

ORDINANCE NO. O-2020-018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, PROVIDING FOR THE DISANNEXATION FROM THE CORPORATE BOUNDARIES OF THE CITY OF MAGNOLIA, TEXAS, OF CERTAIN LAND FROM THE CITY OF MAGNOLIA CORPORATE LIMITS; REDEFINING THE BOUNDARIES OF THE CITY OF MAGNOLIA; MAKING FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR OTHER PROVISIONS.

* * * * *

WHEREAS, on June 19, 2014 the City Council of the City of Magnolia, Montgomery County, Texas adopted Ordinance No. O-2014-009 which annexed certain land into the City of Magnolia, Texas ("City"); and

WHEREAS, the City was and is a Type A General Law municipality of the State of Texas; and

WHEREAS, chapter 43.144 of the Texas Local Government Code allows the Mayor and governing body of a general law city to discontinue a part of a municipality; and

WHEREAS, the area shown on Exhibit "A" meets the qualifications of Chapter 43.144 of the Texas Local Government Code; and

WHEREAS, the City Council hereby further finds and determines that the disannexation of a portion of the land annexed by Ordinance 2014-009 land is necessary and appropriate; and

WHEREAS, the Mayor is directed upon the adoption of this ordinance to enter in the minutes or records of the City an order discontinuing the land. Therefore,

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

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct

Section 2. The below described tract of land, comprising 10.2 acres, more or less, out of the Charles Frazier Survey, Abstract No. 206, the John Scott Survey, Abstract No. 511, and the John Dorsey Survey Abstract No. 172, Montgomery County, Texas, is hereby disannexed and discontinued from the corporate limits of the City of Magnolia, Texas. Said tract of land hereby disannexed and discontinued from the City of Magnolia, Texas, is more particularly described by metes and bounds in Exhibit "B" attached hereto and for all things

made a part hereof.

Section 3. The City Secretary be, and she is hereby, authorized and directed to forthwith cause a certified copy of this Ordinance to be delivered to the County Clerk of Montgomery County, Texas, as required by § 41.0015, Texas Local Government Code.

PASSED by an affirmative vote of all members of the City Council on this the 9th day of June 2020.



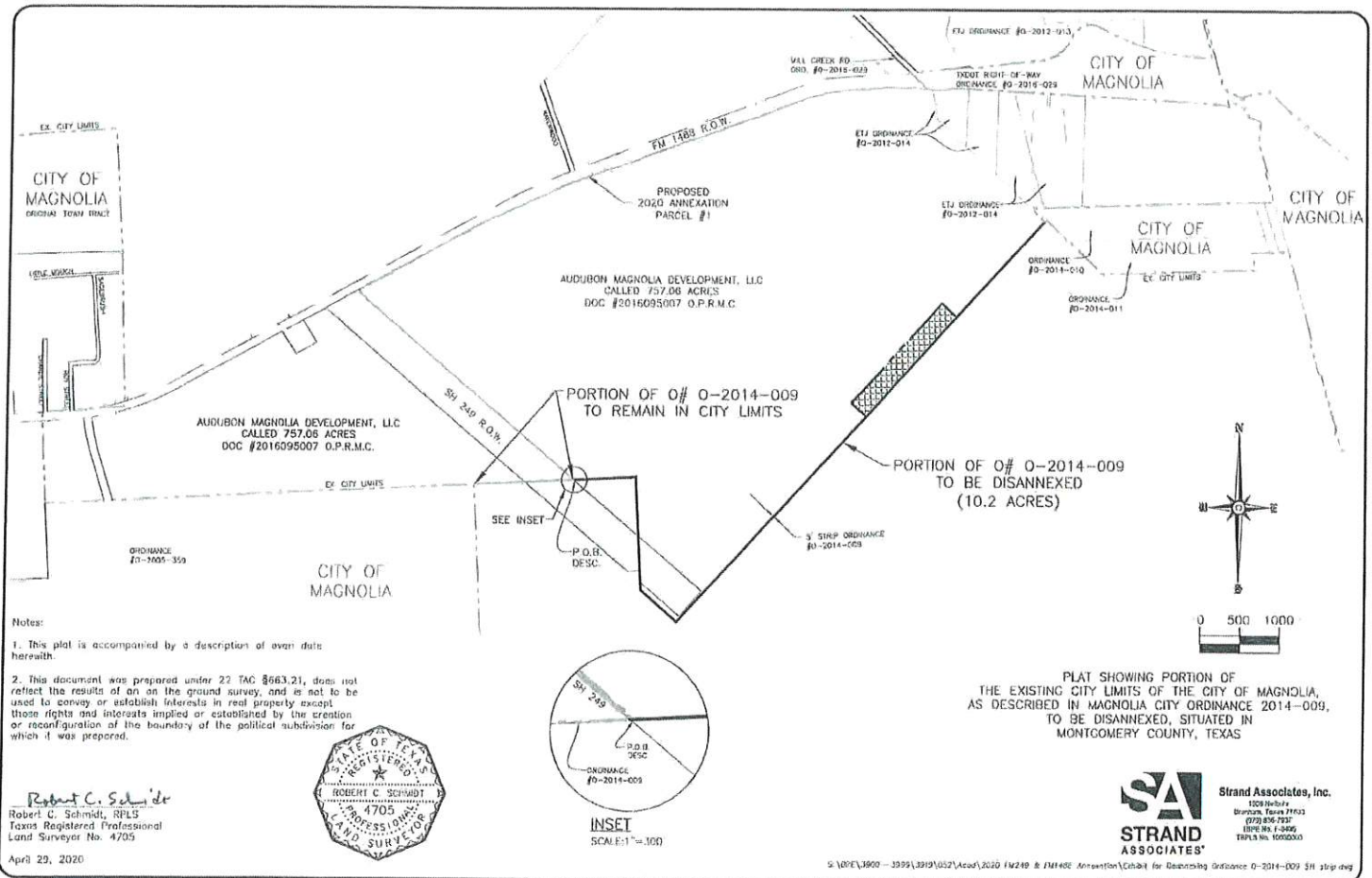
Todd Kana, Mayor

ATTEST:

Lynne George, TRMC, CPM
City Secretary

✓ City of Magnolia
18111 Buddies Riley Blvd.
Magnolia, TX 77354

EXHIBIT A



S:\001\18000 - 3595\3519\052\Acad\2020\14249 & FM1402 Annexation\Exhibit for Disannexing Ordinance 0-2014-009 SH strip.dwg



Exhibit B

2020 DISANNEXATION PARCEL

STATE OF TEXAS)
COUNTY OF MONTGOMERY)

BEING A PARCEL OF LAND FOR DISANNEXATION by the City of Magnolia, being a portion of the existing City Limits of the City of Magnolia, as described in Magnolia City Ordinance 2014-009, situated in Montgomery County, Texas. Said disannexation being more particularly described as follows:

BEGINNING at a point at the intersection of the south line of said existing City Limits of the City of Magnolia (Ordinance 2014-009) with the northeasterly right-of-way of State Highway 249;

THENCE in an easterly direction with the south line of said existing City Limits of the City of Magnolia (Ordinance 2014-009) to a point;

THENCE in a southerly direction with the lower west line of said existing City Limits of the City of Magnolia (Ordinance 2014-009) to a point;

THENCE in a southeasterly direction with the most southerly southwest line of said existing City Limits of the City of Magnolia (Ordinance 2014-009) to a point;

THENCE in a northeasterly direction with the southeast lines of said existing City Limits of the City of Magnolia (Ordinance 2014-009) to a point;

THENCE in a northwesterly direction with the northeast line of said existing City Limits of the City of Magnolia (Ordinance 2014-009) to a point;

THENCE in a southwesterly direction with upper northwest line of said existing City Limits of the City of Magnolia (Ordinance 2014-009) to a point;

THENCE in a northwesterly direction with a northeast line of said existing City Limits of the City of Magnolia (Ordinance 2014-009) to a point;

THENCE in a southwesterly direction with the most northwesterly line of said existing City Limits of the City of Magnolia (Ordinance 2014-009) to a point;

THENCE in a southeasterly direction with a southwest line of said existing City Limits of the City of Magnolia (Ordinance 2014-009) to a point;

THENCE in a southwesterly direction with the lower northwest lines of said existing City Limits of the City of Magnolia (Ordinance 2014-009) to a point;

THENCE in a northwesterly direction with the lower northeast line of said existing City Limits of the City of Magnolia (Ordinance 2014-009) to a point;

THENCE in a northerly direction with the east line of said existing City Limits of the City of Magnolia (Ordinance 2014-009) to a point;

THENCE in a westerly direction with the north line of said existing City Limits of the City of Magnolia (Ordinance 2014-009) to a point in the east right-of-way of State Highway 249;

THENCE in a southeasterly direction with the northeasterly right-of-way of State Highway 249 to the Place of Beginning and containing 10.2 acres of land.

Notes:

1. This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.
2. This description is accompanied by a plat of even date herewith.
3. This survey is valid only if it bears the seal and original signature of the surveyor.

April 29, 2020

Robert C. Schmidt

Robert C. Schmidt, TX RPLS No. 4705



S:\BRE\3900-3999\3919\052\Wrd\2020 New Annexation Parcel #1.docx


TBPE No. F-8405
TBPLS No. 10030000

DISANNEXATION ORDER OF LAND

I, Todd Kana, Mayor of the City of Magnolia, Texas, a Type A General Law City, located in Montgomery County, hereby Order that the area comprising of 10.2 acres, more or less and more particularly described in Ordinance 2020-018 adopted by the Magnolia City Council on June 9, 2020 is dis-annexed and discontinued from the City Limits of the City of Magnolia.

This written order is made pursuant to section 44.144(b) of The Texas Local Government Code and shall be entered into the records of the City of Magnolia. I instruct the City Secretary to attach this Order to Ordinance 2020-018.

Signed on this the 9th ^{June} day of 2020.



Todd Kana, Mayor City of Magnolia

Attest:



Lynne George, City Secretary

FILED FOR RECORD

06/30/2020 01:50PM

Mark Turnbull

COUNTY CLERK
MONTGOMERY COUNTY, TEXAS

RECORDER'S MEMORANDUM:

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of the illegibility, carbon or photo copy, discolored paper, etc. All black-outs, additions and changes were present at the time the instrument was filed and recorded.

STATE OF TEXAS,
COUNTY OF MONTGOMERY

I hereby certify that this instrument was filed in the file number sequence on the date and time stamped herein by me and was duly RECORDED in the Official Public Records of Montgomery County, Texas.

06/30/2020



Mark Turnbull

County Clerk
Montgomery County, Texas