

**ORDINANCE OF ANNEXATION**

AN ORDINANCE ANNEXING A 50.00 ACRE TRACT OF LAND PURSUANT TO THE PETITION OF THE SOLE OWNER OF THE TRACT AND AFTER REQUISITE HEARING ON THE PETITION FOR ANNEXATION BY SAMUEL NEIL McCRAW.

WHEREFORE, as the city council for the City Of Magnolia, Texas, has received a petition for annexation from Samuel Neil McCraw, pursuant to TEX. LOC. GOV'T CODE § 43.028; and

WHEREFORE, Since the tract of real property sought to be annexed is wholly owned by petitioner in fee simple; and

WHEREFORE, since there are no persons currently residing on the property sought to be annexed; and

WHEREFORE, since there are no legal impediments to the proposed annexation and that hearings have been held concerning the proposed annexation seeking comments or objections thereto;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MAGNOLIA, TEXAS as follows:

Section 1 -- Annexation of tract.

The 50.00 acre tract described by metes and bounds in the attached Exhibit A, is hereby annexed into the city limits of the City Of Magnolia, Texas for all purposes;

Section 2 -- Effective Date.

This annexation shall not be effective until the pre-clearance of the annexation by the United States Department Of Justice under the 1965 Voting Rights Act and the endorsement of the same by the Mayor.

The Mayor shall not endorse and file this ordinance until the receipt of notice of pre-clearance by the Civil Rights Division of the Department Of Justice. The receipt of pre-clearance from the Civil Rights Division and the endorsement by the Mayor of this ordinance shall constitute final approval of this ordinance.

Section 3 -- City Services and taxation.

The tract annexed herein shall be entitled to the same services of the City of Magnolia, as any other tract similarly situated. The tract shall be subject to taxation uniformly and equally on an ad valorem basis.

City of Magnolia  
P.O. Box 356  
Magnolia, TX  
77353

## Section 4 -- Rights and duties of residents on annexed tract.

Residents of the annexed tract shall be citizens of the City Of Magnolia, Texas. Any current or subsequent residents of the tract annexed by this ordinance shall also be entitled to the same rights and privileges as other citizens of the City Of Magnolia, Texas, and are bound by the acts and ordinances adopted by the City Of Magnolia, Texas.

## Section 4 -- Filing

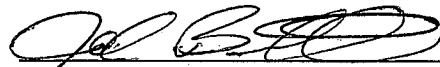
Upon final approval of this ordinance, the City Secretary is ordered to forward a certified copy of this ordinance of annexation, together with the petition for annexation to the County Clerk for Montgomery County, Texas, for filing with the records of the Clerk. Further, the City Secretary is ordered to forward a certified copy of this ordinance to the Secretary of State, Statutory Documents Division, P.O. Box 12887, Austin, Texas 78711, together with a statement of whether the annexation is the subject of pending or threatened litigation.

## Section 5 -- Enactment

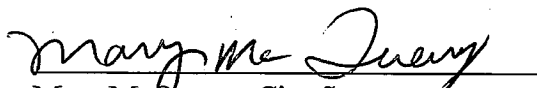
ADOPTED AND PASSED on this 22nd day of February, 2000, by the City Council for the City Of Magnolia, Texas.

Councilwoman Ogden  
Councilman Mattern  
Councilwoman Cloyd  
Councilwoman Clapp  
Councilman Smith

AYE  
ABSENT  
AYE  
AYE  
AYE

  
John Bramlett, Mayor

Attest:

  
Mary McQuerry, City Secretary

706-00-1985

FIELD NOTE DESCRIPTION  
50.000 Acres of Land

All that certain tract or parcel of land containing 50.000 acres, situated in the Cyrus T. Ward Survey, Abstract 612, Montgomery County, Texas, and being out of that certain 395 1/4 acre tract described in deed to Mary Alice Arnold, et al, recorded in Volume 758, Page 324 of the Montgomery County Deed Records, said 50.000 acre tract being more particularly described as follows, all bearings being referenced to ARNOLD ESTATES Subdivision, recorded in Cabinet D, Sheet 110-B of the Montgomery County Map Records:

COMMENCING at a 5/8 inch iron rod found (Control Monument) in the east right-of-way line of Nichols Sawmill Road for the northwest corner of ARNOLD ESTATES, and being the southwest corner of that certain 10.000 acre tract described in deed to Robert Long, et ux, recorded under County Clerk's File No. 9611855;

THENCE, N 00°39'37" E, a distance of 300.00 feet along the east line of Nichols Sawmill Road to a 5/8 inch iron rod found for the northwest corner of the said 10.000 acre tract, and being the western southwest corner and POINT OF BEGINNING of the herein described tract;

THENCE, N 00°39'37" E, a distance of 672.32 feet continuing along the east line of Nichols Sawmill Road to a fence corner post for the northwest corner of the said 395 1/4 acre tract and this tract, and being the southwest corner of that certain 40.0 acre tract described in deed to Thos. C. Macik, recorded in Volume 337, Page 551 of the Montgomery County Deed Records;

THENCE, S 87°43'39" E, a distance of 2577.63 feet along the north line of the said 395 1/4 acre tract and along the south line of the said 40.0 acre tract to a 3/4 inch iron pipe found for the southeast corner of the said 40.0 acre tract, and being the southwest corner of that certain 10.314 acre tract described in deed to T. E. Macik, recorded under C.C.F. No. 9675142;

THENCE, S 87°32'42" E, a distance of 274.20 feet continuing along the north line of the said 395 1/4 acre tract to a 1/2 inch iron rod set for the northeast corner of this tract;

THENCE, S 00°01'02" E, a distance of 857.45 feet to a 1/2 inch iron rod set in the north line of ARNOLD ESTATES for the southeast corner of this tract, said corner being located S 89°58'58" W, 398.05 feet from a 5/8 inch iron rod found (Control Monument) for the northeast corner of ARNOLD ESTATES;

THENCE, S 89°58'58" W (Basis of Bearing), a distance of 1408.92 feet along the north line of ARNOLD ESTATES to a 5/8 inch iron rod found for the southeast corner of the said 10.000 acre tract;

THENCE, N 00°39'37" E, a distance of 300.00 feet along the east line of the said 10.000 acre tract to a 5/8 inch iron rod found for the northeast corner of the said 10.000 acre tract;

THENCE, S 89°58'58" W, a distance of 1452.10 feet along the north line of the said 10.000 acre tract to the POINT OF BEGINNING and containing 50.000 acres of land.



GERALD L. REINKE, R.P.L.S. No. 3971  
December 15, 1998  
J.O. No. 98-1214



706-00-1986

FILED FOR RECORD

00 MAY 15 AM 9:55

MARK TURNBULL, CO. CLERK  
MONTGOMERY COUNTY, TEXAS

DEPUTY

STATE OF TEXAS  
COUNTY OF MONTGOMERY  
I hereby certify that this instrument was filed in  
File Number Sequence on the date and at the time  
stamped herein by me and was duly RECORDED in  
the official Public Records of Real Property of  
Montgomery County, Texas.

MAY 15 2000



*Mark Turnbull*  
COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS