



City of Orchard, Texas
Ordinance No. 76-2005

AN ORDINANCE ANNEXING THE HEREAFTER DESCRIBED TERRITORY TO THE CITY OF ORCHARD, FORT BEND COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN.

WHEREAS, the owners of the territory has petitioned the City Council for the City of Orchard in writing to annex the proposed area.

WHEREAS, THE PROCEDURES PRESCRIBED BY THE (Texas Local Government Code and/or Charter) of the City of Orchard, Texas, and the laws of this state have been duly followed with respect to the following described territory, to wit:

(SEE ATTACHED EXHIBIT B)

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

1. That the heretofore described property is hereby annexed to the City of Orchard, Fort Bend County, Texas, and that the boundary limits of the City of Orchard be and the same are hereby extended to include the above described territory within the city limits of the City of Orchard, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the city of Orchard and they shall be bound by the acts, ordinances, resolutions, and regulations of said city.
2. A service plan for the area is adopted and attached as exhibit A.

The City Secretary is hereby directed to file with the County Clerk of Fort Bend, Texas, a certified copy of the ordinance.

PASSED by affirmative vote of all members of the City Council, this
the 12 day of October, 2005

APPROVED:

Eugene L. Demny

Mayor

Eugene L. Demny

ATTEST:

Kayla K. Villagomez

City Secretary

Kayla K. Villagomez

PETITION REQUESTING EXPANSION AND EXTENSION OF CITY LIMITS

TO THE HONORABLE MAYOR AND THE CITY COUNCIL OF THE CITY 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 petition and request the City of Orchard, Texas, (the "City") to expand and extend the City's city limit 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 land is shown on a map or plat submitted with this Petition. The map or plat shows the various component tracts of land within the Territory and contains a depiction and corresponding legend of which component tracts of land within the Territory are owned by which Petitioners.

II.

The Territory is wholly contiguous to the existing city limits of the City.

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 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 the 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.

Petitioner believes that it will be in the best interests of Petitioner, the Territory, and the City if the City extends and expands its city limits to include all the Territory.

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

RESPECTFULLY EXECUTED on the respective dates appearing hereinafter opposite the name and signature of each Petitioner.

Legal

Description: _____

** SEE ATTACHMENT "A" **

Date: 8-23-05

Kim Band

Property Owner, Signature Kimberly Band

None

Property Owner, Signature

Printed Name

P.O. Box 215

Mailing Address

Orchard, Texas 77464

City, State, Zip Code

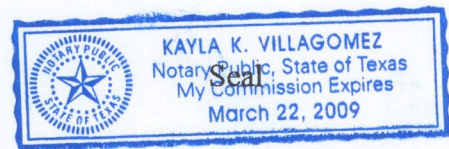
Sworn to and subscribed before me this the 23 day of August, 2005

Kayla K. Villagomez
Notary Public

Kayla K. Villagomez
Printed Name

County: Fort Bend

State: Texas



Boundary
Survey
#2543258-2000
#2543258-2000

LEGAL DESCRIPTION
0.2940 ACRES

A TRACT OR PARCEL CONTAINING 0.2940 ACRES (12,808 SQUARE FEET) OF LAND IN THE GAIL BORDEN LEAGUE, ABSTRACT NO. 12, IN FORT BEND COUNTY, TEXAS AND BEING ALL OF LOTS 16, 17, AND 18, AND PART OF LOTS 15, BLOCK 16, IN THE CITY OF FRUITLAND (ORCHARD), ACCORDING TO THE MAP AND PLAT THEREOF RECORDED IN VOLUME X, PAGE 307 OF THE FORT BEND COUNTY DEED RECORDS, SAID 0.2940 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD SET AT THE INTERSECTION OF THE WEST LINE OF MISSOURI AVENUE (90 FOOT WIDE) AND THE NORTH LINE OF RANDON STREET (80 FOOT WIDE AND UNIMPROVED); FOR THE SOUTHEAST CORNER OF SAID LOT 18, BLOCK 16, AND OF THE HEREIN DESCRIBED TRACT; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE NORTH LINE OF RANDON STREET (UNIMPROVED) FOR A DISTANCE OF 150.00 FEET TO A 5/8 INCH IRON ROD SET AT THE SOUTHWEST CORNER OF LOT 18 IN THE EAST LINE OF A 20 FOOT ALLEY FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE EAST LINE OF SAID 20 FOOT ALLEY FOR A DISTANCE OF 84.74 FEET TO A 5/8 INCH IRON ROD SET AT THE SOUTHWEST CORNER OF A CALLED 0.2225 ACRE TRACT DESCRIBED AS TRACT 3 IN FORT BEND COUNTY CLERKS' FILE NO. 9235335 FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT; THENCE NORTH 89 DEGREES 31 MINUTES 19 SECONDS EAST, ALONG THE SOUTH LINE OF SAID 0.2225 ACRE TRACT DESCRIBED AS TRACT 3 IN FORT BEND COUNTY CLERKS' FILE NO. 9235335 FOR A DISTANCE OF 150.01 FEET TO THE WEST LINE OF MISSOURI AVENUE FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FENCE CORNER BEARS NORTH 54 DEGREES 22 MINUTES EAST, 2.08 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF MISSOURI AVENUE FOR A DISTANCE OF 86.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.2940 ACRES OF LAND.

LEGAL DESCRIPTION
0.0348 ACRES

A TRACT OR PARCEL CONTAINING 0.0348 ACRES (1,514 SQUARE FEET) OF LAND IN THE GAIL BORDEN LEAGUE, ABSTRACT NO. 12, IN FORT BEND COUNTY, TEXAS AND BEING PART OF LOTS 33, 34, 35, AND 36, BLOCK 16, IN THE CITY OF FRUITLAND (ORCHARD), ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME X, PAGE 307 OF THE FORT BEND COUNTY DEED RECORDS, SAID 0.0348 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 5/8 INCH IRON ROD SET AT THE INTERSECTION OF THE WEST LINE OF MISSOURI AVENUE (90 FOOT WIDE) AND THE NORTH LINE OF RANDON STREET (80 FOOT WIDE AND UNIMPROVED); FOR THE SOUTHEAST CORNER OF SAID LOT 18, BLOCK 16, AND OF THE HEREIN DESCRIBED TRACT; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE NORTH LINE OF RANDON STREET (UNIMPROVED) PASS AT 150.00 FEET THE SOUTHWEST CORNER OF LOT 18 AND THE EAST LINE OF A 20 FOOT ALLEY, IN ALL AT 170.00 FEET TO A 5/8 INCH IRON ROD SET AT THE SOUTHEAST CORNER OF LOT 36, IN THE WEST LINE OF SAID 20 FOOT ALLEY FOR THE POINT OF BEGINNING; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE SOUTH LINE OF LOT 36 FOR A DISTANCE OF 18.51 FEET TO A 5/8 INCH IRON ROD SET FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE NORTH 00 DEGREES 47 MINUTES 49 SECONDS EAST, ALONG THE EAST LINE OF A CALLED 0.4818 ACRE TRACT DESCRIBED AS TRACT 2 IN FORT BEND COUNTY CLERKS' FILE NO. 9235335 FOR A DISTANCE OF 84.45 FEET TO THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FENCE CORNER BEARS NORTH 27 DEGREES 13 MINUTES EAST, 0.55 FEET;

THENCE NORTH 89 DEGREES 31 MINUTES 19 SECONDS EAST, 17.34 FEET TO A 5/8 INCH IRON ROD SET IN THE WEST LINE OF SAID 20 FOOT ALLEY FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE WEST LINE OF SAID 20 FOOT ALLEY FOR A DISTANCE OF 84.58 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.0348 ACRES OF LAND.

**ATTACHMENT "A" **

RLS #: 05-02-1500
CLIENT #: 543280
FIELD DATE: 02-24-05
DRAFTER: JMG
APPROVED: DK
SCALE: 1" = 30'

ADDRESS
503 MISSOURI AVENUE
ORCHARD, TEXAS 77464
LEGAL DESCRIPTION: (AS FURNISHED)
LOTS 16, 17, AND 18, INCLUDING PART OF LOTS 15 AND 34, IN THE CITY OF FRUITLAND (ORCHARD), AN ADDITION TO FORT BEND COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME X, PAGE 307, OF THE FORT BEND COUNTY DEED RECORDS, SAID LOTS 16, 17, AND 18, INCLUDING PART OF LOTS 15 AND 34, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT A 5/8 INCH IRON ROD SET AT THE INTERSECTION OF THE WEST LINE OF MISSOURI AVENUE (90 FOOT WIDE) AND THE NORTH LINE OF RANDON STREET (80 FOOT WIDE AND UNIMPROVED); FOR THE SOUTHEAST CORNER OF SAID LOT 18, BLOCK 16, AND OF THE HEREIN DESCRIBED TRACT; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE NORTH LINE OF RANDON STREET (UNIMPROVED) FOR A DISTANCE OF 150.00 FEET TO A 5/8 INCH IRON ROD SET AT THE SOUTHWEST CORNER OF LOT 18 IN THE EAST LINE OF A 20 FOOT ALLEY FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

LIST OF POSSIBLE ENCUMBRANCES: (AS FAR AS CAN BE ASCERTAINED) AS SHOWN HEREIN. OWNERS TO CHECK LOCALITY. CONSULT WITH THE RECORDS OFFICE FOR A FULL LIST.

COORDINATED BY:
SURVEYOR INFORMATION
SOUTH TEXAS SURVEYING
ASSOCIATES, INC. 5142 J
11801 Richmond Ave., Suite 101
Houston, Texas 77060
TEL (281) 666-0818
FAX (281) 666-0831

RESIDENTIAL
LAND SERVICES, INC.
12214 AVENUE 34
HOUSTON, TEXAS 77060
TEL (281) 331-1388
WWW.LANDSERV.COM

MILLSTONE
SURVEYING

SURVEYOR'S NAME
DATE: 3-11-05
NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE
AND AUTHENTICATED ELECTRONIC SEAL

FOR ALL ACQUIRED CONTACT RESIDENTIAL LAND SERVICES, INC. AT (409) 701-1100 FROM 1/1/05

DATE: 3-11-05

REVISION
DATE
LEGAL

REVISION
DATE
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DATE
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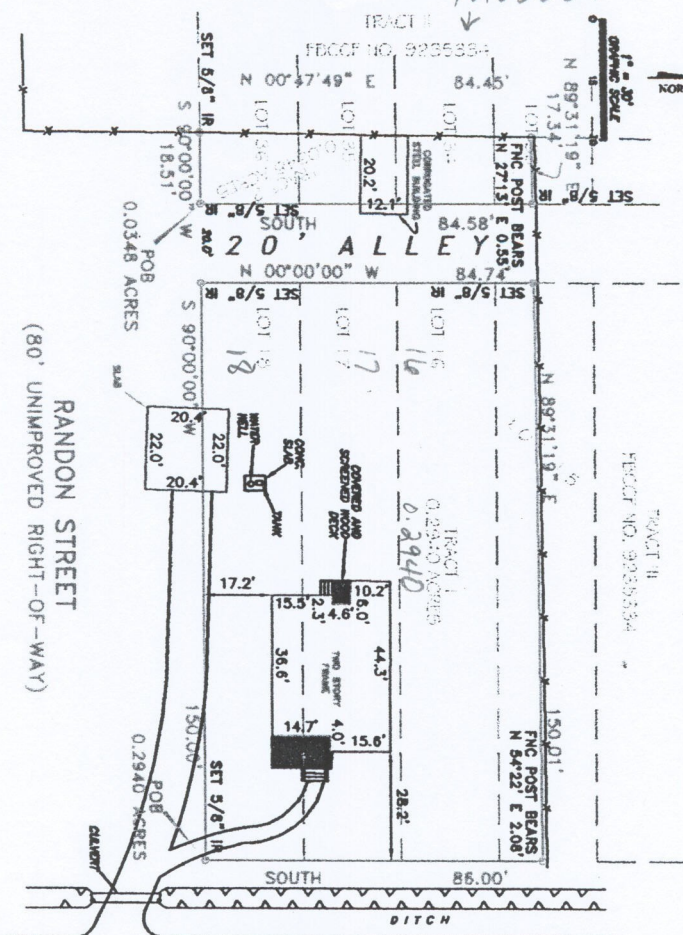
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DATE
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9235334



NOTE: THE 20' ALLEY IS NOT INCLUDED IN THE LEGAL DESCRIPTION

MISSOURI AVENUE
(90' RIGHT-OF-WAY)

BASIS OF BEARINGS:

SURVEYOR INFORMATION

**SOUTH TEXAS SURVEYING
ASSOCIATES, INC.**
11261 Richmond Ave. Bldg
Suite 101 Houston, Texas
77058
TEL. (831) 666-6918
FAX (831) 666-8331

RESIDENTIAL
LAND SERVICES, INC.
a part of the **Orlando**
821 24TH AVENUE S.W.,
MORRIS, OKLAHOMA 73055
FAX: (405) 741-1067
PHONE: (405) 798-1189
WWW.LANDSERVICES.COM

MILITARY
 STORIES
 ABOUT THE WAR
 IN THE AIR

ADDRESS
503 MISSOURI AVENUE
ORCHARD, TEXAS 77464

PLS #: 03-03-1000
CLIENT #: 940783
FIELD DATE: 03-23-03
DRAFTER: JWG
APPROVED: DK

RANDON STREET
(80' UNIMPROVED RIGHT-OF-WAY)

CERTIFIED TRUE (AS FURNISHED)
First American Title Insurance Company
GIN BAND
HILSTONE MORTGAGE

NOT

[illegible][illegible]

DATE	REVISION	DATE	REVISION
3-14-05	LEGAL		

SURVEYORS CERTIFICATE

I, **Paul M. Larson**, State Registered Professional Land Surveyor No. **2121**, do hereby certify that the survey plat herein is a true and accurate representation of the actual survey conducted, and that the same complies with the laws and standards of the State of North Carolina. I am duly licensed and have no interest in the land surveyed, and the same is not being surveyed for my own private use or for the private use of any person or persons.

Paul M. Larson

PAUL M. LARSON
STATE REGISTERED PROFESSIONAL LAND SURVEYOR
No. 2121

DATE: 11-10-11



FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dr. Dianne Wilson

2005 Dec 12 04:18 PM

2005150221

CK \$29.00

Dianne Wilson, Ph.D. COUNTY CLERK

FT BEND COUNTY TEXAS