

**ORDINANCE ANNEXING TERRITORY NO. O-2012-12**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, INCLUDING THE HEREINAFTER DESCRIBED TERRITORY TO THE EXTRATERRITORIAL JURISDICTION OF CITY OF MAGNOLIA, MONTGOMERY COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID EXTRATERRITORIAL JURISDICTION SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY THAT MAY APPLY WITHIN THE EXTRATERRITORIAL JURISDICTION.**

\* \* \* \* \*

**WHEREAS**, (§42.022 of the Texas Local Government Code and/or Charter) of the City of Magnolia, Texas, an incorporated city, authorizes the expansion of extraterritorial jurisdiction, subject to the laws of this state.

**WHEREAS**, the procedures prescribed by the (Texas Local Government Code and/or Charter) of the City of Magnolia, Texas, and the laws of this state have been duly followed with respect to the following described territory, to wit:

10.292 acres - See attached Exhibit A

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL (OR COMMISSION) OF THE CITY OF MAGNOLIA, TEXAS:**

That the heretofore described property is hereby included in the extraterritorial jurisdiction of the City of Magnolia, Montgomery County, Texas, and that the boundary limits of the extraterritorial jurisdiction of the City of Magnolia be and the same are hereby extended to include the above described territory, and the same shall hereafter be included within the extraterritorial jurisdiction of said city, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the extraterritorial jurisdiction of the City of Magnolia and they shall be bound by the acts, ordinances, resolutions, and regulations of said city that may apply within the extraterritorial jurisdiction.

The City Secretary) is hereby directed to file with the County Clerk of Montgomery County, Texas, a certified copy of this ordinance.

PASSED by an affirmative vote of all members of the City Council, this the 8<sup>th</sup> day of May, 2012.



THE CITY OF MAGNOLIA, TEXAS

By: Todd Kana  
Todd Kana, Mayor

ATTEST:

Lynne George  
Lynne George, TRMC, CPM, City Secretary

EXHIBIT "A"

## TRACT I:

All of that certain being 10.292 acres of land, situated in the John B. Richards Survey, Abstract 449, Montgomery County, Texas, part of that certain 22.168 acre tract recorded under Montgomery County Clerk's File Number 9044720, the residue of a 42.1891 acre tract recorded in Volume 612, Page 421, Deed Records Montgomery County, Texas; said 10.292 acres more fully described as follows:

BEGINNING at a 5/8 inch iron rod found lying in the South right-of-way of F.M. Highway Number 1488, 100 foot wide, marking the Northwest corner of a 19.995 acre tract surveyed by Tony Swonke RPLS Number 4767, surveying dated September 3, 1998, same being the Northeast corner of said 22.168 acres and the tract herein described:

THENCE South 13° 21' 56" East, with the West line of said 19.995 acre tract, a distance of 1392.10 feet to a 1/2 inch iron rod found in the North line of a 22.332 acre tract recorded in Volume 789, Page 875, Montgomery County Deed Records, marking the Southwest corner of said 19.995 acres, the Southwest corner of said 22.168 acres are the tract being herein described;

THENCE South 89° 45' 12" West, with the North line of said 22.332 acre tract, the South line of said 42.1891 acre tract and said 22.168 acres a distance of 154.81 feet to a 5/8 inch iron rod found for the Southwest corner of said 42.1891 acres and said 22.168 acres, a South corner of the tract herein described;

THENCE North 45° 46' 22" West, with the Southwest line of said 42.1891 and 22.168 acre tracts and along or near meandering wire fence, a distance of 578.32 feet to a 5/8 inch iron rod set for the Southwest corner of the tract herein described;

THENCE North 02° 50' 14" East, departing the Southwest line of said 42.1891 acre tract, a distance of 962.76 feet to a 5/8 inch iron rod set in the South right-of-way of said F.M. Highway Number 1488, making the Northwest corner of the tract herein described;

THENCE South 87° 09' 46" East, with the said F.M. 1488 right-of-way, a distance of 200.00 feet to the PLACE OF BEGINNING containing 10.292 acres.

## TRACT II:

All of that certain 15.7523 acre lot, tract or parcel of land out of the John B. Richards Survey, A-449, lying and being situated in Montgomery County, Texas, and being described as follows, to wit:

All that certain 15.7523 acres of land being a portion of that certain 19.995 acre tract described in the deed dated October 1, 1998, from Art Dupue, et al to Klein Funeral Homes, Inc., recorded at Clerk File No. 9879786, Film Code No. 445-00-1414, of the Official Public Records of Real Property of Montgomery County, Texas, out of the John B. Richards Survey, A-449, Montgomery County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a found 5/8" iron rod marking the northwest corner of that certain 32.459 acre tract described in the deed dated September 11, 1997, from Mitchell Energy Corporation to Canrig Drilling Technology, Ltd., recorded at Clerk File No. 9759412, Film Code No. 299-00-2560, of the Official Public Records of Real Property of Montgomery County, Texas, located in the south right-of-way line of Farm to Market Road 1488 (100' Wide);

THENCE S 02° 49' 15" W – 1,311.93', with the west line of said 32.459 acre tract, to a found 5/8" iron rod for corner;

THENCE S 89° 45' 12" W – 462.47' with the north line of that certain 22.332 acre tract described in the deed dated September 19, 1972, from Frank Maxie to Earnestine Jones and Doris M. Jones, recorded at Volume 789, Page 875, of the Deed Records of Montgomery County, Texas, to a found 1/2" iron rod for corner;

THENCE N 13° 21' 56" W – 1,392.10', with the east line of that certain 20.000 acre tract described in the deed dated October 4, 1990, from William M. Harris, et ux to Edward W. Spandau, et ux, recorded at Clerk File No. 9044720, Film Code No. 684-01-0720, of the Official Public Records of Real Property of Montgomery County, Texas, to a found 5/8" iron rod for corner.

THENCE S 87° 09' 46" E – 389.87', with the south right-of-way line of aforementioned Farm to Market Road 1488, to a set 5/8" iron rod with cap for corner;

THENCE S 02° 49' 15" W – 151.13', to a set 5/8" iron rod with cap for corner;

THENCE N 87° 10' 45" W – 173.61', to a set 5/8" iron rod with cap for corner;

THENCE S 02° 49' 15" W – 417.42', to a set 5/8" iron rod with cap for corner;

THENCE S 87° 10' 45" E – 417.42', to a set 5/8" iron rod with cap for corner;

THENCE N 02° 49' 15" W – 417.42', to a set 5/8" iron rod with cap for corner;

THENCE N 87° 10' 45" W – 173.81', to a set 5/8" iron rod with cap for corner;

THENCE N 02° 49' 15" E – 151.11', to a set 5/8" iron rod with cap for corner;

THENCE S 87° 09' 46"E – 390.00', with the aforementioned south right-of-way line of Farm to Market Road 1488, to the POINT OF BEGINNING of the herein described tract and containing 15.7523 acres (686,172 square feet) of land, more or less.

FILED FOR RECORD

2003 FEB 12 PM 3:55

*Mark Tubell*  
COUNTY CLERK  
MONTGOMERY COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF MONTGOMERY

I hereby certify 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 at Montgomery County, Texas.

FEB 12 2003



*Mark Tubell*

County Clerk  
Montgomery County, Texas