

ORDINANCE NO. 2016-11

AN ORDINANCE OF THE CITY OF ROSENBERG, TEXAS, PROVIDING FOR THE EXTENSION OF THE CITY LIMITS OF THE CITY OF ROSENBERG, TEXAS, BY VOLUNTARY ANNEXATION OF 7.1813 ACRES OF LAND IN THE S.A. & M.G.R.R. COMPANY SURVEY, A-330, FORT BEND COUNTY, TEXAS; GRANTING TO SAID TRACT OF LAND AND TO ALL CURRENT AND FUTURE INHABITANTS OF SAID TRACT OF LAND THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID CURRENT AND FUTURE INHABITANTS BY ALL OF THE ACTS, ORDINANCES, REGULATIONS AND RESOLUTIONS OF SAID CITY, NOW IN EFFECT AND TO BE HEREAFTER ADOPTED; ADJUSTING THE BOUNDARIES OF COUNCIL DISTRICT NO. 2 TO INCLUDE THE TRACT ANNEXED HEREBY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.

WHEREAS, the City Council of the City of Rosenberg, Texas, finds that it received a request for annexation from Hue Tran and Hai Tran, attached hereto and incorporated herein for all purposes as **Exhibit "A"**, the owners of 7.1813 acres of land in the S.A. & M.G.R.R. Company Survey, A-330, Fort Bend County, Texas; and,

WHEREAS, the City Council of the City of Rosenberg, Texas, finds the eligible property (the "Property") is located in the Extraterritorial Jurisdiction (ETJ) of the City of Rosenberg and is contiguous to the City Limits, which is more particularly described in **Exhibit "A"**; and,

WHEREAS, the procedures prescribed by the Texas Local Government Code and the Rosenberg City Charter have been duly followed with respect to the annexation of the herein described territory; and,

WHEREAS, on April 05, 2016, City Council heard said petition and arguments for and against the same and granted said petition; now, therefore,

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

Section 1. All of the above premised are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. The land and territory lying outside of, but adjacent to and contiguous to the City of Rosenberg, Texas, more particularly described in **Exhibit "A"** attached hereto and incorporated herein for all purposes, is hereby added and annexed

to the City of Rosenberg, 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, at the various points contiguous to the area described in **Exhibit "A"**, are altered and amended so as to include said areas within the corporate limits of the City of Rosenberg, Texas.

Section 3. The land and territory more particularly described in **Exhibit "A"**, attached hereto and incorporated herein by reference, shall be part of the City of Rosenberg, Texas, and inhabitants thereof shall be entitled to all the rights and privileges as citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Rosenberg, Texas.

Section 4. The land and territory described in **Exhibit "A"**, shall be included in Council District No. 2 and said election district boundary shall be adjusted or reconfigured to include the annexed area.

Section 5. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

Section 6. The City Secretary is hereby directed to file with the County Clerk of Fort Bend County, Texas, a certified copy of this ordinance.

Section 7. If any section, subsection, sentence, paragraph, phrase, word, or provision be found to be illegal, invalid, unconstitutional or if any portion of said properties is incapable of being annexed by the City of Rosenberg, Texas, for any reason whatsoever, the adjudication shall not affect another section, sentence, phrase, word, paragraph or provision of this Ordinance or the application of any other section, sentence, phrase, word, paragraph or provision to any other person or portion of said properties, situation or circumstance, nor shall the adjudication affect any other section, sentence, phrase, word, paragraph or provision of any other ordinance of the City of Rosenberg, Texas. The City Council declares that it would have adopted the valid portions and applications of the Ordinance and would have annexed the valid properties

without the invalid part and invalid properties and to this end the provisions of this Ordinance are declared to be severable.


Section 8. This ordinance shall be effective from and after April 19, 2016.

PASSED AND APPROVED by a vote of 7 "ayes" in favor and 0 "noes" against on this first and final reading in full compliance with the provisions of Section 3.10 of the Charter of the City of Rosenberg on the 19th day of April 2016.

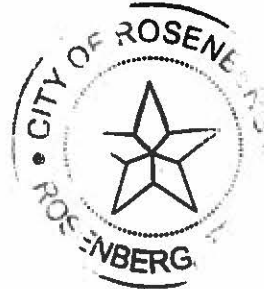


Cynthia A. McConathy, Mayor

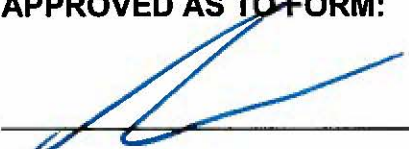
ATTEST:



Linda Cernosek, TRMC, City Secretary



APPROVED AS TO FORM:



Scott M. Tschirhart, CITY ATTORNEY
Denton Navarro Rocha Bernal Hyde & Zech, P.C.

Mark K. Knop



RESIDENTIAL
REAL ESTATE LAW



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EMAIL knopmark@hotmail.com



COMMERCIAL
REAL ESTATE LAW



February 24, 2016

Via Email: travist@ci.rosenberg.tx.us
and First Class Mail

Mr. Travis Tanner
Executive Director, Community Development
City of Rosenberg
City Hall Annex Building
2220 4th Street
Rosenberg, Texas 77471

Re: Petition/request for annexation of 7.1813 acre tract described on *Exhibit "A"* (metes and bounds description and survey) attached hereto (the "Property") into the city limits of the City of Rosenberg

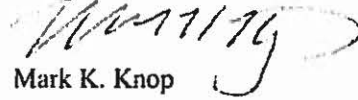
Dear Mr. Tanner:

As you know, Hue Tran and Hai Tran (the "Owners") are the current owners of the Property. I represent South Texas Surveying Associates, Inc. who is working with the Owners in connection with surveying the Property. The purpose of this letter is to formally petition/request that the Property be annexed into the city limits of the City of Rosenberg.

It is my understanding that the Property is not currently in the City of Rosenberg's city limits but is within the City of Rosenberg's extra territorial jurisdiction. Please consider this letter formal request by the Owners that the Property be annexed into the city limits of the City of Rosenberg.


If you have any questions or need additional information, please call me.

Very truly yours,


Mark K. Knop

**WE AGREE WITH AND APPROVE THE REQUEST
FOR ANNEXATION SET FORTH ABOVE.**

OWNERS:



Hue Tran

Date: 3-3, 2016



Hai Tran

Date: 3-3, 2016

EXHIBIT "A"

A 7.1813 (312,819 SQUARE FEET) ACRE TRACT OF LAND OUT OF A 9.9985 TRACT SITUATED IN THE S.A. & M.G.R.R. COMPANY SURVEY, ABSTRACT 330, FORT BEND COUNTY, TEXAS, AND BEING A PORTION OF LOT 69 OF THE SLAVIN AND GEORGE SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 64, PAGE 252 OF THE DEED RECORDS OF FORT BEND COUNTY, TEXAS. SAID 7.1813 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

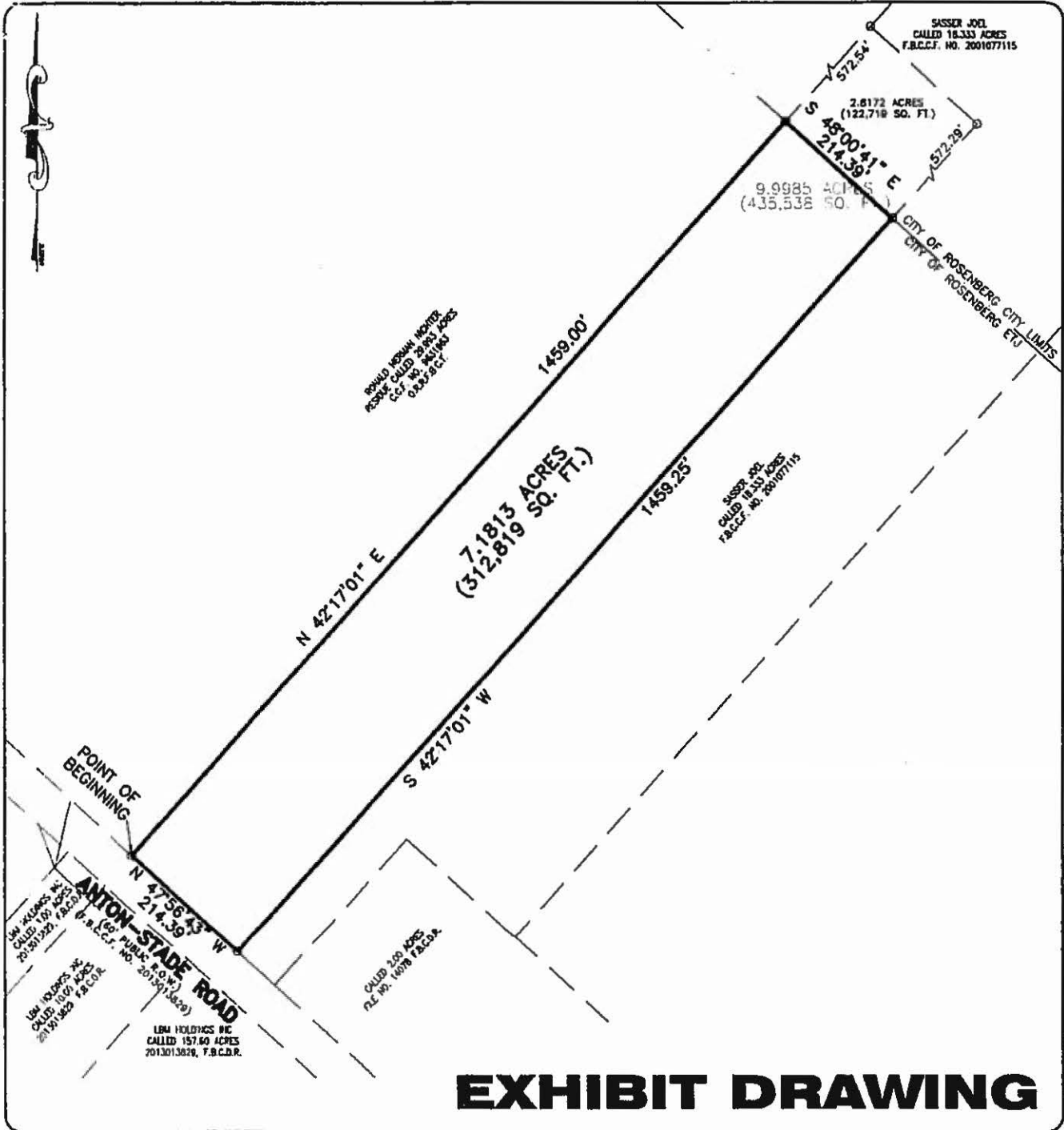
BEGINNING AT A 5/8 INCH ROD FOUND IN THE NORTHEAST RIGHT-OF-WAY (ROW) LINE OF ANTON-STADE ROAD (60 FEET WIDE) FOR THE SOUTH CORNER OF THE RESIDUE OF AN ADJOINING CALLED 29.993 ACRE TRACT CONVEYED TO RONALD HERMAN NICTER, RECORDED IN COUNTY CLERKS FILE NO. 9631963, OFFICIAL PUBLIC RECORDS, FORT BEND COUNTY TEXAS, SAID POINT BEING THE WEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 42 DEGREES 17 MINUTES 01 SECONDS EAST, 1459.00 FEET ALONG THE NORTHWEST LINE OF THE HEREIN DESCRIBED TRACT TO THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT

THENCE, ACROSS THE 9.9985 ACRE TRACT, THE FOLLOWING TWO (2) CALLS:

1. SOUTH 48 DEGREES 00 MINUTES AND 41 SECONDS EAST, 214.39 FEET TO A POINT FOR CORNER;
2. SOUTH 42 DEGREES, 17 MINUTES AND 01 SECONDS WEST, 1459.25 FEET TO A
3. POINT IN THE SAID NORTHEAST ROW LINE OF ANTON-STADE ROAD FOR THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT,

THENCE, NORTH 47 DEGREES 56 MINUTES AND 43 SECONDS WEST, ALONG THE SOUTHWEST LINE OF THE HEREIN DESCRIBED TRACT COMMON TO THE SAID NORTHEAST ROW LINE OF ANTON-STADE ROAD, 214.39 FEET TO THE PLACE OF BEGINNING AND CONTAINING 7.1813 ACRES (312,819 SQUARE FEET) OF LAND, MORE OR LESS.



ADDRESS: 0 ANTON STADE ROAD
CITY: ROSENBERG, TEXAS ZIP: 77471

JOB NO: 40-15-EXHIBIT DATE: 2-9-16 SCALE: 1"=200'-00" REVISION:



SOUTH TEXAS SURVEYING ASSOCIATES, INC.
11281 Richmond Ave. Bldg J, Suite 101, Houston, Texas 77082
281-556-6918 FAX 281-556-9331
Firm Number: 10045400

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