



City of Orchard, Texas
Ordinance No. 77-2005

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 12th day of October, 20 05.

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 ATTACHMENTS A & B

Date: _____

8-23-05

Property Owner, *Signature* David A. Treiber

Property Owner, *Signature* Cindy L. Treiber

Printed Name

P.O. Box 222,

Mailing Address

Orchard, Texas 77464

City, State, Zip Code

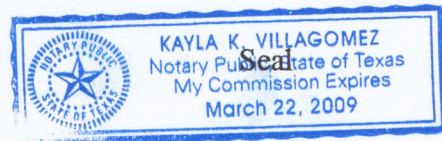
Sworn to and subscribed before me this the 23 day of August, 2005

Kayla K. Villagomez
Notary Public

Kayla K. Villagomez
Printed Name

County: Fort Bend

State: Texas



AS PER ORIGINAL

CHARLIE KALKOMEY SURVEYING, INC.

1815 MONS AVENUE
ROSENBERG, TEXAS 77471
281 342-2033

CHARLIE KALKOMEY
REGISTERED PROFESSIONAL LAND SURVEYOR

CHARLES A. KALKOMEY
REGISTERED PROFESSIONAL LAND SURVEYOR

FIELD NOTES FOR A 0.376 ACRE TRACT OF LAND IN THE GAIL BORDON LEAGUE ABSTRACT 12, CITY OF FRUITLAND (ORCHARD, TEXAS) SAID 0.376 ACRE TRACT BEING ALL OF LOTS ONE (1), TWO (2), THREE (3), AND A PART OF LOTS FOUR (4), FIVE (5) AND SIX (6) OF BLOCK SIXTEEN (16) CITY OF FRUITLAND (ORCHARD, TEXAS) RECORDED IN VOLUME "X", PAGE 307, DEED RECORDS, FORT BEND COUNTY, TEXAS. BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS WITH ALL BEARINGS BEING BASED ON THE NORTH LINE OF BLOCK 16 OF THE CITY OF FRUITLAND, BEING THE NORTH LINE OF THE HEREIN DESCRIBED 0.376 ACRE TRACT AND BEING THE SOUTH LINE OF KIBLER STREET, SAID BEARING BEING EAST;

Beginning at a ½ inch iron pipe found at the point of intersection of the south line of Kibler Street (80 feet wide) and the west line of Missouri Street (90 feet wide) for the northeast corner and **Place of Beginning** of the herein described 0.376 acre tract of land;

THENCE South along the west line of Missouri Street being the east line of lots 1,2,3,4, 5 and a part of lot 6 for a distance of 131.00 feet to a ½ inch iron pipe with cap, marked "Kalkomey Surveying" set on said line for the southeast corner of the herein described 0.376 acre tract of land;

THENCE North 89 degrees 02 minutes 24 seconds West along line establishing the lower south line of the herein described tract, 73.17 feet to a ½ inch iron pipe with cap, marked "Kalkomey Surveying" set for the lower southwest corner of the herein described 0.376 acre tract of land;

THENCE North 00 degrees 29 minutes 29 seconds West, along existing fence, 40.17 feet to a ½ inch iron pipe with cap, marked "Kalkomey Surveying" set for a re-entry corner to the herein described 0.376 acre tract of land;

THENCE North 89 degrees 33 minutes 00 seconds West, along an existing fence line, 76.50 feet to a ½ inch iron pipe with cap, marked "Kalkomey Surveying" set for the upper southwest corner of the herein described tract same being on the east line of a 20 foot alley between block 16;

THENCE North, along the east line of said 20 foot wide alley being the west line of the herein described tract, 89.00 feet to a ½ inch iron pipe with cap, marked "Kalkomey Surveying" set on said line at its point of intersection with the south line of Kibler Street for the northwest corner of the herein described 0.376 acre tract of land;

EXHIBIT "A"

THENCE East, along south line of Kibler Street being the north line of the herein described tract, 150.00 feet to the Place of Beginning and containing 0.376 acres of land, more or less;

For reference and further description see Survey Plat No. 2707-02-FB prepared by the undersigned on same date.



Charlie Kalkomey

Charlie Kalkomey, R.P.L.S.
Texas Registration Number 1399
Date: June 15, 2001

Job Number 2707-02-FB

E:\Surveying\Fort_Bend\2707-02-FB\field_Notes\2707-02-FB.wpd

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 8-29-01
2001 AUG 29 11:54 AM 2001081079
DIANNE WILSON COUNTY CLERK
FORT BEND COUNTY, TEXAS

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dianne Wilson

2001 AUG 29 11:54 AM 2001081079
AC1 \$15.00
DIANNE WILSON, COUNTY CLERK
FORT BEND COUNTY, TEXAS

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dr. Dianne Wilson

2005 Dec 12 04:18 PM

2005150222

CK \$37.00

Dianne Wilson, Ph.D. COUNTY CLERK

FT BEND COUNTY TEXAS