

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS FOR THE PURPOSE OF EXTENDING THE CORPORATE LIMITS OF THE CITY OF BRENHAM, TEXAS; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 5.1545 ACRES OF LAND, COMPRISED OF ONE (1) TRACT HEREINAFTER MORE SPECIFICALLY DESCRIBED, TO THE CITY OF BRENHAM, TEXAS FOR ALL MUNICIPAL PURPOSES; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH AREAS SHALL BECOME A PART OF THE CITY AND THAT THE INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND TO BE HEREINAFTER ADOPTED; PROVIDING FOR A MUNICIPAL SERVICES AGREEMENT FOR THE ANNEXED AREAS; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL MAP OF THE BOUNDARIES OF THE CITY; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE AND MEETING.

WHEREAS, the City of Brenham, Texas is a Texas home-rule municipality; and

WHEREAS, Chapter 43 of the Texas Local Government Code, V.T.C.A., authorizes municipalities to annex territory in accordance with the procedures provided for therein; and

WHEREAS, Article I, Section 3 of the Charter of the City of Brenham authorizes annexation of territory to the City, in accordance with the laws of this State; and

WHEREAS, the hereinafter described property lies within the extraterritorial jurisdiction of the City of Brenham; and

WHEREAS, pursuant to Section 43.0671 et seq. of the Texas Local Government Code, the owner of approximately 5.1545 acres of land, described in Exhibit "A" attached hereto and incorporated herein for all purposes, has filed a written request with the City for the annexation of said area; and

WHEREAS, notice of the required public hearing was published in a newspaper having general circulation in the City of Brenham, Texas and the public hearing was conducted and held in accordance with applicable law; and

WHEREAS, the City of Brenham, Texas has approved a Municipal Services Agreement with the property owner for the extension of municipal services into the area to be annexed, said Agreement being attached hereto as Exhibit “B” and incorporated herein for all purposes; and

WHEREAS, all notices, publications and hearings have been duly given and held as required by law; Now Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRENHAM, TEXAS:

- Section 1.** That the hereinafter described tract of land is within the extraterritorial jurisdiction of, and is adjacent to and is contiguous to the present corporate limits of the City of Brenham, Texas, be, the same is hereby, annexed to the City of Brenham, Texas for all municipal purposes and the corporate boundaries and limits of the City of Brenham, Texas are hereby extended to embrace the said tract of land, which is more particularly described and attached hereto as Exhibit “A” and incorporated herein for all purposes.
- Section 2.** That the inhabitants, if any, of the property hereby annexed to the City of Brenham, Texas shall be entitled to all the rights and privileges of said citizens of the City of Brenham, Texas, and shall be bound by the acts, ordinances, codes, resolutions and regulations of the City of Brenham, Texas.
- Section 3.** That the Municipal Services Agreement which is attached hereto as Exhibit “B” is hereby approved and incorporated herein as part of this Ordinance for all purposes and is applicable to the areas annexed to the City as described herein.
- Section 4.** That the official map and boundaries of the City of Brenham, Texas, heretofore adopted and amended be and is hereby amended so as to include the aforementioned areas as part of the City of Brenham, Texas.
- Section 5.** That the City Secretary is hereby directed and authorized to perform or cause to be performed all acts necessary to amend the official map of the City of Brenham, Texas to add the territory hereby annexed as required by law.
- Section 6.** If any section, subsection, sentence, phrase, word, paragraph or provision of this Ordinance be found to be illegal, invalid or unconstitutional or if any portion of said property is incapable of being annexed by the City of Brenham, Texas, for any reason whatsoever, the adjudication shall not affect any other section, subsection, sentence, phrase, word, paragraph or provision of this Ordinance or the application of any other section, subsection, sentence, phrase, word, paragraph or provision of any other Ordinance of the City. The City Council declares that it would have adopted the valid portions and applications of this Ordinance and would have annexed the valid property without the invalid part, and as to this end the provisions of this Ordinance are declared to be severable.

Section 7. That this Ordinance shall become effective upon its passage.

Section 8. That the meetings at which this Ordinance was enacted were open to the public as required by the Texas Open Meetings Act, and that notice of the time, place, and subject matter of said meetings was given as required by the Texas Open Meetings Act.

PASSED and APPROVED on its first reading this the ____ day of _____ 2021.

PASSED and APPROVED on its second reading this the ____ day of _____ 2021.

Milton Y. Tate, Jr.
Mayor

ATTEST

Jeana Bellinger, TRMC, CMC
City Secretary

Exhibit "A"

5.1545 ACRES. All that tract or parcel of land situated in Washington County, Texas out of the Phillip Coe Survey A-31 and being a portion of the tract of land called 9.04 acres in a deed from Henry Muery, et ux to Calvin Borman dated September 6, 1948 as recorded in Volume 159, Page 115 of the Washington County Deed Records, more particularly described as follows:

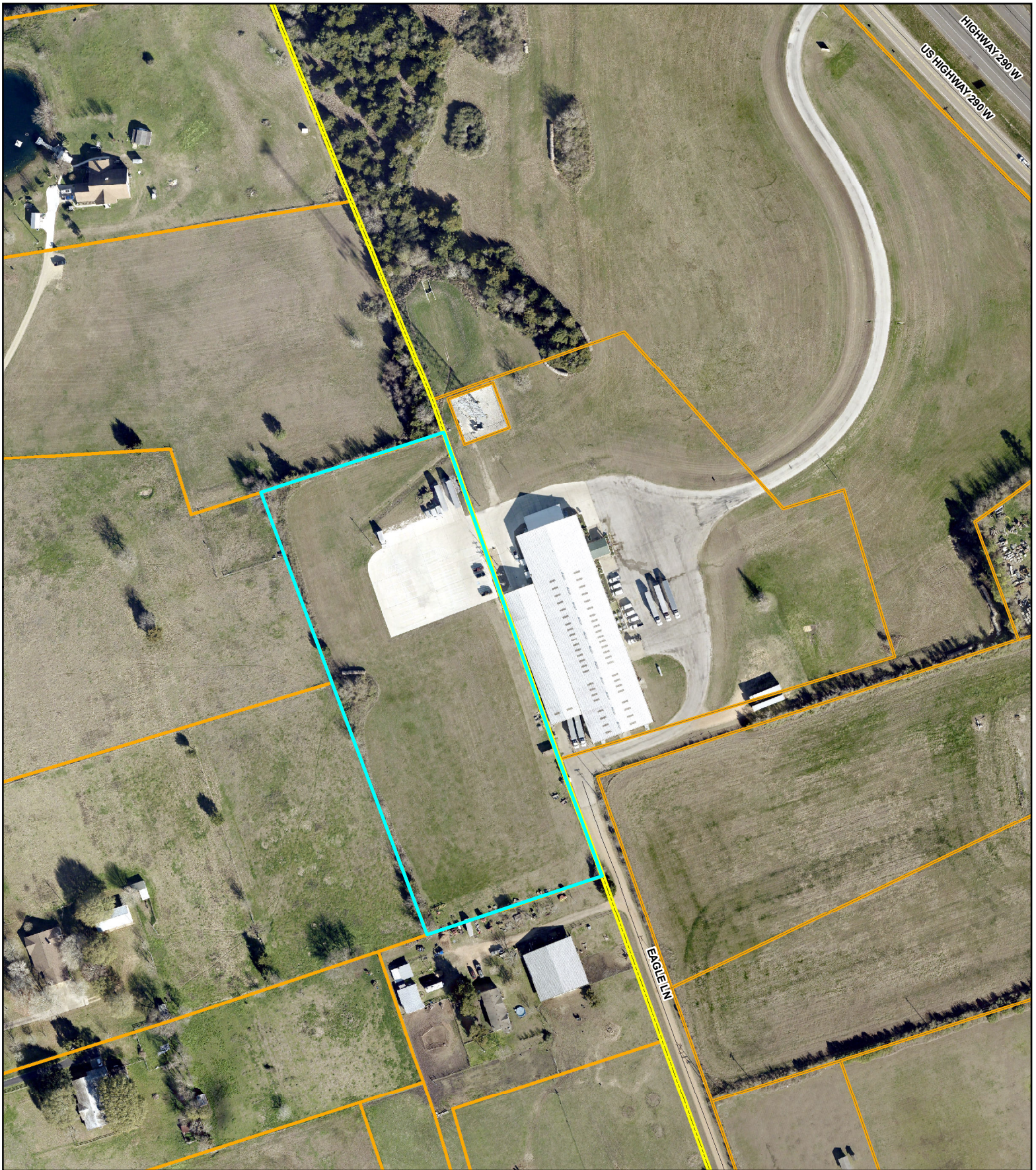
BEGINNING at the old iron pin in the fence line marking the Southeast corner of the original 9.04 acre tract, said point also being the Northeast corner of the Florence Draehn tract, and being in the West line of a 40 ft. wide lane owned by Dix R. Turnbow;

THENCE with the south line of the original tract, same being the North line of the Draehn tract S 74° 32' 51" W, 300.00 ft. to a set iron pin in the fence line for Southwest corner;

THENCE N 18° 8' 33" W, 749.15 ft. to a set iron pin for Northwest corner;

THENCE N 74° 32' 51" E, 300 ft. to a set iron pin in the West line of the Dix R. Turnbow tract;




THENCE with the West line of said tract same being the East line of the original 9.04 acre tract S 18° 09' 22" E, 335.83 ft. to a fence line angle and S 18° 07' 52" E, 413.32 ft. to the PLACE OF BEGINNING and containing 5.1545 acres of land.



1 inch = 200 feet



R12256

-  City Limits
-  County Parcels
-  City Roads

