ORDINANCE NO. 17-110

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 WITHIN THE SAID CITY LIMITS:

**LA QUINTA INN & SUITES ON INTERSTATE HIGHWAY 10**

THE SURFACE ESTATE ONLY OF A TRACT OF LAND OUT OF SECTION 17, BLOCK 146, T&STL RY CO. SURVEY, DESCRIBED BY WARRANTY DEED IN VOLUME 557, PAGE 226, DEED RECORDS OF PECOS COUNTY, TEXAS; TRACT II CALLED 5.78 ACRES AND FOUND TO CONTAIN 5.75 ACRES MORE PARTICULARLY DESCRIBED BY METES/BOUNDS & WHICH SHALL BE KNOWN AS THE “SANCHI PLAZA ADDITION” AND ZONED “COMMERCIAL.”

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) miles 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 the 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:**

**LA QUINTA INN & SUITES**

Boundary being More Particularly Described as Follows:

BEING A TRACT OF LAND OUT OF SECTION (17), BLOCK (146), T & STL RY CO SURVEY, BEING THE SAME PROPERTY CONVEYED TO JUAN AND ROSALVA SALINAS DESCRIBED BY WARRANTY DEED IN VOLUME 557 AT PAGE 226 OF THE DEED RECORDS OF PECOS COUNTY, TEXAS, TRACT II CALLED 5.78 ACRES AND FOUND TO CONTAIN 5.75 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINNING AT A POINT IN THE NORTH LINE OF SECTION (17), BLOCK (146), T&STL RY CO SURVEY AND BEING IN THE SOUTH LINE OF NORTH LANE, A DEDICATED STREET, FOR THE NORTHWEST CORNER OF THIS TRACT, AN IRON ROD WITH CAP MARKED “HOWELL 4631” FOUND FOR THE NORTHEAST CORNER OF A 0.23 ACRE TRACT CONVEYED BY TIM AND YVONNE DUNAY TO FRANCISCO JAVIER RAMIREZ BY WARRANTY DEED RECORDED IN BOOK 25 AT PAGE 72 OF THE OFFICIAL PUBLIC RECORDS OF PECOS COUNTY AND FROM WHICH AN IRON ROD WITH CAP MARKED “HOWELL 4631” FOUND FOR THE INTERSECTION OF THE SOUTH LINE OF NORTH LANE AND THE EAST LINE OF NORTH GILLIS STREET BEING THE NORTHWEST...
CORNER OF THE AFORESAID RAMIREZ TRACT BEARS NORTH 89 DEG. 47 MIN. 0 SEC. WEST 160' FEET, THENCE WITH THE NORTH LINE OF SECTION (17) AND THE SOUTH LINE OF NORTH LANE.

SOUTH 89 DEG. 47 MIN. 0 SEC. EAST A DISTANCE OF 272.40 FEET TO A POINT FOR A CORNER, AN IRON ROD WITH CAP MARKED "WEST TEXAS SURVEYS" SET FOR THE NORTHEAST CORNER OF THIS TRACT, SAID POINT ALSO BEING THE NORTHWEST CORNER OF A 2.06 ACRE TRACT CONVEYED BY TRINA GAY MOORE TO JOHNNY AND ROSALVA SALINAS BY WARRANTY DEED RECORDED IN VOLUME 728 AT PAGE 261 OF THE DEED RECORDS OF PECOS COUNTY; THENCE

SOUTH 0 DEG. 13 MIN. 0 SEC. WEST A DISTANCE OF 300.00 FEET TO A POINT FOR CORNER, AN IRON ROD WITH CAP MARKED "WEST TEXAS SURVEYS" SET, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE AFORESAID 2.06 ACRE TRACT; THENCE

NORTH 89 DEG. 47 MIN. 0 SEC. WEST A DISTANCE OF 19.90 FEET TO A POINT FOR CORNER, AN IRON ROD WITH CAP MARKED "WEST TEXAS SURVEYS" SET, SAID POINT ALSO BEING THE NORTHWEST CORNER OF A 2.5 ACRE TRACT DESCRIBED IN A DEED OF TRUST RECORDED IN VOLUME 227 AT PAGE 265 OF THE DEED RECORDS OF PECOS COUNTY; THENCE

SOUTH 0 DEG. 13 MIN. 0 SEC. WEST A DISTANCE OF 269.07 FEET TO A POINT FOR CORNER IN THE NORTH LINE OF INTERSTATE HIGHWAY 10, AN IRON ROD WITH CAP MARKED "WEST TEXAS SURVEYS" SET, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF THE AFORESAID 2.5 ACRE TRACT; THENCE WITH THE NORTH LINE OF THE INTERSTATE HIGHWAY 10 AND THE SOUTH LINE OF THIS DESCRIBED TRACT THE FOLLOWING THREE COURSES.

NORTH 57 DEG. 04 MIN. 23 SEC. WEST A DISTANCE OF 121.27 FEET TO A POINT FOR CORNER, A STATE HIGHWAY MONUMENT FOUND; THENCE.

SOUTH 88 DEG. 27 MIN. 00 SEC. WEST A DISTANCE OF 165.00 FEET TO A POINT FOR CORNER, A STATE HIGHWAY MONUMENT FOUND; THENCE.

SOUTH 77 DEG. 47 MIN. 00 SEC. WEST A DISTANCE OF 46.87 FEET TO A POINT IN THE WEST LINE OF THIS DESCRIBED TRACT AND THE EAST LINE OF TRACT 70 OF THE ROONEY BUTZ ROONEY SUBDIVISION AS SHOWN ON PLAT 41 OF THE PLAT RECORDS OF PECOS COUNTY; THENCE

NORTH 0 DEG. 14 MIN. 0 SEC. EAST WITH THE WEST LINE OF THIS DESCRIBED TRACT A DISTANCE OF 311.65 TO A POINT FOR CORNER, AN IRON ROD WITH ALUMINUM CAP FOUND FOR THE NORTHWEST CORNER OF TRACT 70 OF THE ROONEY BUTZ ROONEY SUBDIVISION AND FROM WHICH THE NORTHEAST CORNER OF TRACT 73 OF THE ROONEY BUTZ ROONEY SUBDIVISION BEARS SOUTH 89 DEG. 48 MIN. 20 SEC. WEST 500.75 FEET, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN VOLUME 519 AT PAGE 543 OF THE DEED RECORDS OF PECOS COUNTY; THENCE.

SOUTH 89 DEG. 47 MIN. 0 SEC. EAST A DISTANCE OF 24.12 FEET TO A POINT FOR CORNER, AN IRON ROD WITH CAP MARKED SET, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THE AFORESAID TRACT RECORDED IN VOLUME 519 AT PAGE 543; THENCE

NORTH 15 DEG. 14 MIN. 0 SEC. EAST PASSING AT 455.63 FEET AN IRON ROD WITH CAP MARKED "HOWELL 4631" FOUND FOR THE SOUTHEAST CORNER OF THE AFORESAID RAMIREZ TRACT AND CONTINUING IN ALL A DISTANCE OF 525.00 FEET TO A POINT OF BEGINNING AND CONTAINING 5.75 ACRES OF LAND.

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 the 5.78 Acre Tract of Land which shall be known as the "SANCHI PLAZA ADDITION" is hereby zoned a "Commercial" (C) District and said location 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 13TH day of June, 2017.

Frank Rodriguez III, City Manager

Attest:

Delma A. Gonzalez, City Secretary

Approved As To Form & Legality:

Jesse Gonzales, Jr., City Attorney

Joe Chris Alexander, Mayor
EXHIBIT “A”

CITY OF FORT STOCKTON
MUNICIPAL ANNEXATION SERVICE PLAN

A SERVICE PLAN OF ANNEXATION FOR: PROPERTY OWNER VIMALKUMAR BHAKTA.

AREA ANNEXED:

The area proposed for annexation is currently vacant and will contain the: LA QUINTA INN & SUITES.

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. However, 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

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.

*Gas Service for the entire tract will be provided from the City’s existing line after installation of additional gas line, if needed, meter/tap. 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 the 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 Department’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.