5 Ac. |
| 20. Jack Wendt
602 Hillcrest
Richmond, Texas 77369 | | Elizabeth Powell
Abstract 71
48.687 Ac. |
| 21. Benjamin Michulka
Rt. 1 Box 177 A
East Bernard, Texas 77435 | Williams Road | Charles Baird League
Abstract 6
104.4816 Ac. |