

RESOLUTION NO. 2004- 150 R

A resolution granting an Annexation Petition from Robert L. Denison, Jr. for an approximately 10.7785 acre tract of land; and declaring an effective date.

Article I, Section 5 of the Home Rule Charter of the City of Victoria empowers the City Council to annex territory adjacent to the City, and Robert L. Denison, Jr., has submitted a written petition requesting voluntary annexation of an approximately 10.7785 acre tract of land, which is being processed in accordance with Section 43.028 of the Texas Local Government Code; and

The City Council finds the tract is (1) one-half mile or less in width, (2) contiguous to the City of Victoria, (3) is the residence of three or fewer qualified voters, and meets all other legal prerequisites for voluntary annexation into the territorial limits of the City of Victoria.

THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF VICTORIA, TEXAS:

1.

The petition submitted by Robert L. Denison, Jr., which is attached as **Exhibit "A"**, requesting voluntary annexation, is granted by the City Council of the City of Victoria.

2.

A public hearing as required by Section 43.028 of the Texas Local Government Code was held on this date in the City Council Chambers, 107 W. Juan Linn, Victoria, Texas, at which time and place the City Council heard the petition and the arguments for and against the annexation.

3.

City Staff are directed to prepare a service plan providing for extension of full municipal services to the area to be annexed, publish appropriate notices, and perform other activities necessary for the initiation of annexation proceedings for the aforementioned area.

4.

This resolution shall become effective immediately upon adoption.

PASSED, this the 7th day of September, 2004.

AYES: 6

NAYS: 0

ABSTENTIONS: 0

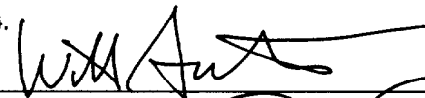
APPROVED AND ADOPTED, this the 7th day of September, 2004.



ATTEST:


SCARLET SWOBODA, City Secretary

Distribution: Legal Department
Planning Department


WILL ARMSTRONG, Mayor of the
City of Victoria, Texas

APPROVED AS TO LEGAL FORM:


DAVID ATMAR-SMITH, City Attorney
Copies Sent: SEPTEMBER 8, 2004

**ROBERT L. DENISON, JR.
1549 Verhelle Road
Cuero, Texas 77954**

August 23, 2004

Mayor & City Council
City of Victoria
P. O. Box 1758
Victoria, Texas 77902

Attn: John Kaminski
Director of Planning

Re: Request for Annexation
10.7785 Acres
Highland Hills Subdivision III, Phase I

Dear Mayor and City Council:

I, Robert L. Denison, Jr., being the Owner of a 10.7785 acre tract (description attached) respectfully request annexation. I am submitting the Final Plat of Highland Hills Subdivision III, Phase I and require City services for this development. The previously approved Preliminary Plat requires voluntary annexation with submittal of the Final Plat.

If you need additional information, please contact me at (361) 277-8329. Thank you for your consideration.

Sincerely,


Robert L. Denison, Jr.

RLD/mn

Attachment

EXHIBIT "A"

Metes and Bounds Description

ANNEXATION
10.7785 Acre Tract

FIELDNOTE DESCRIPTION of a 10.7785 acre tract depicted hereon and is part of a 31.06 acre tract out of the S. A. & M. G. Railroad Company Survey No. 3, Abstract 322, and recorded in Instrument # 200306484 of the Official Records of Victoria County, Texas, said 10.7785 acre tract being more fully described by metes and bounds as follows:

BEGINNING at a 5/8" steel rod found for the west corner of the said Denison 31.06 acre tract, same being the south corner of the Dan Goyen 5.00 acre remainder of the 30.47 acre tract (Volume 191, Page 438 OR), same also being on the northeastern boundary line of the Hector Salinas 5.50 acre tract (Volume 183, Page 200 OR), same also being the west corner of this 10.7785 acre tract;

THENCE, N45°15'31"E, along the northwestern line of this 10.7785 acre tract and the northwestern boundary line of the said Denison 31.06 acre tract, and the southeastern boundary line of the said Goyen 5.00 acre tract, a distance of 536.06 feet to a 5/8" steel rebar set with 3/4" yellow and black polypropylene barricade flag attached for the north corner of this 10.7785 acre tract;

THENCE, S45°17'00"E, along a northeastern line of this 10.7785 acre tract, a distance of 149.75 feet to a 5/8" steel rebar set with 3/4" yellow and black polypropylene barricade flag attached for corner of this 10.7785 acre tract;

THENCE, N44°43'00"E, along a northwestern line of this 10.7785 acre tract, a distance of 26.00 feet to a 5/8" steel rebar set with 3/4" yellow and black polypropylene barricade flag attached for corner of this 10.7785 acre tract;

THENCE, S45°17'00"E, along a northeastern line of this 10.7785 acre tract, a distance of 60.00 feet to a 5/8" steel rebar set with 3/4" yellow and black polypropylene barricade flag attached for corner of this 10.7785 acre tract;

THENCE, N44°43'00"E, along a northwestern line of this 10.7785 acre tract, a distance of 103.00 feet to a 5/8" steel rebar set with 3/4" yellow and black polypropylene barricade flag attached for corner of this 10.7785 acre tract;

THENCE, S45°17'00"E, along a northeastern line of this 10.7785 acre tract, a distance of 510.00 feet to a 5/8" steel rebar set with 3/4" yellow and black polypropylene barricade flag attached for corner of this 10.7785 acre tract;

THENCE, S44°43'00"W, along a southeastern line of this 10.7785 acre tract, a distance of 92.00 feet to a 5/8" steel rebar set with 3/4" yellow and black polypropylene barricade flag attached for corner of this 10.7785 acre tract;

EXHIBIT "A"

THENCE, S45°17'00"E, along a northeastern line of this 10.7785 acre tract, a distance of 171.70 feet to a 5/8" steel rebar set with 3/4" yellow and black polypropylene barricade flag attached for the east corner of this 10.7785 acre tract, same being on a northwestern city limit line of the City of Victoria, Texas:

THENCE, S44°43'00"W, along a southeastern line of this 10.7785 acre tract and said northwestern city limit line of the City of Victoria, a distance of 444.47 feet to a found 5/8 inch steel rod for an inside corner of the said Denison 31.06 acre tract and being the south corner of this 10.7785 acre tract and being on a southeastern boundary line of the Highland Hills Subdivision Section II (Volume 6, Page 209 PR) and being on the northwestern right-of-way line of Ball Airport Road;

THENCE, N45°18'00"W, along a southwestern line of this 10.7785 acre tract along the common boundary line of the said Denison 31.06 acre tract and the said Highland Hills Subdivision Section II for a distance of 663.89 feet to a found 5/8" steel rod for corner of this 10.7785 acre tract, said corner being the north corner of said Highland Hills Subdivision Section II and an inside corner of the said Denison 31.06 acre tract;

THENCE, S44°40'00"W, along a southeastern line of this 10.7785 acre tract along a common boundary line between the said Denison 31.06 acre tract and the said Highland Hills Subdivision Section II, a distance of 125.00 feet to a found 5/8" steel rod for the east corner of the said Salinas 5.50 acre tract, same being a corner of the said Denison 31.06 acre tract and this 10.7785 acre tract;

THENCE, N45°18'00"W, along a southwestern line of this 10.7785 acre tract and along the common boundary line between the said Denison 31.06 acre tract and the said Salinas 5.50 acre tract, a distance of 232.70 feet to the POINT OF BEGINNING; containing within these metes and bounds 10.7785 acres of land.

EXHIBIT "A"
