

ORDINANCE NO. 2017-009

AN ORDINANCE OF THE CITY OF CASTROVILLE, TEXAS, ANNEXING CITY OWNED PROPERTY ACQUIRED IN 2016; PROVIDING DIRECTIVES TO CITY STAFF RELATED TO THE ANNEXATION; PROVIDING FOR A CUMULATIVE & CONFLICTS CLAUSE, PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in 2016, the City of Castroville purchased a 23.60 acre tract and a 40.20 acre tract, both which are located within the City's extraterritorial jurisdiction; and

WHEREAS, Texas Local Government Code Section 43.026 authorizes the City of Castroville to annex property it owns by Ordinance.

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

Section one. Findings. The City of Castroville City Council finds that title, rights and ownership of certain Real Property is vested in the City, as described below:

- A. Tract One 23.60 Acres of Land out of the International and Great Northern Railroad Company Survey 4/17, Abstract 1212, Medina County, Texas, being the south remnant of out of an 80 acre tract described in Volume 752 on page 1016 of the Official Public Records of Medina County, Texas, said 23.60 acres being more particularly described by metes and bounds on **Exhibit "A"** and the survey on **Exhibit "B"**, both of which are attached hereto and made a part hereof for all purposes.
- B. Tract Two: 40.20 Acres of land out of the International and Great Northern Railroad Company Survey 4/ 17, Abstract 1212, Medina County, Texas, comprising a 20 acre tract out of 160 acres as described in Volume 212 on page 273 of the Deed Records and a 19.20 acre tract out of out of 80 acres as described in Volume 752 on page 1016 of the Official Public Records of Medina County, Texas,, said 40.20 acres being more particularly described by metes and bounds on **Exhibit "A"** and the survey on **Exhibit "B"**, both of which are attached hereto and made a part hereof for all purposes.

Section two. Annexation. City Council hereby annexes Tracts One and Two into the Corporate Limits of the City of Castroville.

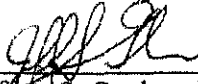
Section three. Council directives. The City Administrator is hereby authorized and directed to take appropriate action to have the official map of the City revised to reflect the additions to the City's Corporate Limits and the City Secretary is hereby authorized and directed to provide appropriate notice to the State of Texas and the County of Medina of this annexation.

Section four. Cumulative and Conflicts. This Ordinance shall be cumulative of all provisions of ordinances of the City of Castroville, Texas, except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Any and all previous versions of this Ordinance to the extent that they are in conflict herewith are repealed.

Section five. Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

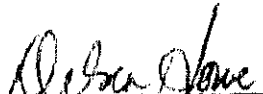
Section six. Effective Date. This Ordinance shall become effective immediately upon its passage, approval and publication as provided by law.

PASSED AND APPROVED this the 13th day of December, 2016.




Jeffrey S. Gardner, Mayor
City of Castroville

ATTEST:



Debra Howe, City Secretary
City of Castroville

APPROVED AS TO FORM:



DNRBH&Z P.C., City Attorney
City of Castroville

EXHIBIT "A"

Metes and Bonds of Tract One and Tract Two.

“TRACT ONE”

23.60 Acres of Land

Medina Valley Surveys, Inc.

P.O. Box 1189 Castroville Texas 78009
830.538.6427 medinavalley-surveys.com
TBP L.S. Perm 1000200

METES AND BOUNDS DESCRIPTION OF

23.60 Acres of Land out of the International and Great Northern Railroad Company Survey 4/17, Abstract 1212, Medina County, Texas, being the south remnant of out of an 80 acre tract described in Volume 752 on page 1016 of the Official Public Records of Medina County, Texas, being more particularly described as follows:

BEGINNING at the southeast corner of this tract, the southeast corner of the 80 acre tract, the southwest corner of a 128.956 acre tract described in Volume 553 on page 670 of the Official Public Records, the ostensible northeast corner of the H. Bunder Survey 114, Abstract 1243 and northwest corner of the E. Tondre Survey 98, Abstract 1345, a twelve-inch creosote fence corner post on the ostensible south line of Survey 4/17;

THENCE S89°53'32"W 687.83 feet (record: West 238 varas) with the north line of Survey 114 and the north line of a 92.92 acre tract described in Clerks' Document 2014065455 and generally following a wire fence to a ten-inch creosote fence corner post, the southwest corner of this tract and the southeast corner of a 458.88 acre tract described in Volume 147 on page 264 of the Official Public Records;

THENCE N00°05'13"W 1458.16 feet (record: S00°29'00"W 1454.80 feet) with a west line of the 458.88 acre tract and generally following a wire fence to a twelve inch creosote fence corner post the northwest corner of this tract and a re-entrant corner of the 458.88 acre tract;

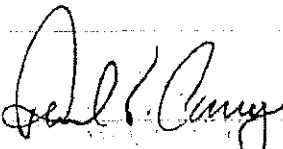
THENCE N84°57'52"E 696.62 feet (S85°29'00"W 693.70 feet) with a south line of the 458.88 acre tract and generally following a wire fence, passing a ten-inch creosote fence corner post at a distance of 768.0 feet and continuing on the same course to a found two-inch steel pipe, the northeast corner of this tract on the east line of the 80 acre tract and the west line of the 128.956 acre tract;

THENCE S00°08'48"W 1518.02 feet (N00°10'19"E 1518.19 feet (V. 553, p. 670)) with the west line of the 128.956 acre tract and generally following a wire fence to the POINT OF BEGINNING, containing 23.60 acres of land.

Bearings and Distances are based on Grid North according to the Texas Coordinate System, South Central Zone, NAD 1983.
Record courses refer to the comprised deeds and adjoining deeds as noted.
A survey plat accompanies this description.

STATE OF TEXAS
COUNTY OF MEDINA

I HEREBY CERTIFY THAT THIS METES AND BOUNDS DESCRIPTION WAS PREPARED FROM AN
ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION ON AUGUST 2, 2016.



PAUL T. CAREY, RPLS 4454
Released: August 19, 2016
Revised: October 3, 2016
Job Number 11729



“TRACT TWO”

40.20 Acres of Land

METES AND BOUNDS DESCRIPTION OF

40.20 Acres of Land out of the International and Great Northern Railroad Company Survey 4/17, Abstract 1212, Medina County, Texas, comprising a 20 acre tract out of 160 acres as described in Volume 212 on page 273 of the Deed Records and a 19.20 acre tract out of out of 80 acres as described in Volume 752 on page 1016 of the Official Public Records of Medina County, Texas, being more particularly described as follows:

BEGINNING at the northeast corner of this tract, the northeast corner of the 80 acre tract and the northwest corner of a 128.956 acre tract described in Volume 553 on page 670 of the Official Public Records, a found #5 rebar on the southwest right of way line of Texas Farm to Market 471 (FM 471);

THENCE S00°12'25"E 1025.97 feet (record: N00°11'12"W 1025.96 feet (V. 553, P. 670)) with the west line of the 128.956 acre tract and generally following a wire fence to a twelve-inch creosote post, the southeast corner of this tract and the northeast corner of a 39 acre tract out of the 80 acre tract described in Volume 125 on page 219 of the Deed Records;

THENCE S89°55'11"W 1365.96 feet (record: N89°27'00"W 683.30 feet (V. 125, p. 219) and N89°27'00"W 687.00 feet (V. 125, p. 217)) with the north line of the 39 acre tract followed by a northern line of a 458.88 acre tract described in Volume 147 on page 264 of the Official Public Records and generally following a wire fence to a four-inch steel fence corner post, the southwest corner of this tract and a re-entrant corner of the 458.88 acre tract;

THENCE N01°09'01"E 1362.79 feet (record: N01°30'00"E 456.90 varas) with the west line of the 20 acre tract and an east line of the 458.88 acre tract and generally following a wire fence to a four-inch steel pipe fence post, the northwest corner of this tract and the southwest corner of what is described as a "County Road" in Volume 752 on page 1016, on the east line of a remnant of the 80 acre tract described in Volume 77 on page 145 of the Deed Records not included in the 458.88 acre tract, 32.00 feet south of another four-inch steel pipe corner fence post;

THENCE N89°02'42"E 680.48 feet with the ostensible south line of the County Road and generally following a wire fence to a found Texas Department of Transportation (TxDOT) brass right of way monument, a protrusion of the southwest right of way line of FM 471;

THENCE N89°17'02"E 93.05 feet with the south line of the protrusion of the southwest right of way line of Texas Farm to Market 471 and generally following a wire fence to a found TxDOT brass right of way monument, a northeasterly corner of this tract on the uniform southwest right of way line of FM 471;

THENCE Southeasterly 441.03 feet with the arc of a circular curve to the left, concave to the northeast, with the southwest right of way line of FM 471, 40 feet southwest of the centerline and generally following a wire fence, having a radius of 9589.30 feet, a central angle of 02°38'07", a chord of 440.99 feet, bearing S57°55'33"E, to a found TxDOT brass right of way monument, the point of tangency of this curve;

THENCE S59°05'22"E 220.59 feet (record: S58°E 240 varas) with the southwest right of way line of FM 471 and generally following a wire fence to the POINT OF BEGINNING, containing 40.20 acres of land.

Bearings and Distances are based on Grid North according to the Texas Coordinate System, South Central Zone, NAD 1983.
Record courses refer to the comprising deeds or the adjoining deeds as noted.
A survey plat accompanies this description.

STATE OF TEXAS
COUNTY OF MEDINA

I HEREBY CERTIFY THAT THIS METES AND BOUNDS DESCRIPTION WAS PREPARED FROM AN
ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION ON AUGUST 2, 2016.

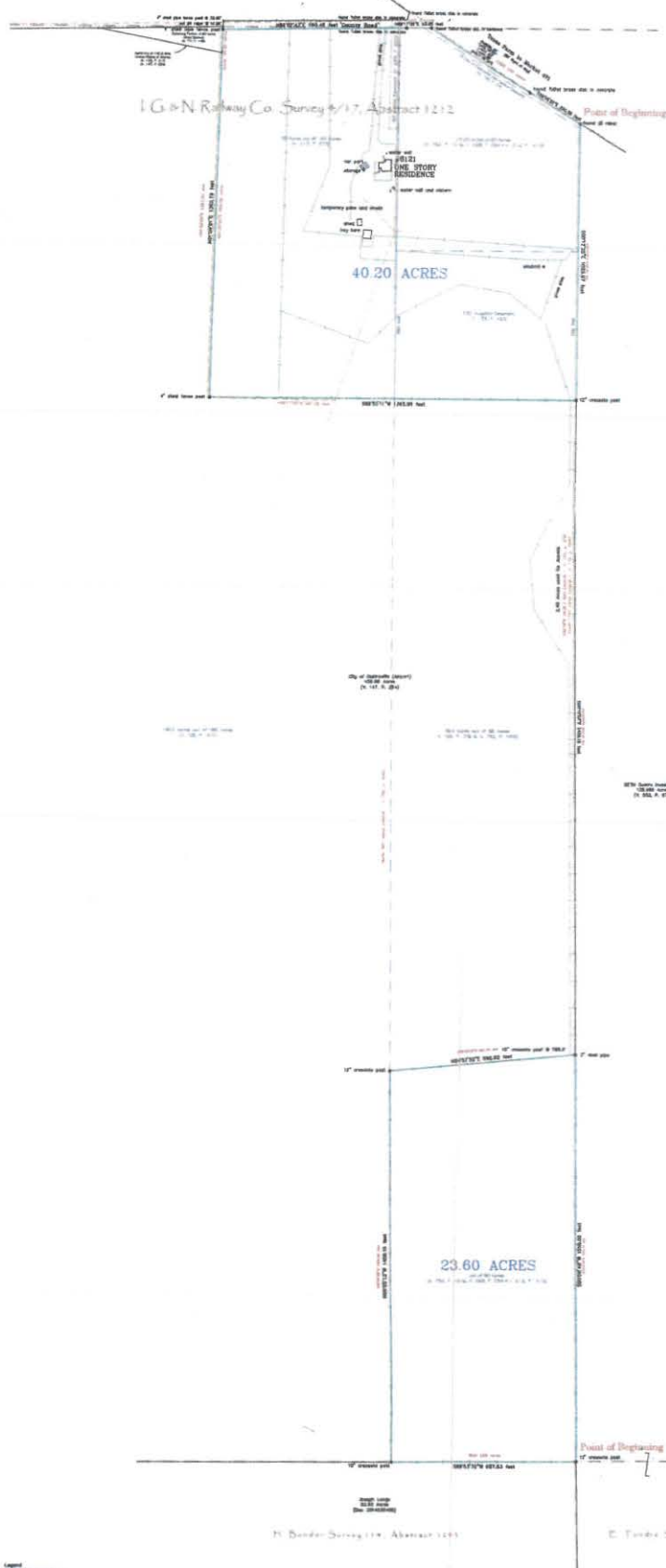


PAUL T. CAREY, RPLS 4454
Released: August 19, 2016
Job Number 11729

EXHIBIT "B"

Survey of Tract One and Tract Two.

C. M. Callard, S. J. Gray, & J. A. Roberts (Eds.)



Legend

- concrete
- steel frame
- stone infill frame
- wire frame
- glass frame
- perforated concrete

Referenced Documents:
V. 77 - P. 148 ;
V. 128 - P. 217 ;
V. 128 - P. 218 ;
V. 128 - P. 433 ;
V. 147 - P. 284 ;
V. 183 - P. 37 ;
V. 213 - P. 273 ;
V. 312 - P. 410 ;
V. 338 - P. 334 .

Class Records:
V. 55.2 P. 870
V. 558 P. 820
V. 752 P. 1018
V. 835 P. 197
Open 2014036455
Closed 2014036455

Reviewed	August 2, 1996
Reviewed	August 16, 1996
Reviewed by	Steve Babin
Company	City of Castroville
Native to	City of Castroville
Author(s) &	
Revised	September 26, 1996
Revised	January 7, 1997
Site Number	000

1000

Land Title Survey of

03.80 Acres of Land out of the International and Great Northern Railroad Company Survey 4/17, Abstract 1212, Medina County, Texas, comprising a 20 acre tract out of 180 acres as described in Volume 212 on page 273 of the Deed Records, a 19.20 acre tract and a 23.60 acre tract remaining out of out of 80 acres as described in Volume 752 on page 1016 of the Official Public Records of Medina County, Texas.

0 100 200
(U. S. Survey Feet)

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