

ORDINANCE 2012-09

AN ORDINANCE OF THE CITY OF LA FERIA, TEXAS ANNEXING CERTAIN AREAS ADJACENT TO THE CITY BASED ON A REQUEST FROM THE OWNER OF THE PROPERTY FOR VOLUNTARY ANNEXATION OF THE PROPERTY INTO THE CITY LIMITS OF LA FERIA; EXTENDING THE BOUNDARIES AND EXTRA TERRITORIAL JURISDICTION OF THE CITY, TO INCLUDE SAID ANNEXED AREA WITHIN THE CORPORATE LIMITS OF THE CITY; GRANTING TO SAID ANNEXED AREA AND ALL OWNERS AND INHABITANTS THEREOF ALL THE RIGHTS AND PRIVILEGES ACCORDED TO CITIZENS OF THE CITY; BINDING SAID AREAS AND ALL OWNERS AND INHABITANTS THEREOF TO ALL RULES, ORDINANCES AND OTHER ACTS OF THE CITY, AND ESTABLISHING AN EFFECTIVE DATE

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

WHEREAS, the City of La FERIA is authorized by Section 1.04 of the City Charter of the City of La FERIA, to fix the boundaries of the City and to provide for the extension of the boundaries and the annexation of additional territory lying adjacent to the City;

WHEREAS, the City of La FERIA is also authorized by Chapter 43 of the Texas Local Government Code to fix the boundaries of the City and to provide for the extension of the boundaries and the annexation of additional territory lying adjacent to the City; and

WHEREAS, Section 43.028 of the Texas Local Government Code (LGC) governs the annexation of an area that is (1) one-half mile or less in width; (2) contiguous to the annexing municipality; and (3) is vacant and without residents or on which fewer than three qualified voters reside.

WHEREAS, Section 43.028 of the Texas LGC provides that areas described in the previous paragraph may be annexed upon receipt by the municipal government of a written petition from the owners of the property in the area, said petition being acknowledged in the manner required for deeds by each person having an interest in the area, and describing the area by metes and bounds; and

WHEREAS Section 43.028 of the Texas LGC further provides that such petition for annexation be heard by the City Commission after the 5th day, but before the 30th day after the petition is filed, and that the City Commission shall hear the arguments for and against the annexation; and

WHEREAS, Section 43.028 of the Texas LGC provides that if the City Commission grants the petition for annexation, said annexation shall be effectuated on the date of the ordinance;

WHEREAS, the City of La FERIA received a petition dated June 5, 2012, from the South Texas Collaborative for Housing Development, Inc. requesting petition of 50.98 acres comprising all of Blocks 31 and 34 of Solis Subdivision and parts of Blocks 30 and 35, said property being located on the east side of FM 2556 and north of Mile 8 N. Road; and

WHEREAS, the letter was properly notarized and included a metes and bounds description of the property; and

WHEREAS, the property proposed to be annexed is adjacent to current city boundaries and is within the City's extra-territorial jurisdiction; and,

WHEREAS, no one resides on the property which is proposed for annexation;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LA FERIA, TEXAS, THAT:

Section 1. The City of La Feria hereby annexes the property described in Exhibit A and B to this ordinance and brings it into the city limits.

Section 2. The City of La Feria, Texas hereby grants to said annexed area and any and all owners and inhabitants thereof all the rights and privileges accorded to them by the City of La Feria, Texas, and binds said area and all owners and inhabitants thereof to all the rules, ordinances and other acts of the City of La Feria, Texas applicable to them.

Section 3. The City Manager of the City of La Feria, Texas or his designated representative is hereby directed to file a certified copy of this ordinance with all appropriate agencies, as required by state or federal law.

Section 4. This ordinance shall be effective immediately upon adoption.

PASSED AND APPROVED THIS THE 26th DAY OF JUNE 2012.

APPROVED:



Steve Brewer, Mayor

ATTEST:



Olga Oberwetter, City Secretary

APPROVED AS TO FORM:



Richard S. Talbert, City Attorney

STATE OF TEXAS
COUNTY OF CAMERON

I, Olga Oberwetter, City Secretary for the City of La Feria hereby certify that this is a true and correct duplicate original of Ordinance 2012-09 approved by the City Commission of the City of La Feria on June 26, 2012, at a duly called meeting of the City Commission of the City of La Feria where a quorum of the City Commission was present.

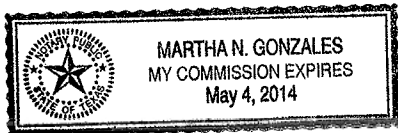


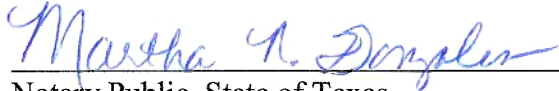
OLGA OBERWETTER, City Secretary

(ACKNOWLEDGMENT)

State of Texas
County of Cameron

This instrument was acknowledged before me on the 11th day of July, 2012, by **OLGA OBERWETTER, City Secretary** of the **CITY OF LA FERIA, TEXAS**, as the act and deed thereof.





Notary Public, State of Texas

After recording return to:

City of La Feria
115 E. Commercial Avenue
La Feria, TX 78559

EXHIBIT A

SOLIS SUBDIVISION BLKS 30,31,34, AND 35

TRACT 1

All of Blocks Thirty-One (31) and Thirty-Four (34), SOLIS SUBDIVISION, La Feria Grant in Cameron County, Texas, according to the Map of said Subdivision recorded in Volume 5, Page 20, Map Records, Cameron County, Texas,

TRACT 2

North Ten (10) acres of Block Thirty-Five (35), SOLIS SUBDIVISION, La Feria Grant in Cameron County, Texas, according to the Map of said Subdivision recorded in Volume 5, Page 20, Map Records, Cameron County, Texas; SAVE AND EXCEPT a tract of land conveyed to David M. Powell and wife, Kathryn M. Powell by Deed recorded at Volume 16, Page 506, Official Records, Cameron County, Texas

TRACT 3

South Ten (10) acres of Block Thirty-Five (35), SOLIS SUBDIVISION, La Feria Grant, Cameron County, Texas, according to the Map of said Subdivision recorded at Volume 5, Page 20, Map Records, Cameron County, Texas.

TRACT 4

The North Seven (7) acres of Block Thirty (30), SOLIS SUBDIVISION, La Feria Grant, Cameron County, Texas, according to the Map of said Subdivision recorded at Volume 5, Page 20, Map Records, Cameron County, Texas, and the South Seven (7) acres of Block Thirty (30), SOLIS SUBDIVISION, La Feria Grant, Cameron County, Texas, according to Map recorded in Volume 5, Page 20, Map Records, Cameron County, Texas.

SAVE AND EXCEPT a 5.02 acre tract of land out of the Southwest Corner of Block 30, Solis Subdivision, Cameron County, Texas, as per map thereof recorded at Volume 5, Page 20, Map Records, Cameron County, Texas, said 5.02 acre being more particularly described by metes and bounds as follows:

BEGINNING at the southwest corner of said Block 30 for the Southwest corner hereof;

THENCE with the West line of said Block, the centerline W. Cantu Road (F.M. 2556), North 00 deg. 25' West 467.62 feet to the Northwest corner hereof;

THENCE parallel with the South line of said Block 30, North 89 deg. 35' East, at 40.00 feet set a one-half (1/2) inch diameter iron rod at the East Right of Way of W. Cantu Road, at 467.62 feet in all to a one-half (1/2) inch diameter iron rod set for the Northeast corner hereof;

THENCE South 00 deg. 25' East, at 447.62 feet set a one-half (1/2) inch diameter iron rod at the North Right of Way of Mile 8 North Road, at 467.62 feet in all to the Southeast corner hereof;

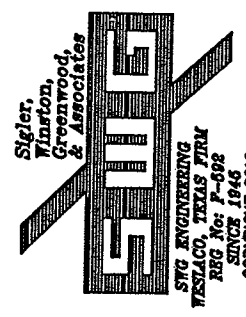
THENCE with the South line of said Block, the centerline of Mile 8 North Road, South 89 deg. 35' West 467.62 feet to the PLACE OF BEGINNING, containing Five and Two Hundredths (5.02) acres, more or less.



SCALE: 1" = 500'

BASIS OF BEARING
GPS NAD83 TEXAS SOUTH ZONE

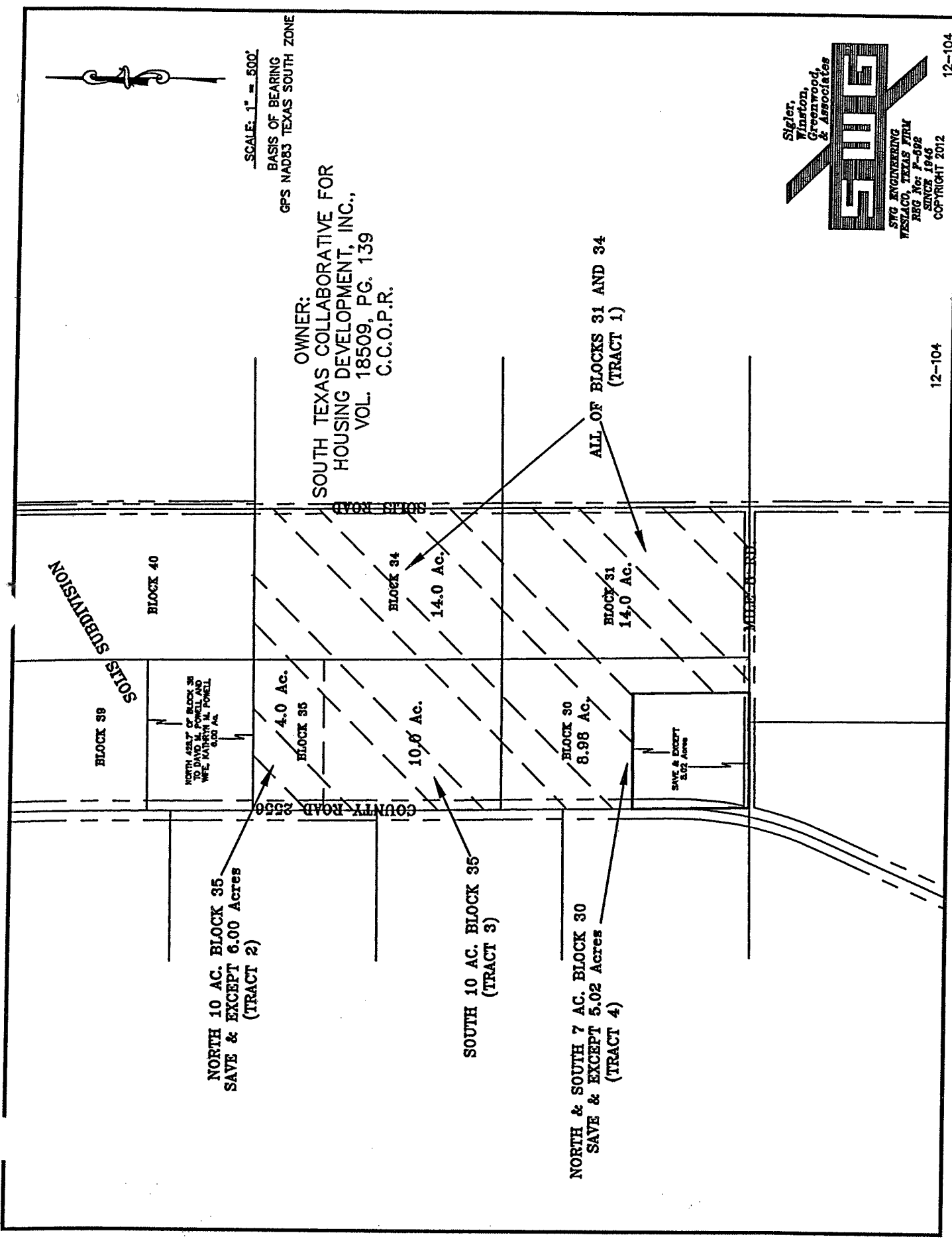
OWNER:
SOUTH TEXAS COLLABORATIVE FOR
HOUSING DEVELOPMENT, INC.,
VOL. 18509, PG. 139
C.C.O.P.R.



12-104

12-104

OWNERS: EXHIBIT B



NO. 18509-139
SHERBURN

BLOCK 29

BLOCK 40

NORTH 45%¹/₂ OF BLOCK 35
TO DAVID M. POWELL AND
WIFE, KATHRYN M. POWELL
8.00 AC.

BLOCK 36
4.0 AC.

BLOCK 34
14.0 AC.

10.0 AC.

BLOCK 30
8.98 AC.

BLOCK 31
14.0 AC.

ALL OF BLOCKS 31 AND 34
(TRACT 1)

NORTH 10 AC. BLOCK 35
SAVE & EXCEPT 6.00 Acres
(TRACT 2)

SOUTH 10 AC. BLOCK 36
(TRACT 3)

NORTH & SOUTH 7 AC. BLOCK 30
SAVE & EXCEPT 5.02 Acres
(TRACT 4)

COUNTRY ROAD 2550

SHERBURN

SAVE & EXCEPT
5.02 ACRES