

ORDINANCE NO. 14,604

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, MAKING CERTAIN FINDINGS; PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF BAYTOWN, TEXAS, FOR LIMITED PURPOSES, AND THE LIMITED PURPOSE ANNEXATION OF APPROXIMATELY 223.2868 ACRES OF LAND SITUATED IN THE CHAMBERS COUNTY SCHOOL LAND SURVEY, ABSTRACT 321, CHAMBERS COUNTY, TEXAS; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, there being no request for an "on-site" hearing, two public hearings before the City Council of the City of Baytown, Texas, where all interested persons were provided with an opportunity to be heard on the proposed annexation of the property described in Section 2 of this ordinance, were held during the City Council meeting on the 17th day of November, 2020, in the City Council Chamber of City Hall of the City of Baytown, Texas; and

WHEREAS, notices of the first and second public hearings were published in a newspaper having general circulation in the City of Baytown, Texas, and in the below-described territories on October 27, 2020; and

WHEREAS, notice of the first and second public hearings were posted on the City of Baytown's website on the 23rd day of October, 2020; and

WHEREAS, notice of the first and second public hearings were posted on the City of Baytown's notice board on the 23rd day of October, 2020; and

WHEREAS, each notice posted on the City of Baytown's notice board and website remained posted until the date of the hearing referenced in the notice; and

WHEREAS, the total corporate area of the City of Baytown, Texas, on the 1st day of January, 2020, was 56.76 square miles; and

WHEREAS, the population of the City of Baytown, Texas, is approximately 81,718 inhabitants; and

WHEREAS, the below-described property lies within the extraterritorial jurisdiction of the City of Baytown, Texas; NOW THEREFORE,

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

Section 1: That all matters and facts set forth in the recitals hereinabove are found to be true and such recitals are hereby approved and made a part of this ordinance for all purposes and are adopted as a part of the judgment and findings by the City Council of the City of Baytown, Texas.

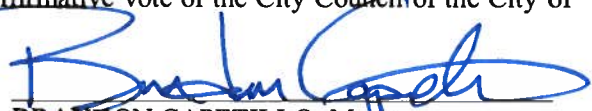
Section 2: That the following described land and territories are hereby added and annexed for limited purposes to the City of Baytown, Texas, pursuant to the Strategic Partnership Agreement between Chambers County Municipal Utility District No. 3 and the City of Baytown (the "SPA"), and shall be subject to the terms and conditions of the SPA.

SEE EXHIBIT "A"

Section 3: The above-described territories and the areas so annexed for limited purposes shall be a part of the City of Baytown, Texas, as provided in the SPA, and the inhabitants thereof shall be entitled, during the term of the SPA, to the rights and privileges as expressed in Section 43.130 (a) and (b) of the Texas Local Government Code, as hereinafter amended, and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Baytown, Texas, as set forth in the SPA.

Section 4: This ordinance shall be published and passed in the manner provided in Article 1, Section 9, of the Charter of the City of Baytown, Texas.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Baytown this the 10th day of December, 2020.


BRANDON CAPETILLO, Mayor

ATTEST:


LETICIA BRYSCH, City Clerk



APPROVED AS TO FORM:


KAREN L. HORNER, City Attorney

INTRODUCED, READ and PASSED on the SECOND AND FINAL READING this the 14th day of January, 2021.

BRANDON CAPETILLO, Mayor

ATTEST:

LETICIA BRYSCH, City Clerk

APPROVED AS TO FORM:

KAREN L. HORNER, City Attorney

Exhibit "A"

STATE OF TEXAS)
COUNTY OF CHAMBERS)

DESCRIPTION of a 187.1135 acre tract of land situated in the Chambers County School Land Survey, Abstract 321, Chambers County, Texas and being all of that certain 5.7270 acres described in Deed for undivided interest from Gregory Angel, Trustee, to Montgomery Jett Angel Trust dated October 30, 2018 and recorded under County Clerk's File #2018-137473 of the Official Public Records of Chambers County, Texas; all of the residue of that certain called 154.072 acres (Tract 3) conveyed by Chambers Grand Parkway Development, Ltd. to Park Block, Ltd. by Correction Warranty Deed dated November 16, 2009 and recorded in Volume 1161 at Page 209 of the Official Public Records of Chambers County, Texas; all of that certain called 41.7490 acres conveyed by Park Block, Ltd. to The Noor Foundation by Correction Deed dated April 30, 2018 and recorded under County Clerk's File #2018-131695 of the Official Public Records of Chambers County, Texas; and all of that certain 27.497 acres conveyed by Mrs. Annie Pauline Miller to Harry W. Freeman, Trustee, by Deed dated February 1, 1956 and recorded under Volume 173 at Page 303 of the Deed Records of Chambers County, Texas (now carried in the name of Family Interests, Ltd. on tax roll). This 187.1135 acres is more particularly described by the following metes and bounds, to-wit:

NOTE: BEARINGS ARE LAMBERT GRID BEARINGS AND ALL COORDINATES REFER TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83. ALL DISTANCES ARE ACTUAL DISTANCES. SCALE FACTOR = 1.0000000. REFERENCE IS MADE TO THE MAP OF EVEN DATE ACCOMPANYING THIS METES AND BOUNDS DESCRIPTION.

BEGINNING at a point in the South right-of-way line of Interstate Highway No. 10 (300 feet wide right-of-way) for the Northwest corner of that certain 40.323 acres described in Lis Pendens dated June 6, 2005, styled State of Texas vs. Family Interests, Ltd., recorded in Volume 781 at Page 367 of the Official Public Records of Chambers County, Texas and the Northeast corner of said 5.7270 acres. Said point being at the intersection of the South right-of-way line of said Interstate Highway No. 10 with the West right-of-way line of State Highway 99 (a/k/a East Grand Parkway South) and being the Northernmost Northeast corner and POINT OF BEGINNING of this tract. Said BEGINNING POINT has a State Plane Coordinate Value of Y=13,870,267.98 and X=3,278,546.95.

THENCE: South 02°31'30" East along the Northernmost East line of this tract, the East line of said 5.7270 acres, the Northernmost West line of said 40.323 acres and the West right-of-way line of said State Highway 99 for a distance of 50.17 feet to a point for an interior corner of this tract, an exterior corner of said 40.323 acres, an exterior corner of said State Highway 99 and the Northernmost corner of said 154.072 acres. Said point being the BEGINNING POINT of a curve to the right, concave Southerly.

PAGE 2 – 187.1135 ACRES.

THENCE: Along and around said curve to the right, in an Southeasterly direction, along the Southernmost East line of this tract, the East line of said 154.072 acres, a West line of said 40.323 acres and the West right-of-way line of said State Highway 99, said curve having a radius of 1110.92 feet, a central angle of 28°44'53" and a chord bearing and distance of South 61°49'04" East 551.57 feet, for an arc length of 557.40 feet to a point for the **TERMINATION POINT** of said curve.

THENCE: South 27°18'35" East along the Southernmost East line of this tract, the East line of said 154.072 acres, the Southernmost West line of said 40.323 acres and the West right-of-way line of said State Highway 99, for a distance of 2133.74 feet to a point for the **BEGINNING POINT** of a curve to the right, concave Westerly.

THENCE: Along and around said curve to the right, in a Southerly direction, along the Southernmost East line of this tract, the East line of said 154.072 acres, the East line of said 41.7490 acres, the Southernmost West line of said 40.323 acres and the West right-of-way line of said State Highway 99, said curve having a radius of 2664.77 feet, a central angle of 57°06'14", a chord bearing and distance of South 01°14'09" West 2547.28 feet, for an arc length of 2655.85 feet to a point in the South line of said Chambers County School Land Survey and the North line of the Jacob Townsend Survey, Abstract 25, Chambers County, Texas. Said point being in the North line of that certain called 92.3102 acres conveyed by Joseph Kilgore Heirs to Kilgore Business, LLC by Deed dated June 30, 2016 and recorded in Volume 1663 at Page 649 of the Official Public Records of Chambers County, Texas and being the Southeast corner of this tract, the Southeast corner of said 41.7490 acres and the Southwest corner of said 40.323 acres.

THENCE: South 87°32'17" West along the Easternmost South line of this tract, the South line of said Chambers County School Land Survey, the South line of said 41.7490 acres, the South line of said 154.072 acres, the North line of said 92.3102 acres and the North line of said Townsend Survey for a distance of 945.19 feet to a point for the Southernmost Southwest corner of this tract, the Southwest corner of said 41.7490 acres, the Southernmost Southwest corner of said 154.072 acres and the Southeast corner of that certain called 32.10 acres conveyed by Gordon W. Speer to Speer Properties, Inc. by Deed dated February 28, 2002 and recorded in Volume 549 at Page 766 of the Official Public Records of Chambers County, Texas.

THENCE: North 02°27'43" West along the Southernmost West line of this tract, the Southernmost West line of said 154.072 acres, the West line of said 41.7490 acres and the East line of said 32.10 acres for a distance of 1478.65 feet to a point for an interior corner of this tract, the Northwest corner of said 41.7490 acres and the Northeast corner of said 32.10 acres.

PAGE 3 – 187.1135 ACRES.

THENCE: South 87°32'17" West along the Westernmost South line of this tract, the Westernmost South line of said 154.072 acres, the North line of said 32.10 acres and the North line of that certain called 1.9821 acres conveyed by Gordon W. Speer to Speer Properties, Inc. by Deed dated February 28, 2002 and recorded in Volume 549 at Page 769 of the Official Public Records of Chambers County, Texas, for a distance of 1478.70 feet to a point for the Westernmost Southwest corner of this tract, the Westernmost Southwest corner of said 154.072 acres and the Northwest corner of said 1.9821 acres.

THENCE: North 02°27'43" West along the Westernmost West line of this tract, the Westernmost West line of said 154.072 acres, and the East line of that certain 4.391 acres conveyed by Leola Trichel, et al, to Speer Properties, Inc. by Deed dated September 13, 1989 and recorded in Volume 89 at Page 126 of the Official Public Records of Chambers County, Texas, for a distance of 1040.40 feet to a point for the Southwest corner of said called 27.497 acres.

THENCE: Continue North 02°27'43" West along the Westernmost West line of this tract, the Westernmost West line of said 154.072 acres, the West line of said 27.497 acres, the East line of said 4.391 acres and the East line of that certain called 1.49 acres conveyed by Mrs. Eleanore Collier, et al, to United Gas Pipe Line Company by Deed dated December 24, 1954 and recorded in Volume 163 at Page 459 of the Deed Records of Chambers County, Texas, for a distance of 1086.56 feet to a point for the Westernmost Northwest corner of this tract, the Northwest corner of said 27.497 acres and the Southwest corner of that certain called 20.98 acres conveyed by Betty Stubbs McCune to Frank B. McCune in Cause #3127 of the Probate Records of Chambers County, Texas.

THENCE: North 87°37'17" East along the Westernmost North line of this tract, the North line of said 27.497 acres and the South line of said 20.98 acres for a distance of 1094.44 feet to a point for the Northeast corner of said 27.497 acres and an exterior corner of said 154.072 acres.

THENCE: Continue North 87°37'17" East along the Westernmost North line of this tract, the Westernmost North line of said 154.072 acres and the South line of said 20.98 acres for a distance of 123.63 feet to a point for an interior corner of this tract, an interior corner of said 154.072 acres and the Southeast corner of said 20.98 acres.

THENCE: North 02°31'30" West along an interior West line of this tract, the Northernmost West line of said 154.072 acres and the East line of said 20.98 acres for a distance of 764.88 feet to a point for an interior corner of this tract, the Northeast corner of said 20.98 acres and the Southeast corner of the heretofore mentioned 5.7270 acres.

PAGE 4 – 187.1135 ACRES.

THENCE: South 87°31'35" West along an interior line of this tract, the South line of said 5.7270 acres and the North line of said 20.98 acres for a distance of 607.18 feet to a point for an exterior corner of this tract, the Southwest corner of said 5.7270 acres and the Southeast corner of that certain 4.964 acres conveyed by Michael L. Graham, et al, to Wowco Properties, LLC by Deed dated August 18 and 19, 2016 and recorded in Volume 1677 at Page 404 of the Official Public Records of Chambers County, Texas.

THENCE: North 02°17'47" West along the Northernmost West line of this tract, the West line of said 5.7270 acres and the East line of said 4.964 acres for a distance of 383.93 feet to a point in the South right-of-way line of said Interstate Highway No. 10 for the Northernmost Northwest corner of this tract, the Northwest corner of said 5.7270 acres and the Northeast corner of said 4.964 acres.

THENCE: North 82°20'19" East along the Northernmost North line of this tract, the North line of said 5.7270 acres and the South right-of-way line of said Interstate Highway No. 10 for a distance of 608.09 feet to the PLACE OF BEGINNING and containing within these boundaries 187.1135 acres or 8,150,665 square feet of land.

SURVEYOR'S CERTIFICATE

I, Glen H. Freeland, Registered Professional Land Surveyor No. 5758, do hereby certify that the foregoing description 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.

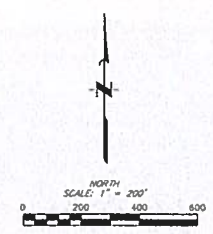
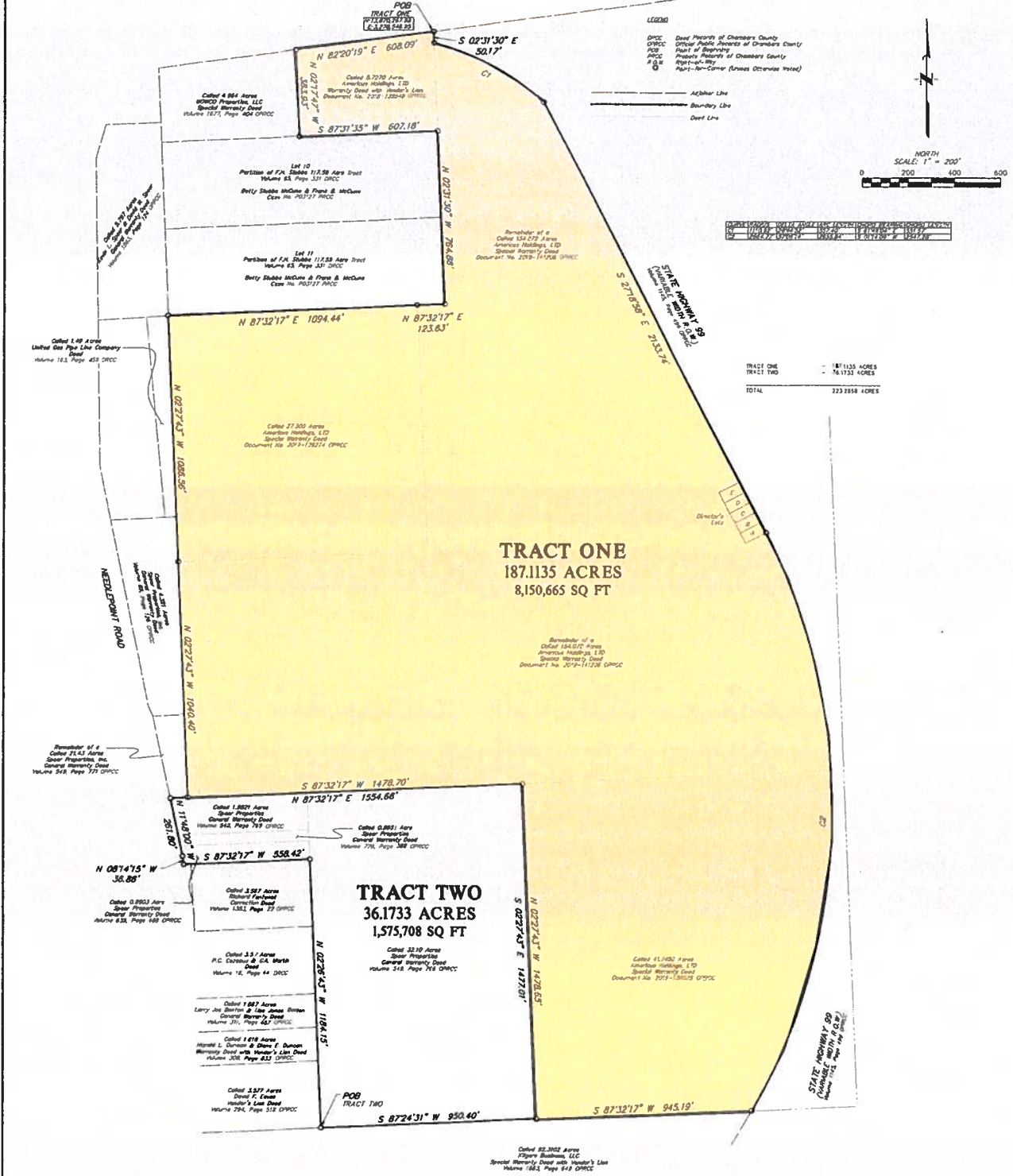
WITNESS my hand and seal at Baytown, Texas, this the 26 day of December, A. D., 2018.



Glen H. Freeland
R. P. L. S. No. 5758.
18-6135.fdn.docx
Hutchison & Associates, Inc.
1209 Decker Drive, Suite 100
Baytown, TX 77520
Engineering Firm #F-267
Surveying Firm #100293-00



EXHIBIT "A"



0	100	200	300	400	500	600
---	-----	-----	-----	-----	-----	-----

TRACT ONE - 187.1135 ACRES
 TRACT TWO - 36.1733 ACRES
 TOTAL - 223.2868 ACRES

TRACT ONE
 187.1135 ACRES
 8,150,665 SQ FT

TRACT TWO
 36.1733 ACRES
 1,575,708 SQ FT

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original map as the same appears on file in the office of the County Clerk of Chambers County, Texas.

Adam Kuptala, President
 Felisa Pua, Secretary
 Ronald Leach, Vice President
 Josh Cook, Assistant Secretary

I, Steven Jares, a Registered Professional Land Surveyor, do hereby certify that this map accurately describes the boundaries of Chambers County Municipal Utility District No. 3.

STEVEN JARES
 Registered Professional Land Surveyor
 State of Texas
 License No. 5317



THE STATE OF TEXAS
 COUNTY OF _____

Before me, the undersigned, on this day personally appeared Adam Kuptala, Ronald Leach, Felisa Pua, Josh Cook, and Josh Cook, known to me to be the persons whose names are subscribed above, and affirmed and acknowledged to me they executed the same as the same appears on file in the office of the County Clerk of Chambers County, Texas.

Notary Public for the State of Texas

RESOLUTION NO. 2000 - CITY OF BAYTOWN
 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, SUPPORTING THE PASSAGE OF A BILL RELATIVE TO THE CREATION OF THE CHAMBERS COUNTY MUNICIPAL UTILITY DISTRICT NO. 3, GRANTING A LIMITED POWER OF EMERGENCY BONDING AUTHORITY TO ISSUE BONDS, PROVIDING AUTHORITY TO INCUR DEBTS, ASSESSMENTS, FEES AND TAXES, AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

BOUNDARY MAP
 OF
CHAMBERS COUNTY MUNICIPAL UTILITY
DISTRICT No. 3
 CONTAINING
223.2868 ACRES
 OUT OF THE
CHAMBERS COUNTY SCHOOL LAND LEAGUE, A-321
CHAMBERS COUNTY, TEXAS
FEBRUARY 2020



This document was prepared under 22 TAC 683.21, does not reflect the results of an on the ground survey, and is not to be used to create or maintain interests in real property except those rights and interests created or established by the creation or continuation of the public subdivision for which it was prepared. Bearings shown herein are based on the State Coordinate System of 1983. South-Central Zone. Coordinate shown herein was based on the State Coordinate System of 1983. South-Central Zone G and can be brought to surface by applying the appropriate scale factor: 0.99999134.

DEPARTMENT OF COMMERCE
 Texas State Surveying and Mapping Registration Act, 2009
 2201 West Loop South, Suite 550 - Fort Worth, TX 76102
 817.773.3222

Exhibit "A"

Chambers County
Municipal Utility District No. 3
36.1733 Acres

Chambers County School Land League
Abstract No. 321

STATE OF TEXAS §

COUNTY OF CHAMBERS §

A **METES & BOUNDS** description of a certain 36.1733 acre tract of land situated in the Chambers County School Land League, Abstract No. 321 in Chambers County, Texas, being all of a called 1.9821 acre tract of land conveyed by General Warranty Deed to Speer Properties recorded in Volume 549, Page 769 of the Official Public Records of Chambers County (OPRCC), all of a called 0.9903 acre tract of land conveyed by General Warranty Deed to Speer Properties recorded in Volume 639, Page 488 OPRCC, all of a called 0.5951 acre tract of land conveyed by General Warranty Deed to Speer Properties recorded in Volume 776, Page 388 OPRCC, and all of called 32.10 acre tract of land conveyed by General Warranty Deed to Speer Properties recorded in Volume 549, Page 766 OPRCC; said 36.1733 acre tract being more particularly described as follows with all bearings based on the Texas Coordinate System of 1983, South Central Zone;

BEGINNING at a point-for-corner being the southwest corner said 32.10 acre tract, being common with the southeast corner of a called 3.577 acre tract of land conveyed by Vendor's Lien Deed to David F. Eaves recorded in Volume 294, Page 518 OPRCC, and being in the north line of a called 92.3102 acre tract of land conveyed by Special Warranty Deed with Vendor's Lien to Kilgore Business, LLC recorded in Volume 1663, Page 649 OPRCC;

THENCE, North 02°26'43" West, along the west line of said 32.10 acre tract, being common with the east line of said 3.577 acres, the east line of a called 1.618 acre tract conveyed by Warranty Deed with Vendor's Lien to Harold L. Duncan and Diane E. Duncan recorded in Volume 309, Page 833 OPRCC, the east line of a called 1.667 acre tract conveyed by General Warranty Deed to Larry Joe Benton and Lisa Jones Benton recorded in Volume 311, Page 487 OPRCC, the east line of a called 3.57 acre tract conveyed by Deed to P.C. Cezeaux and G.A. Martin recorded in Volume 16, Page 44 DRCC, and the east line of a called 3.567 acre tract conveyed by Correction Deed to Ricky Fontenot recorded in Volume 1383, Page 22 OPRCC, 1184.15 feet to a point-for-corner being an interior southwest corner of the herein described tract, being common the southeast corner of said 0.9903 acre tract, the northeast corner of said 3.567 acre tract, and being in the west line of said 32.10 acre tract;

THENCE, South 87°32'17" West, along the south line of said 0.9903 acre tract, being common with the north line of said 3.567 acre tract, 558.42 feet to a point-for-corner being the southwest corner of said 0.9903 acre tract, and being in the occupied east right of way line of Needle Point Road;

THENCE, along the west line of the herein described tract being common with the occupied east right of way line of Needle Point Road the following two (2) courses and distances:

1. North 08°14'15" West, 36.86 feet to a point-for-corner;
2. North 11°48'00" West, 261.80 feet to a point-for-corner, being the northwest corner of said 1.9821 acre tract, and being in the south line of said remainder of 21.43 acre tract;

THENCE, North 87°32'17" East, with the north line of the herein described tract being common with the south line of the remainder of a called 154.072 acre tract conveyed by Special Warranty Deed to Americus

Chambers County
Municipal Utility District No. 3
36.1733 Acres

Chambers County School Land League
Abstract No. 321

Holdings, LTD recorded in Document No. 2019-141206 OPRCC, 1554.66 feet to a point-for-corner, being the northeast corner of said 32.10 acre tract, being common with the northwest corner of a called 41.7490 acre tract conveyed by Special Warranty Deed to Americus Holdings, LTD recorded in Document No. 2019-139029 OPRCC;

THENCE, South 02°28'49" East, along the east line of said 32.10 acre tract, being common with the west line of said 41.7490 acre tract, 1476.92 feet to a point-for-corner (Northing: 13,865,474.60, Easting: 3,279,015.03) being the southeast corner of said 32.10 acre tract, being common with the southwest corner of said 41.7490 acre tract, and being in the north line of said 92.3102 acre tract;

THENCE, South 87°23'25" West, along the north line of said 92.3102 acre tract, 950.40 feet to the **POINT OF BEGINNING, CONTAINING** 36.1733 acres, or 1,575,708 square feet of land in Chambers County, Texas, as shown on Drawing No. 14085 in the office of Jones|Carter in Bellaire, Texas.

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 political subdivision for which it was prepared.

Jones|Carter
6330 West Loop South, Suite 150
Bellaire, Texas 77401
(713) 777-5337
*Texas Board of Professional Land Surveying
Registration No. 10046100*


Acting By/Through Steven Jares
Registered Professional Land Surveyor
jonescarter.com


EXHIBIT "A-1"

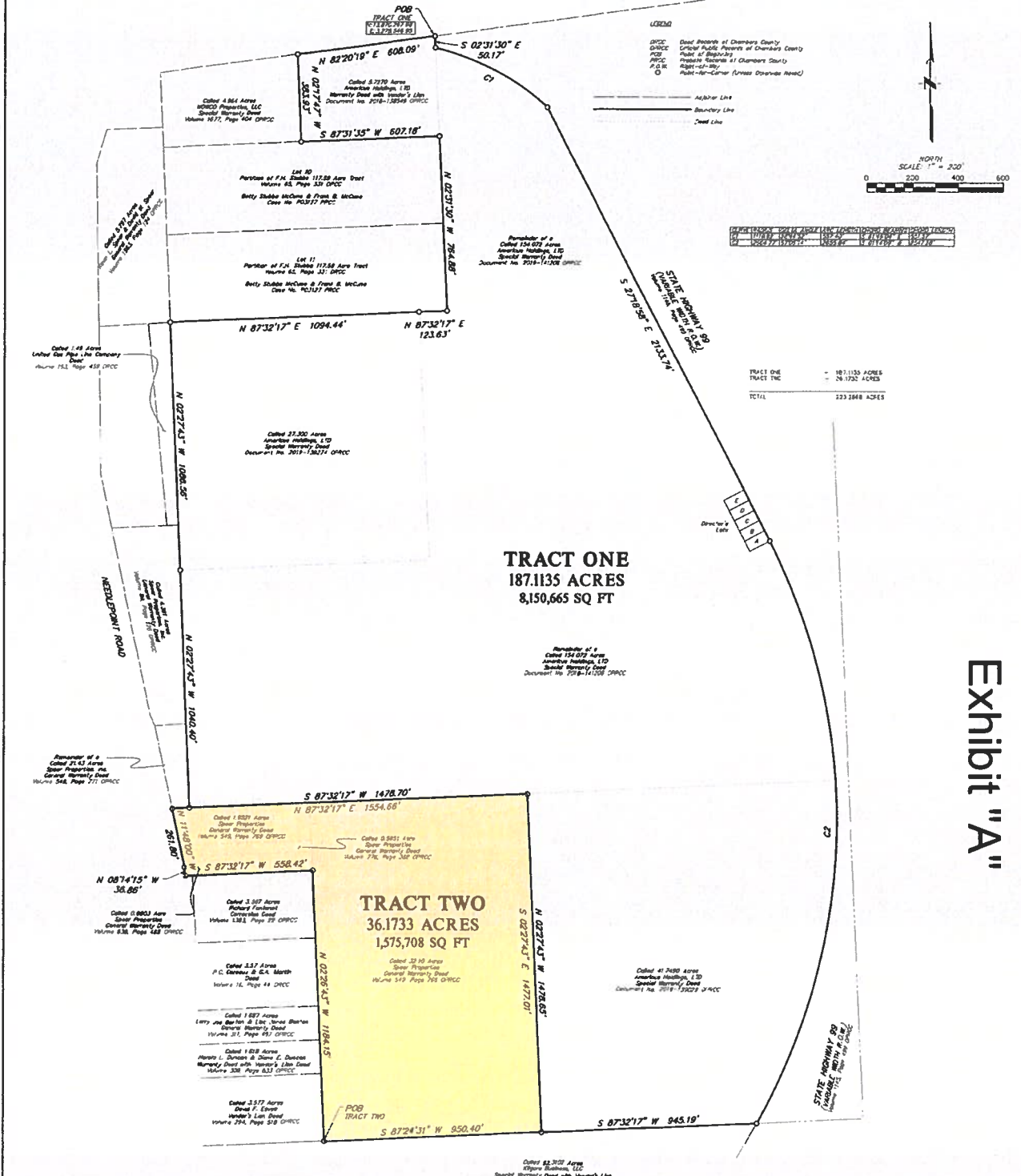


Exhibit "A"

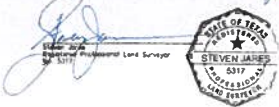
I, the undersigned, do hereby certify that the above described land is the property of the City of Baytown, Texas, and is subject to the provisions of the Charter of the City of Baytown, Texas, as amended.

Adam [Name] President
 Robert [Name] Vice President
 Van [Name] Assistant Secretary

Fielder [Name] Secretary
 Lisa [Name] Assistant Secretary

I, Steven Jones, a Registered Professional Land Surveyor, do hereby certify that this map accurately describes the boundaries of Chambers County Municipal Utility District No. 3.

WITNESS MY HAND AND SEAL this 27th day of February, 2020.



BOUNDARY MAP
 OF
CHAMBERS COUNTY MUNICIPAL UTILITY
DISTRICT No. 3
 CONTAINING
223,286 ACRES
 OUT OF THE
CHAMBERS COUNTY SCHOOL LAND LEAGUE, A-321
CHAMBERS COUNTY, TEXAS
FEBRUARY 2020



THE STATE OF TEXAS
 COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared Adam [Name], Fielder [Name], Robert [Name], and Van [Name], all of whom are known to me and whose identities and positions are stated on the foregoing certificate, and acknowledged to me that they executed the foregoing instrument for the purposes and consideration therein expressed.

Given under my hand and seal of office on this _____ day of _____, 2020.

RESOLUTION NO. 7855 - CITY OF BAYTOWN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, SUPPORTING THE PASSAGE OF A BILL RELATIVE TO THE CREATION OF THE CHAMBERS COUNTY MUNICIPAL UTILITY DISTRICT NO. 3, GRANTING A LIMITED POWER OF EXERCISE COVENANT PROVISIONS AUTHORITY TO ISSUE BONDS, PROVIDING AUTHORITY TO IMPOSE ASSESSMENTS, FEES AND TAXES AND PROVIDING FOR THE EFFECTIVE DATE THEREOF.

ADOPTED BY THE CITY COUNCIL AT ITS MEETING HELD ON DECEMBER 15, 2018.







**Limited Purpose
Annexation
And
Strategic
Partnership
Agreement**

Being out of
the Chambers County
School Land Survey

Approx. 223.29 acres

**Abstract 321,
Chambers County
Texas**

Legend

-  Subject Property
 -  Parcels
 -  Limited Annexation
 -  Strip Annexation
- 1 inch = 666 feet

The City of Baytown Texas makes no warranty, representation, or guarantee regarding the accuracy of this map. This map is intended for display purposes only and does not replace official recorded documents.