

ORDINANCE NO. 18-116

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF FORT STOCKTON, PECOS COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, 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; AND ADOPTING A SERVICE PLAN.

“WEST TEXAS STEEL AND SERVICES”

A 5.38 ACRE TRACT OF LAND OUT OF FOUR TRACTS OF LAND DESCRIBED IN WARRANTY DEED RECORDED IN VOLUME 766, PAGE 456, DEED RECORDS, LOCATED IN SECTION 27, BLOCK 146, T. & ST. L. RWY. CO. SURVEY, PECOS COUNTY, TEXAS, TO THE CITY OF FORT STOCKTON, PECOS COUNTY, TEXAS; WHICH SHALL BE ZONED AS A “COMMERCIAL” DISTRICT” FOR THE CONSTRUCTION OF “WEST TEXAS STEEL AND SERVICES;” AS PETITIONED BY PROPERTY OWNERS RAFAEL G. & MARGARITA HERNANDEZ.

WHEREAS, A petition has been duly signed and acknowledged by each and every person or corporation having an interest in the territory proposed to be annexed; &

WHEREAS, Said petition was presented to the governing body and approved such petition not less than five (5) days and not more than thirty (30) days; &

WHEREAS, Said tract of land is contiguous to the city of Fort Stockton, Pecos County, Texas, and is not more than one-half (½) mile in width, and on which fewer than three (3) qualified voters reside; &

WHEREAS, City has prepared a Service Plan for said tract which is attached as Exhibit “A” to this ordinance; &

WHEREAS, City has published notice of hearings on said annexation and held hearings as required by state law; &

WHEREAS, After hearing such petition and the arguments for and against the same, the governing body has voted to grant such petition and to annex said territory into the city.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT STOCKTON, COUNTY OF PECOS, STATE OF TEXAS:

Section 1. That the following described territory is hereby annexed into the city and the boundary limits to the city are hereby extended to include said territory within the city limits of the city, and said land and future inhabitants, if any, thereof shall hereafter be entitled to all rights and privileges of other citizens of the city and shall be bound by the acts and ordinances of the City of Fort Stockton.

METES AND BOUNDS DESCRIPTION:
“WEST TEXAS STEEL AND SERVICES”

Boundary being More Particularly Described as Follows:

WHERE
ON EARTH, INC.
Professional Land Surveying

FIELD NOTES:

A 5.38 Acre Tract of Land Out of Four Tracts of Land described in Warranty Deed recorded in Volume 766, Page 456, Deed Records, located within the City Limits of the City of Fort Stockton, Section 27, Block 146, T. & St. L. Rwy. Co. Survey, Pecos County, Texas, and being found on the ground by the following survey:

BEGINNING at a ½" iron rod found in the Northern right-of-way line of West Dickinson Blvd., the Southwest corner of said four tracts, for the Southwest corner of this survey;

THENCE N.1°33'40"E. 599.3 feet to a ½" iron rod found at the Northwest corner of said four tracts, for the Northwest corner of this survey;

THENCE S.88°15'10"E. 153.4 feet to a point in the Southwesterly right-of-way line of U.S. Highway 285, the most Northerly-Northeast corner of said four tracts, for the most Northerly-Northeast corner of this survey, from which a found 60d nail bears S.77°29'E.0.4 feet;

THENCE S.53°42'50"E., along said Southwesterly right-of-way line of U.S. Highway 285, a distance of 573.4 feet to the most Easterly-Northeast corner of said four tracts, for the most Easterly-Northeast corner of this survey;

THENCE S.1°28'55"W., along the East line of said four tracts, 112.9 feet to a point for the most Easterly-Southeast corner of this survey;

THENCE N.87°45'25"W., at 0.7 feet pass a ½" iron rod found at the Northeast corner of the O'Reilly's Auto Part Lease, in all 170.8 feet to a ½" iron rod with cap marked "SKG ENGINEERS" found at the Northwest corner of said O'Reilly's Auto Part Lease, for a corner of this survey;

THENCE S.1°28'55"W. 169.2 feet to a ½" iron pipe with plug marked "WOE INC." set in the South line of said four tracts, the Southwest corner of O'Reilly's Auto Part Lease, for the most Southerly-Southeast corner of this survey;

THENCE N.87°31'30"W, along said South line of four tracts, 131.7 feet to a ½" iron rod with cap marked "RPLS 4456" found at the Southeast corner of that certain 0.344 acre tract described in Clerk's File 129134, for a corner of this survey;

THENCE N.2°29'00"E. 150.0 feet to a ½" iron rod with cap marked "RPLS 4456" found at the Northeast corner of said 0.344 acre tract, for a corner of this survey;

THENCE N.87°31'30"W., at 100.0 feet pass a ½" iron rod with cap marked "RPLS 4456" found at the Northwest corner of said 0.344 acre tract, in all 250.0 feet to a ½" iron rod with cap marked "RPLS 4456" found at the Northwest corner of that certain 0.517 acre tract of land described in Clerk's File 125929, for a corner of this survey;

THENCE S.2°29'00"W. 150.0 feet to a ½" iron rod with cap marked "RPLS 4456" found in said South line of four tracts, the Southwest corner of said 0.517 acre tract, for a corner of this survey;

THENCE N.87°31'30"W., along said South line of four tracts, 73.1 feet to the PLACE OF BEGINNING.

Surveyed on the ground June 16, 2017, see survey plat.

This the 29th day of June, 2017



**3301 Co. Rd. 7550
Lubbock, TX 79423
Tel: 806-368-7920
TBPLS FIRM NO. 10066200**

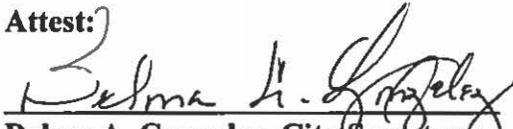
Because of the fact that this area should be under the Zoning Laws and Regulations of the City of Fort Stockton, County of Pecos, State of Texas. It is hereby ordered that this **5.38 Acre Tract of Land Out of Four Tracts of Land** is hereby zoned a "**Commercial**" (C) District" and said location which will contain "**West Texas Steel and Services**" shall comply with the City's Building Code.

Section 2. That the Municipal Service Plan for the herein annexed territory provided for in Exhibit "A" attached hereto is hereby adopted.

Section 3. That the City Secretary is hereby directed to file with the County Clerk and other appropriate officials and agencies, as required by State and Federal Law and City annexation procedures, certified copies of this ordinance together with Exhibit "A" attached hereto.

Passed this 12TH day of June, 2018.


Joe Chris Alexander, Mayor
Frank Rodriguez III, City Manager

Attest:

Delma A. Gonzalez, City Secretary

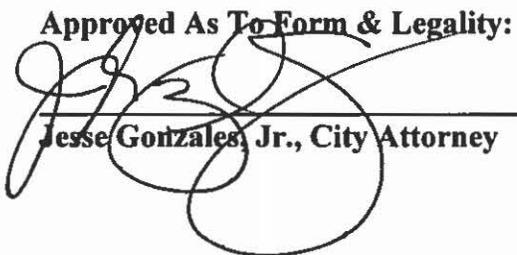
Approved As To Form & Legality:

Jesse Gonzales, Jr., City Attorney

EXHIBIT "A"
CITY OF FORT STOCKTON
MUNICIPAL ANNEXATION SERVICE PLAN

A SERVICE PLAN OF ANNEXATION FOR: RAFAEL G. & MARGARITA HERNANDEZ

AREA ANNEXED:

The area proposed for annexation is currently vacant and will contain: "WEST TEXAS STEEL AND SERVICES"

INTRODUCTION:

This Municipal Service Plan has been prepared in accordance with V.T.C.A., Local Government Code, Section §43.056. Municipal facilities and services to the annexed area described above will be provided or made available on behalf of the City at the following levels and in accordance with the following schedule:

POLICE PROTECTION:

Existing Services: None

Services to be Provided: Currently, this area is under the jurisdiction of the Pecos County Sheriff's Department. However, upon annexation, the City of Fort Stockton Police Department will extend regular and routine patrols to the area on the same basis and at the same level as provided throughout the city. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

FIRE PROTECTION & FIRE PREVENTION:

Existing Services: None

Services to be Provided: Primary fire response will be provided by the Pecos County Fire Department. Fire suppression will be available to the area upon annexation on the same basis and at the same level as provided throughout the city. Adequate fire suppression activities can be afforded to the annexed area within current budget appropriation. Fire prevention activities will be provided by the Fire Marshall's office as needed.

EMERGENCY MEDICAL SERVICES:

Existing Services: None

Services to be Provided: Currently, the area is under the jurisdiction of Pecos County. Upon annexation, the Pecos County Emergency Medical Service will extend its service to this area on the same basis and at the same level as provided throughout the city.

SOLID WASTE COLLECTION & DISPOSAL:

Existing Services: None

Services to be Provided: Solid waste collection and disposal services will be provided by the City on the effective date of the annexation on the same basis and at the same level as provided throughout the city.

Solid Waste Collection shall be provided to the area of annexation in accordance with the present ordinance. Service shall comply with existing City policies, beginning with occupancy of structures.

OPERATION & MAINTENANCE OF WATER AND WASTEWATER SERVICE:

Existing Services: None

Services to be Provided: Operation and maintenance of water and wastewater facilities will be provided by the City on the effective date of the annexation on the same basis and at the same level as provided throughout the city.

(a) Water Service:

Existing Services: None

Services to be Provided: Water service to the annexed area will be provided in accordance with the applicable codes & departmental policy plus water service will be provided in accordance with extension ordinances. Extension of service shall comply with City codes and ordinances.

I.e. Service for the annexed tract will be provided from the City's existing water line after installation of additional water line, if needed, meter/tap, fire sprinkler system and fire hydrant. Upon the provision of water service by the City, charges at the established City rate from the existing line and meter/tap set at the property line will become effective.

Cost of the extension will be the sole responsibility of the property owner. The City is not subject to any costs.

(b) Wastewater Service:

Existing Services: None

Services to be Provided: Wastewater service to the annexed area will be provided in accordance with applicable codes and departmental policy plus wastewater service will be provided in accordance with the present extension ordinances. Extension of service shall comply with applicable City codes and ordinances.

I.e. Service for the annexed tract will be provided from the City's existing line after installation of additional sewer line, if needed, and wastewater tap charge. Upon the provision of wastewater service by the City, charges at the established City rate from the existing line will become effective.

Cost of the extension will be the sole responsibility of the property owner. The City is not subject to any costs.

STORM WATER MANAGEMENT

Existing Services: None

Services to be Provided: Developers will provide storm water drainage at their own expense and will be inspected by City Engineers at time of completion.

OPERATION & MAINTENANCE OF GAS SERVICE:

Existing Services: None

Services to be Provided: Operation and maintenance of gas facilities will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the city.

I.e. Service for the annexed tract will be provided from the City's existing line after installation of additional gas line, meter/tap, if needed. Upon the provision of gas service by the City, charges at the established City rate from the existing line and meter/tap set at the property line will become effective.

Cost of the extension will be the sole responsibility of the property owner. The City is not subject to any costs.

OPERATION & MAINTENANCE OF ROADS AND STREETS AND DRAINAGE:

Existing Services: None

Services to be Provided: Operation and maintenance of roads, streets and drainage will be provided on the effective date of the annexation on the same basis and at the same level as provided throughout the city.

Traffic signals, traffic signs, street markings, and other traffic contract devices will be installed in accordance with City policy.

STREET LIGHTING:

Existing Services: None

Services to be Provided: The City of Fort Stockton will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy.

Street lighting will be installed on public right-of-way, in accordance with City policy.

STREET MAINTENANCE:

Existing Services: None

Services to be Provided: Maintenance to street facilities will be provided by the City upon the effective date of the annexation. This service can be provided within the current budget appropriation.

BUILDING INSPECTION

Existing Services: None

Services to be Provided: The Building Inspection Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes and regulated building construction within the city of Fort Stockton.

PLANNING AND ZONING

Existing Services: None

Services to be Provided: The Planning and Zoning Commission's responsibility for regulating development and land use through the administration of the City of Fort Stockton Zoning Ordinance will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Fort Stockton Subdivision Ordinance. These services can be provided within the current budget appropriation.

TRAFFIC ENGINEERING

Existing Services: None

Services to be Provided: The Traffic Engineering Department will be able to provide, after the effective date of annexation, any additional traffic control devices.

MISCELLANEOUS

All other applicable municipal services will be provided to the area in accordance with the City of Fort Stockton's established policies governing extension of municipal services to newly annexed areas.

UNIFORM LEVEL OF SERVICES MAY NOT BE REQUIRED:

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the city, including the annexed area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

AMENDMENTS:

This plan shall not be amended unless public hearings are held in accordance with V.T.C.A., Local Government Code, Section §43.0561.