

ORDINANCE NO. 22-120

ORDINANCE ANNEXING TERRITORY

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY, LANCIUM 2ND ADDITION: RE-PLAT OF 9.84-ACRES, MORE OR LESS, BEING OUT OF THE T.&ST. L. RR. CO. SURVEY 24, BLOCK 146, ABSTRACT NO. 5650, PECOS COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, ZONED AS A "INDUSTRIAL, (I)" AND GRANTING TO ALL THE INHABITANTS OF SAID TERRITORY 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 AGREEMENT.

WHEREAS, § 43.0671 of the Texas Local Government Code and/or Code of Ordinances of the City of Fort Stockton, Texas, an incorporated city, authorizes the annexation of territory, subject to the laws of this state.

WHEREAS, the procedures prescribed by the (Texas Local Government Code and/or Code of Ordinances of the City of Fort Stockton, Texas, and the laws of this state have been duly followed with respect to the following described territory, to wit:

FIELD NOTES FOR A BOUNDARY SURVEY OF 9.84 ACRES, MORE OR LESS COMPLETED OCTOBER 01, 2021

Being a Boundary Survey of 9.84 Acres, more or less, lying in Pecos County, Texas, being out of the T. & ST.L. RR. Co. Survey 24, Block 146 Abstract No. 5650, and also being that same certain tract called 10.43 acres save and except 0.5903 acre described in conveyance document to TT I Taylor Trucking Incorporated, recorded in Document No. 2019-168057 of the Pecos County Official Public Records, Pecos County, Texas and being more particularly described by metes and bounds as follows: (The courses, distances, areas and any coordinates cited herein or shown on the corresponding survey plat conform to the Texas Coordinate System, North American Datum 1927, Texas Central Zone.) (All corners called for as being set are marked on the ground with ½ inch rebar with plastic identification caps stamped "RPLS/6418" attached unless otherwise noted or shown.)

BEGINNING: At a found 1" diameter pipe at a point on the southwesterly R.O.W. of U.S. Highway 285 (120' R.O.W.), on the northeasterly line of that same certain tract called 1.49 acres (20' R.O.W. Easement) as described in conveyance document to State Of Texas recorded in Volume 89, Page 116 of the Pecos County Deed Records, and marking the north corner of the herein described tract;

THENCE: S 53° 32' 50" E, with the southwesterly R.O.W. of U.S. Highway 285, also with the northeast line of said 1.49 acres and the herein described tract for a distance of **796.50** feet to a found ½" diameter rebar capped "RPLS 6418" marking the north corner of that same certain tract called 11.979 acres as described in conveyance document to Three Paisanos LLC recorded in Document Number 2019-168061 of the Pecos County Official Public Records, and marking the east corner of the herein described tract;

THENCE: S 36° 30' 39" W, crossing into and across said 1.49 acres tract, with the common line of said 11.979 acres tract and the herein described tract, passing the southwest line of said 1.49 acres tract, continuing on the same course for a distance of **809.75** feet to a found ½" diameter capped "FXS RPLS 2198" marking the common corner of said 11.979 acres tract and that same certain tract called 2.00 acres as described in conveyance document to Three Paisanos LLC recorded in Document Number 2019-166604 of the Pecos County Official Public Records, also marking the northeast corner of 0.59 acres simultaneously surveyed by D.G. Smyth & Co. Inc. on this same date and marking the southeast corner of the herein described tract;

THENCE: N 88° 27' 15" W, with the common line of said 0.59 acre tract and the herein described tract for a distance of **189.48** feet to an unmarked corner on the ostensible common

line of said Survey 24 and T. & ST. L. RR. Co. Survey 25, Block 146 Abstract No. 3713, also at a point on the east line of that same certain tract called 2.8869 acres as described in conveyance document to Texas-New Mexico Power Company recorded in Document Number 2021-175418 of the Pecos County Official Public Records, also marking the northwest corner of said 0.59 acres tract and marking the southwest corner of the herein described tract;

THENCE: N 01° 33' 46" E, with the ostensible common line of said Survey 25 and said Survey 24, also with the common line of said 2.8869 acres tract and the herein described tract, passing the common corner of said 2.8869 acres tract and said 275 acres tract, continuing on the same course with the common line of said 275 acres tract and the herein described tract for a distance of **1119.39** feet to the **Place of Beginning** and containing **9.84 acres** of land, more or less, within the herein described boundary, according to an actual on the ground survey made by D.G. Smyth & Co., Inc. and completed on October 01, 2021.

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

Because of the fact that this area should be under the Zoning Laws and Regulations of the City of Fort Stockton, County of Pecos, State of Texas. It is hereby ordered that **LANCIUM 2ND ADDITION: Re-plat of 9.84 Acres, more or less, being out of the T. & St. L. RR. CO. Survey 24, Block 146, Abstract No. 5650, Pecos County, Texas, more particularly described in an instrument recorded in Document No. 2021-17707 of the deed records of Pecos County, Texas, and as shown in the map or plat of said addition recorded in the office of the County Clerk of Pecos County, Texas; & Which Shall be Zoned as "Industrial (I)" as requested by Property Owner Rolling Plains EV Stations, LLC. and said location shall comply with the City's Building Code.**

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

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

PASSED by an affirmative vote of all members of the City Council, this the 12th day of September 2022.

CITY OF FORT STOCKTON




Joe Chris Alexander, Mayor



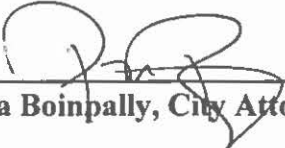
Frank Rodriguez III, City Manager

Affest:



Marina Cantu, City Secretary

Approved As To Form & Legality:



Puja Boinpally, City Attorney