



**City of Orchard, Texas
Ordinance No.118-2019**

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 A)

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 B.**

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 March 2019.

APPROVED:



Rod Pavlock (Mayor)

ATTEST:



Melissa Andel (City Secretary)



EXHIBIT 'A'

Field notes for a 0.4968 acre tract of land being a part of a 1.30 acre tract out of a call 3.878 acre tract (Tract A) in a partition deed recorded in Volume 577, Page 891, Fort Bend County Deed Records, and being in out Lot 18 of (Fruitland) City of Orchard, In the Gail Borden League, Abstract 12, Fort Bend County, Texas.

BEGINNING at a set 5/8 inch diameter iron rod found at the northwest corner of Outlot 18 for the northwest corner and **POINT OF BEGINNING**, of the herein described 0.4968 acre tract of land, same being the northwest corner of the aforementioned 1.30 acre tract, said point being at the intersection point of the east line of Sabine Street with south line of Kibler Street:

THENCE east along the south line of Kibler Street, being the north line of the herein described tract, 220.00 feet to a ½ inch diameter iron pipe found on said line at the northeast corner of Outlot 18 for the northeast corner of the herein described tract, same being the northwest corner of the adjoining Outlot 19 a 5.878 acre tract as recorded in Volume 577, Page 891 in said Deed Records;

THENCE south along the common line of Lot 18 and Lot 19, 97.32 feet to a ½ inch diameter iron pipe set on said line for the southeast corner of the herein described 0.4968 acre tract, same being the northeast corner of an adjoining 0.8032 acre tract as recorded in Volume 2410, Page 1925 in said Deed Records being a part of the aforementioned 1.30 acre tract;

THENCE S 89°25' 32" W, along the common line of the herein described tract and the aforementioned adjoining 0.8032 acre tract, 220.001 feet to a 5/8 inch diameter iron rod set on the east line of Sabine Street, being the west line of Outlot 18 for the southwest adjoining 0.8032 acre tract;

THENCE north along the east line of said Sabine Street, same being the west line of Outlot 18 and the west line of said 1.30 acre tract, 99.50 feet to the **POINT OF BEGINNING**, and containing 0.4988 acres of land, more or less;

JOB NO: 9709122



**City of Orchard
Municipal Service Plan
Exhibit B**

A. Police Protection

1. **Services to be provided:** The area is under the jurisdiction of the Fort Bend County Sheriff's office. Upon annexation, the Sheriff's Dept will continue regular service to annexed area. Policy enforcement and protection services shall be provided through regular patrols and at the request of residents.

B. Fire Protection

1. **Services to be provided:** Fire suppression will be available to the area upon annexation. Primary fire response will be provided by the Orchard Volunteer Fire Department located in Orchard, Texas. Fire prevention activities will be provided by the Fire Marshall's office as needed.

C. Solid Waste Collection

1. **Services to be provided:** Solid waste collection service shall be provided to residents in the annexed area in accordance with the existing city ordinances, resolutions and regulations, within 60 days after the effective date of the annexation of the area.

D. Water Service

1. **Water services shall be provided to the annexed area in accordance with the existing city ordinances, resolutions, and regulations. Full municipal water service will be provided to the annexed area no later than 2 ½ years after the effective date of the annexed area. Unless certain services cannot be reasonably provided within that time and a city proposes a schedule to provide services within 4 ½ years.**

E. Sanitary Sewer Service

1. **Sanitary sewer services shall be provided to the annexed area in accordance**

With the existing city ordinances, resolutions, and regulations. Full municipal sanitary sewer services shall be provided to the annexed area no later than 2 ½ years after the effective date of the annexation of the area.

F. Maintenance of Roads and Streets

1. **Services to be provided:** Street maintenance and other street services shall be provided to the annexed area in accordance with existing city, ordinances, resolutions, and regulations after the effective date of the annexation of the area.

G. Parks and Recreation

1. **Services to be provided:** All of the city parks and recreational facilities shall be available for use by residents of the annexed area, beginning on the effective date of the annexation ordinance. Deposit and fees apply.

H. Street Lighting

1. **Services to be provided:** The city will coordinate any request for street lighting with the local electric provider in accordance with standard policy.

I. Miscellaneous

1. All other applicable municipal services will be provided to the area in accordance with the City of Orchard's established policies governing extension of municipal services to newly annexed areas.

**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 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 city limit 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 city limits of the City, and then 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 Exhibit A

Date: 1/18/2019 Phas.
Property Owner, Signature

For service address
536 Sabine
Orchard, TX 77464

Property Owner, Signature
Charles C. Archibald
Printed Name

PO Box 4698
Mailing Address
Logan, UT 84323
City, State, Zip Code

Sworn to and subscribed before me this the 22nd day of January, ²⁰¹⁹~~2008~~.

[Signature]
Notary Public

Keaton Rao Price
Printed Name

Seal

County: Cache

State: Utah



Exhibit A

A 0.4968 acre tract of land being a part of a 1.30 acre tract out of a call 3.878 acre tract (Tract A) in partition deed recorded in Volume 557, Page 891, Fort Bend County Deed Records, and being in out Lot 18 of (Fruitland) City of Orchard, in the Gail Borden League, Abstract 12, Fort Bend County Texas.