

ORDINANCE NO. 64-2002

ORDINANCE OF THE TOWN OF ORCHARD, TEXAS, EXTENDING  
AND EXPANDING THE TOWN'S EXTRATERRITORIAL JURISDICTION  
UPON THE REQUEST OF OWNER 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 970a, Vernons Texas Civil Statutes, as amended), the owner of all the territory described in Exhibit "A" attached hereto, said owner being hereinafter referred to as "Petitioner", has presented to the Town of Orchard, Texas (the "Town") a petition requesting that the Town 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 Town has reviewed said petition and has determined that the facts therein stated are true and correct; that Petitioner is the owner of the territory described in Exhibit "A" hereto, and that said territory is wholly contiguous to the existing extraterritorial jurisdiction of the Town; and

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

NOW, THEREFORE,

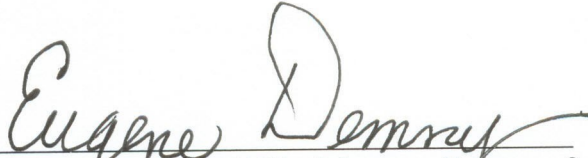
BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ORCHARD,  
TEXAS:

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 Town 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. This ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED on this 19 day of DECEMBER 2002.

  
EUGENE DEMNY, Mayor, Town of  
Orchard, Texas

ATTEST:

  
WANDA ANDEL, Town Secretary  
Town of Orchard, Texas

TOWN OF ORCHARD, TEXAS,  
COUNCILMEN:

Paul Paulich  
\_\_\_\_\_, Councilman

\_\_\_\_\_  
\_\_\_\_\_, Councilman

**PETITION REQUESTING EXPANSION AND EXTENSION  
OF EXTRATERRITORIAL JURISDICTION**

TO THE HONORABLE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF  
ORCHARD, TEXAS:

The undersigned owner (herein the "Petitioner"), owner of all of the territory described in Exhibit "A" attached hereto and incorporated herein for all purposes (the "Territory"), hereby petitions and requests the Town of Orchard, Texas, (the "Town"), to expand and extend the Town's extraterritorial jurisdiction to include all the Territory, and would show the following:

**I.**

Petitioner is the owner of title to all of the land within the Territory, which tract of land is shown on a map or plat submitted with this Petition. Also attached is a legal description of the territory, being Exhibit A.

**II.**

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

**III.**

Petitioner believes that none of the Territory is located within any other city's existing extraterritorial jurisdiction or city limits; however, if Petitioner is incorrect, Petitioner requests that the boundaries of the Territory be revised and reformed so that none of the Territory to be included within the Town'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 the Territory are ineligible for inclusion in the extraterritorial jurisdiction of the Town, 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.

Petitioner believes that it will be in the best interests of the Petitioner, the Territory, and the Town if the Town extends and expands its extraterritorial jurisdiction to include all of the Territory.

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

RESPECTFULLY EXECUTED on this 27 day of November, 2002.

By: John F. Browder  
JOHN F. BROWDER

44.4 Acres, (Volume 798, Page 474; Deed Records)  
G.H. & S.A. Railroad and U.S. Highway No. 90A, in the  
Andrew Northington League, Abstract No. 65,  
Fort Bend County Texas.

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

November 6, 2002

A Field Note Description of 44.4 Acres of Land, more or less, being the remainder of the original John Browder call 79.207 Acre Tract (Volume 798, Page 474; Deed Records) and a portion of the G.H. & S.A. Railroad and U.S. Highway No. 90A, in the Andrew Northington League, Abstract No. 65, Fort Bend County, Texas.

Begin at a point marking the intersection of the Northerly right-of-way line of said G.H. & S.A. Railroad and the West right-of-way line of State Farm Market Road No. 1952; said corner marking the Southeast corner of Parcel No. 18 in the City of Orchard, Texas, Extra-Territorial Jurisdiction (E.T.J.) Annexing Ordinance No. 051-2001 dated February 14, 2001; said point being in the Northerly line of and *place of beginning* for this 44.4 Acre Tract;

THENCE, North 83deg.30' East, crossing said State Farm Market Road No. 1952, at 80.52 feet, more or less, passing a point at the intersection of the East right-of-way line of said State Farm Market Road No. 1952 with the Northerly right-of-way line of said G.H. & S.A. Railroad and marking the Southwest corner of Parcel No. 19 in the City of Orchard, Texas, Extra-Territorial Jurisdiction Annexing Ordinance No. 051-2001 dated February 14, 2001; continuing along the South line of said Parcel No. 19 with the Northerly right-of-way line of said G.H. & S.A. Railroad, with the Northerly line of this 44.4 Acre Tract, 1465.0 feet, more or less, to a point at the intersection of the Northerly right-of-way line of said G.H. & S.A. Railroad with the Northerly projection of the centerline of Engle Road for the Northeast corner of this 44.4 Acre Tract;

THENCE, South, crossing said G.H. & S.A. Railroad and said U.S. Highway No. 90A, at approximately 201.3 feet passing the Northeast corner of the said original John Browder 79.207 Acre Tract of Land in the South right-of-way line of said U.S. Highway No. 90A, continuing along the centerline of said Engle Road, at 769.0 feet, more or less, begins the West line of Parcel No. 14 in the City of Orchard, Texas, E.T.J. Annexing Ordinance No. 046-2000 date October 28, 2000, in all 935.33 feet, more or less, to the Southeast corner of this 44.4 Acre Tract and also the Southeast corner of the residue John Browder 37.096 Acre Tract; said corner also being the Northeast corner of the Jan Browder Manning and John Terrence Mnning 5.0 Acre Tract (Volume 1644, page 854; Official Records);

THENCE, South 83deg.25' West, along the North line of said Manning 5.0 Acre Tract, 1118.06 feet to a point for corner;



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44.4 Acres, More or Less  
Fort Bend County, Texas.

THENCE, South 16deg.19'24" East, along centerline of a ditch, 590.51 feet, more or less, to a point on the centerline of Turker Creek marking the Southerly Southeast corner of this 44.4 Acre Tract;

THENCE, Southwesterly and Northwesterly along the centerline of said Turkey Creek with the following courses and distances:

South 87deg.06'08" West, 291.28 feet, more or less, to a point;  
South 71deg.23'25" West, 151.38 feet, more or less, to a point;  
North 55deg.27'29" West, 230.43 feet, more or less, to a point;  
North 31deg.44'57" West, 222.56 feet, more or less, to a point;  
North 51deg.40'37" West, 125.34 feet, more or less, to a point marking the Westerly Southwest corner of this 44.4 Acre Tract;

THENCE, North 06deg.51'20" West, 567.43 feet to the Easterly Northeast corner of Parcel No. 6 in the City of Orchard, Texas, E.T.J. Annexing Ordinance No. 049-2000 dated November 30, 2000,

THENCE, North 83deg.25' East, 324.4 feet, more or less, to a point for corner;

THENCE, North 06deg.35' West, at 315.1 feet, more or less, pass a point in the South right-of-way line of said U.S. Highway No. 90A marking the Northwest corner of said John Browder 37.096 Acre Tract and the Northeast corner of a 4.0 Acre Tract, in all 515.1 feet, more or less, crossing said U.S. Highway No. 90A and crossing the said G.H. & S.A. Railroad to a point in the Northerly right-of-way line of said Railroad and marking the Northwest corner of this 44.4 Acre Tract;

THENCE, North 83deg.30' East, along the Northerly right-of-way line of said G.H. & S.A. Railroad and South line of said Parcel 18 in the City of Orchard, Texas, Extra-Territorial Jurisdiction Annexing Ordinance No. 051-2001 dated February 14, 2001, 80.0 feet, more or less, to the place of beginning and containing 44.4 Acres of Land, more or less.

Signed:

  
Registered Professional Land Surveyor No. 1535



NOTE: Not a field survey this date, prepared from available information.



