

FILE NO. 903050

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ORDINANCE NO. 1990-9

AN ORDINANCE EXTENDING THE CITY LIMITS OF THE TOWN OF SAN FELIPE, TEXAS, TO INCLUDE ALL LAND AREA WITHIN CERTAIN LIMITS AND BOUNDARIES AND ANNEXING TO THE TOWN OF SAN FELIPE ALL OF THE AREA WITHIN SUCH LIMITS AND BOUNDARIES; APPROVING A SERVICE PLAN FOR ALL OF THE AREA WITHIN SUCH LIMITS AND BOUNDARIES; AND PROVIDING A SAVINGS AND SEVERABILITY CLAUSE.

\* \* \* \* \*

WHEREAS, a majority of the qualified voters of an approximate 236 acre tract of land have petitioned the Town of San Felipe for annexation of said lands into the Town of San Felipe, Texas; now therefore,

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF SAN FELIPE, TEXAS:

Section 1. That the general corporate limits of the Town of San Felipe are hereby extended to embrace and include the following described area of land, and the following described land is hereby annexed to and made a part of the Town of San Felipe, to-wit:

ORDINANCE NO. 1990-9

Section 2. The plan for extension of municipal services into the area annexed to the Town of San Felipe by the provisions of this Ordinance is set forth in the "Municipal Service Plan" attached hereto and made a part hereof for all purposes. Such Municipal Service Plan is hereby approved.

Section 3. If any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application thereof ineffective or inapplicable as to any territory, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no wise affect, impair, or invalidate the remaining portion or portions hereof, but as to such remaining portion or portions, the same shall be and remain in full force and effect; and should this Ordinance for any reason be ineffective as to any part of the area hereby annexed to the Town of San Felipe, such ineffectiveness of this Ordinance as to any part or parts of any such area shall not effect the effectiveness of this Ordinance as to all of the remainder of such area, and the Board of Aldermen hereby declares it be its purpose to annex to the Town of San Felipe every part of the area described in Section 1 of this Ordinance, regardless of whether any other part of such described area is hereby effectively annexed to the Town. Provided, further, that if there is included in the general description of territory set out in Section 1 of this Ordinance any land or area which is already a part of and included within the general limits of the Town of San Felipe, or which is presently part of and included in the limits of any other city, town, or village, or which is not within the Town of San Felipe's jurisdiction to annex, the same is hereby excluded and excepted from the territory to be annexed as fully as if such excluded and excepted area was specifically described herein.

PASSED, APPROVED, AND ADOPTED THIS 4<sup>th</sup> day of September, 1990.

TOWN OF SAN FELIPE

Diana Borina  
Mayor

ATTEST:

John P. Zagala  
Town Secretary

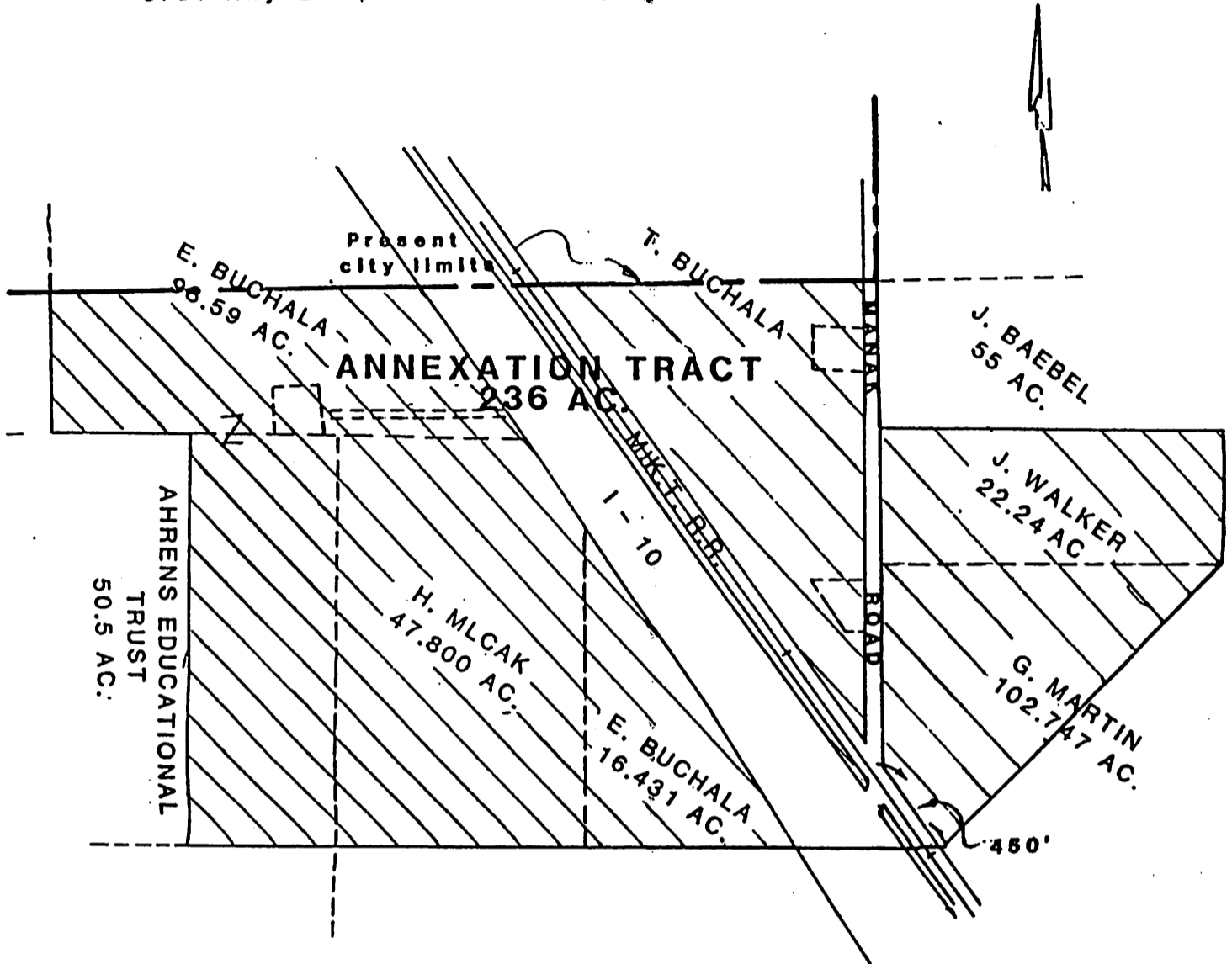
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# Clay & Leyendecker, Inc.

Consulting Engineers & Surveyors

6701 Hwy. Blvd., Suite 102 / Katy, Texas 77450 / (713) 391-0173



236 Ac. tract for annexation 1990 Stephen F. Austin league, A -7 San Felipe, Austin Co. Texas

EXHIBIT "B"

SCALE: 1" = Appro. 750'  
DATE: May, 1990

FIELD NOTES FOR A 236 ACRE TRACT FOR ANNEXATION TO THE TOWN OF SAN FELIPE. SAID TRACT BEING LOCATED IN THE STEPHEN F. AUSTIN LEAGUE, ABSTRACT #7; AUSTIN COUNTY, TEXAS.

BEGINNING: At a corner in the present City Limits being in the Northeast Right-Of-Way line of Manak Road and being the South corner of the A. Brown 36 acre tract as described in Volume 469, Page 102 of the Austin County Deed Records;

THENCE: In a Southeast direction along the Northeast Right-Of-Way line of Manak Road an approximate distance of 660 feet to the West corner of the J. Walker, Jr. 22.24 Acre Tract;

THENCE: Northeast with the Northwest line of the Walker tract also being the Southeast line of an adjoining J. Baebel 55 Acre Tract an approximate distance of 1580 feet to Walker's Northern corner;

THENCE: Southeast with the Northeast line of the Walker 22.24 acre tract an approximate distance of 600 feet to the East corner of the tract;

THENCE: In a Southern direction an approximate distance of 1800 feet to a point on the North line of the M.K.T. Railroad Right-Of-Way; said point being East 475 feet from the intersection of the North line of the M.K.T. Right-Of-Way with the Northeast Right-Of-Way line of Manak Road;

THENCE: In a Southwest direction crossing the M.K.T. Railroad Right-Of-Way and Interstate 10 to the East corner of the E. Buchala 16.431 Acre Tract;


THENCE: Southwest with the Southeast line of the 16.431 acre tract continuing along the Southeast line of the H. Mlcak 47.800 Acre Tract, an approximate distance of 2800 feet to the East corner of the Ahrens Educational Trust 50.5 Acre Tract;

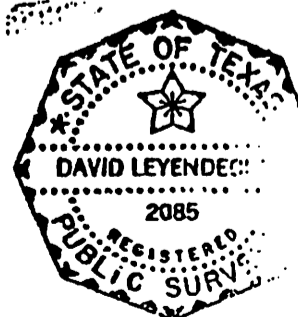
THENCE: Northwest with the Northeast line of the 50.5 acre tract approximately 1825 feet to it's Northern corner;

THENCE: Southwest with the Northwest line of the Ahrens Educational Trust Property an approximate distance of 640 feet to a Western corner of the E. Buchala 98.59 Acre Tract;

THENCE: Northwest with the Southwest line of the Buchala tract and the Northeast line of the E. Kutra 50. acre tract an approximate distance of 630 feet to a corner on the present City line;

THENCE: Northeast along the present City Limits line crossing Interstate 10, the M.K.T. Railroad and Manak Road an approximate distance of 3770 feet to the PLACE OF BEGINNING and containing approximately 236 acres of land.

  
For Clay & Leyendecker, Inc.  
David Leyendecker, R.P.S.  
Texas Registration No. 2085  
April 30, 1990



DL/mm

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EXHIBIT "A"

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TO THE MAYOR AND GOVERNING BODY  
OF THE TOWN OF SAN FELIPE, TEXAS

We, a majority of the qualified voters of the territory described in Exhibit "A" attached hereto and made a part hereof for all purposes (the "Territory"), which is contiguous to the Town of San Felipe, Texas, and is one-half mile or less in width, hereby petition the Town of San Felipe to extend the present town limits so as to include the Territory.

We, and each of us, are inhabitants of the Territory, are qualified voters, and hereby express our choice and vote by affixing our signatures to this petition under the appropriate heading below.

FOR THE ANNEXATION

AGAINST THE ANNEXATION

1. Kenny K. Mlcaak  
Printed Name: KENNY K. MLCACK  
Address: 3 I-10 E SEELY TIA.  
Voter Registration No.: 3819  
Date: 7/21/90

C.B.  
1. Don Buchala  
Printed Name: CLERM BUCHALA  
Address: 119 MANAK RD  
Voter Registration No.: 565  
Date: 7-23-90

2. Albina A. Mlcaak  
Printed Name: ALBINA A. MLCACK  
Address: 552 I-10 E Seely TX  
Voter Registration No.: 3812  
Date: 7-21-90

2. \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Voter Registration No.: 565  
Date: \_\_\_\_\_

3. Clom Buchala  
Printed Name: CLERM BUCHALA  
Address: 119 MANAK RD  
Voter Registration No.: 565  
Date: 7-23-90

3. \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Voter Registration No.: \_\_\_\_\_  
Date: \_\_\_\_\_

4. Leona Buchala  
Printed Name: LEONA BUCHALA  
Address: 119 Manak Rd  
Voter Registration No.: 565  
Date: 7-23-90

4. \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Voter Registration No.: \_\_\_\_\_  
Date: \_\_\_\_\_

5. Jabon Ross  
Printed Name: JABON ROSS  
Address: 550 I-10 E  
Voter Registration No.: 4658  
Date: 7/23/90

5. \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Voter Registration No.: \_\_\_\_\_  
Date: \_\_\_\_\_

6. Rennie Ross  
Printed Name: RENNIE ROSS  
Address: 550 I-10 E  
Voter Registration No.: 4662  
Date: 7/23/90

6. \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Voter Registration No.: \_\_\_\_\_  
Date: \_\_\_\_\_

7. \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Voter Registration No.: \_\_\_\_\_  
Date: \_\_\_\_\_

7. \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Voter Registration No.: \_\_\_\_\_  
Date: \_\_\_\_\_

8. \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Voter Registration No.: \_\_\_\_\_  
Date: \_\_\_\_\_

8. \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Voter Registration No.: \_\_\_\_\_  
Date: \_\_\_\_\_

ANNEXATION PETITION

TO THE MAYOR AND GOVERNING BODY  
OF THE TOWN OF SAN FELIPE, TEXAS

We, a majority of the qualified voters of the territory described in Exhibit "A" attached hereto and made a part hereof for all purposes (the "Territory"), which is contiguous to the Town of San Felipe, Texas, and is one-half mile or less in width, hereby petition the Town of San Felipe to extend the present town limits so as to include the Territory.

We, and each of us, are inhabitants of the Territory, are qualified voters, and hereby express our choice and vote by affixing our signatures to this petition under the appropriate heading below.

FOR THE ANNEXATION

AGAINST THE ANNEXATION

17. \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Voter Registration No. \_\_\_\_\_  
Date: \_\_\_\_\_

17. \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Voter Registration No. \_\_\_\_\_  
Date: \_\_\_\_\_

18. \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Voter Registration No. \_\_\_\_\_  
Date: \_\_\_\_\_

18. \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Voter Registration No. \_\_\_\_\_  
Date: \_\_\_\_\_

19. \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Voter Registration No. \_\_\_\_\_  
Date: \_\_\_\_\_

19. \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Voter Registration No. \_\_\_\_\_  
Date: \_\_\_\_\_

AFFIDAVIT OF THREE SIGNERS OF  
THE ANNEXATION PETITION

THE STATE OF TEXAS  
COUNTY OF AUSTIN §

Before me, the undersigned authority, on this day personally appeared Henry R. Mizeak, Jo Ann Ross, and Ronnie Ross, well known to me, who being duly sworn, deposed and say that they, and each of them, are inhabitants of the Territory described in the attached Annexation Petition and qualified voters, that each inhabitant of the Territory who is a qualified voter has had notice of and an opportunity to vote his or her choice in the matter of annexing said Territory to the Town of San Felipe, Texas; and that a majority of those qualified to vote has voted in favor of extending the present town limits so as to include such Territory.

Henry R Mizeak  
Jo Ann Ross  
Ronnie Ross

Sworn to and subscribed before me this 23<sup>rd</sup> day of July, 1990.

Ronald L Fletcher  
Notary Public in and for Austin County,  
The State of Texas  
My commission expires 12/12/91  
Ronald L. Fletcher

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