

**ORDINANCE NO. 1470**

**AN ORDINANCE PROVIDING FOR THE EXTENSION OF THE CITY LIMITS BY THE ANNEXATION A TRACT OF UNINHABITED LAND TOTALING 2.5 ACRES, MORE OR LESS, ADJACENT AND CONTIGUOUS TO THE CITY OF BAY CITY LIMIT; GRANTING TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, a petition, attached hereto as **Exhibit "A"**, has been filed by the property owner of the following described area to wit:

Approximately 2.5 acres of land abutting Nile Valley Road and that is more precisely described on the Metes and Bounds Survey attached hereto as **Exhibit "B"** and Field Notes attached hereto as **Exhibit "C"**; and

**WHEREAS**, the area is less than one-half mile in width; and

**WHEREAS**, the area is contiguous to the City of Bay City; and

**WHEREAS**, the area is currently without residents; and

**WHEREAS**, after conducting a public hearing, City Council desires to grant the petition,  
**NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS THAT:**

**SECTION 1.** The land and territory lying outside of, but adjacent to and adjoining the City of Bay City, described as: **Approximately 2.5 acres of land abutting Nile Valley Road that is more precisely described on the Metes and Bounds Survey attached hereto as Exhibit "B" and Field Notes attached as Exhibit "C"** is hereby added and annexed to the City of Bay City, Texas, and said territory as described shall hereafter be included within the boundary limits of said city, and the present boundary limits of said city are altered and amended so as to include said area within the corporate limits of the City of Bay City, Texas.

**SECTION 2.** The land and territory so described and so amended shall be part of the City of Bay City, Texas and the property so added shall bear its share of the taxes levied by the City of Bay City, Texas and the future inhabitants thereof shall be entitled to all

the rights and the privileges as citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Bay City, Texas.

**SECTION 3.** This ordinance shall be effective immediately from and after passage.

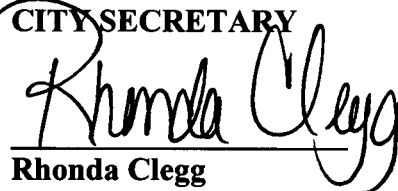
**PASSED AND APPROVED** this 12<sup>th</sup> day of September, 2013.

**MAYOR**

  
**Mark A. Bricker**


**ATTEST:**

**CITY SECRETARY**

  
**Rhonda Clegg**  
City Secretary


**APPROVED AS TO FORM:**

**CITY ATTORNEY**

  
**DNRB**



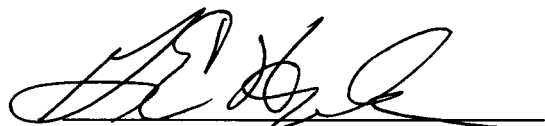
<u>Council Member:</u>	<u>Voted Aye</u>	<u>Voted No</u>	<u>Absent</u>
Julie L. Estlinbaum	<u>✓</u>	<u>          </u>	<u>          </u>
Bill Cornman	<u>✓</u>	<u>          </u>	<u>          </u>
Chrystal Folse	<u>✓</u>	<u>          </u>	<u>          </u>
Steven Johnson	<u>✓</u>	<u>          </u>	<u>          </u>
Carolyn Thames, Mayor Pro Tem	<u>✓</u>	<u>          </u>	<u>          </u>

  
Mark A. Bricker, Mayor, City of Bay City

ATTEST:

  
Rhonda Clegg, City Secretary

APPROVED AS TO FORM:

  
City Attorney



**Re: Petition for Annexation**

Hon. Rhonda Clegg  
City Secretary  
City of Bay City  
1901 5th Street  
Bay City, Texas 77414

**Re: Petition for Annexation**

Dear Ms. Clegg:

I am the owner of a approximately 2.5 acre tract of **uninhabited/sparsely inhabited** land that is contiguous to the existing corporate limits of the City of Bay City, and is more fully described in the **metes and bounds description/survey** attached hereto as exhibit "A".

Pursuant to Texas Local Government Code Section 43.028, I request city council to have the land annexed into the City of Bay City's corporate limits. **[If applicable add:** After annexation to develop the tract as Medical/Commercial, which shall contribute to the economic growth of the city. Retail/Attached housing/Doctor's Quarters/Medical offices.

Respectfully submitted,

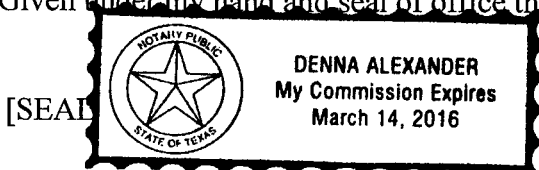
DADA

Printed Name: M. ATIO DADA, MD

STATE OF TEXAS  
COUNTY OF MATAGORDA

Before me, on this day personally appeared M. Atio Dada, MD, proved to me through Medical Leaders to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that [he/she] executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 12th day of August, 2013.



My commission expires: March 14, 2016

Denna Alexander  
Notary Public

**Exhibit A**

**PROPERTY DESCRIPTION  
60 FOOT WIDE ACCESS EASEMENT  
0.519 ACRES**

**STATE OF TEXAS            }  
COUNTY OF MATAGORDA }**

All of that certain tract or parcel containing 0.519 acre situated in the R. P. T. Stone One-Quarter League, Abstract No. 92 of Matagorda County, Texas and being a part of the same property described as 52.74 acres in Warranty Deed with Vendor's Lien dated December 11, 2007 from Beadle Moore, Jr., Nancy Moore Blaylock, Brian DeWitt Tomlinson, Marjorie Harvey Burton and Jerome Moore to James Vincent Maloney and James Grant Allison, recorded in File No. 079960 of the Official Records of Matagorda County, Texas. This 0.519 acre is more particularly described by metes and bounds as follows:

**BEGINNING** at a 5/8 inch iron rod with plastic cap set in the East line of Nile Valley Road and in the West line of the said 52.74 acre tract for the Southwest corner of a 2.50 acre tract also surveyed on this day and for the Southwest corner of this 0.519 acre being described;

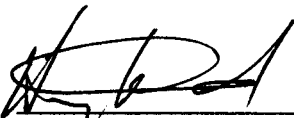
**THENCE** North 07° 52' 43" East [Deed call = North 07° 52' 43" East], with the East line of Nile Valley Road and the West line of the said 52.74 acre tract and the West line of the said 2.50 acre tract, a distance of 60.03 feet to a 5/8 inch iron rod with plastic cap set for the Northwest corner of this 0.519 acre being described, from which an existing 5/8 inch iron rod located at the upper Southwest corner of the said 52.74 acre tract bears North 07° 52' 43" East a distance of 225.97 feet;

**THENCE** South 80° 13' 23" East, crossing the said 2.50 acre tract, a distance of 378.26 feet to a 5/8 inch iron rod with plastic cap set in the East line of the said 2.50 acre tract for the Northeast corner of this 0.519 acre being described;

**THENCE** South 09° 46' 37" West, with the East line of the said 2.50 acre tract, a distance of 60.00 feet to a 5/8 inch iron rod with plastic cap set for the Southeast corner of the said 2.50 acre tract and for the Southeast corner of this 0.519 acre being described;

**THENCE** North 80° 13' 23" West, with the South line of the said 2.50 acre tract, a distance of 376.27 feet to the **PLACE OF BEGINNING**, containing within these metes and bounds 0.519 acre.

The bearings recited herein are based on existing monumentation located at the Northeast corner and the upper Southwest corner of the above referenced 52.74 acre tract (Base Bearing = North 66° 25' 31" East). This property description and a plat were prepared from a survey made on the ground under my direction on March 5, 2013.

  
G & W ENGINEERS, INC.  
Henry A. Danysh  
Registered Professional  
Land Surveyor, No. 5088



FEBRUARY 28, 2013

STATE HIGHWAY 35

S80°16'09"E  
287.21'

S80°17'31"E

741.40'



2.823 acres  
Beadle Moore, Jr., et al  
301/230 M.C.O.R.

102.850 acres  
J. N. McDonald, et ux  
File No. 028103 M.C.O.R.

N02°38'08"E  
288.42'

1.89 ACRES

N80°14'37"W  
287.00'

116.68 acres  
Beadle Moore, Jr., et al  
301/155 M.C.O.R.

S02°40'47"W  
288.52'

44.9820 acres  
Matagorda Co. Hospital Dist.  
File No. 073498 M.C.O.R.

116.68 acres  
Beadle Moore, Jr., et al  
301/155 M.C.O.R.

N09°12'52"E

1397.48'

S80°13'23"E

1422.55'

52.74 ACRES

15.071 acres  
Beadle Moore, Jr., et al  
424/634 M.C.O.R.

180.24 acres  
Beadle Moore, Jr., et al  
301/148 M.C.O.R.

Dr. DADA  
2.596 Ab. 92  
160' Access Easement

E N07°52'43"E 586.00'

N80°15'24"W

2149.03'

S09°15'03"W

5.20 acres  
Boy City 15D  
553/139 M.C.O.R.

84.23 acres  
Boy City 15D  
535/494 M.C.O.R.

1982.81' CHARLES HALEY