

**ORDINANCE 17-T**

**AN ORDINANCE OF THE CITY OF ALVIN, TEXAS, DISANNEXING 79.9353 ACRES OF LAND, MORE OR LESS, LOCATED IN BRAZORIA COUNTY, TEXAS, BEING THAT PART OF THE CITY LIMITS ABUTTING COUNTY ROAD 133 A/K/A MOORE ROAD; PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.**

**WHEREAS**, on April 24, 2017, the City received a petition for disannexation from Kevin C. Ford, Sheri P. Ford, Steve Hawkes, Janice Hawkes, Donald E. Ware, Shirley M. Aare, David D. Sanders, and Maxine D. Sanders, for approximately 78.2303 acres of land, more particularly described in **Exhibit A**, attached hereto and incorporated herein for all purposes;

**WHEREAS**, the City Council authorized the commencement of disannexation procedures with respect to the property described in Exhibit A on August 3, 2017, in Resolution 17-R-20;

**WHEREAS**, the property described in Exhibit A abuts property owned by Henry H. Flores, Deborah H. Flores, Jackson R. Mize, Kimberly S. Martinez, Gregory F. Mapp, Diana Grimp-Mapp, Omero L. Longoria, Terry Longoria, and Douglas E. Lovel, such approximately 1.705 acres of land, more particularly described in **Exhibit B**, attached hereto and incorporated herein for all purposes, and such disannexation would leave the property described in Exhibit B discontinuous to the City limits;

**WHEREAS**, the City of Alvin, Texas, has contemporaneously herewith entered into a Release and Compromise Settlement Agreement by and between the City and Henry H. Flores, Deborah H. Flores, Jackson R. Mize, Kimberly S. Martinez, Gregory F. Mapp, Diana Grimp-Mapp, Omero L. Longoria, Terry Longoria, and Douglas E. Lovel, providing for the disannexation of the property described Exhibit B;

**WHEREAS**, the Property was annexed into the City by Ordinance No. 78-P on December 21, 1978;

**WHEREAS**, the City Charter authorizes the City Council to unilaterally disannex property within its city limits; and

**WHEREAS**, the City Council has determined that it is appropriate to disannex the property described in Exhibit A and Exhibit B under the authority of the City Charter, subject to satisfying the procedural requirements for disannexing land set forth in the City Charter and state law;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS, THAT:**

**Section 1.** Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2.** Disannexation. The City hereby disannexes for all purposes the property described by metes and bounds in both **Exhibit A** and **Exhibit B**.

**Section 3.** Severability. Should any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Resolution are declared to be severable.

**Section 5.** Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

**PASSED AND APPROVED** on first and final reading this \_\_\_\_\_ day of October 2017.

**CITY OF ALVIN, TEXAS**

**ATTEST**

By: \_\_\_\_\_  
Paul A. Horn, Mayor

By: \_\_\_\_\_  
Dixie Roberts, City Secretary

**EXHIBIT A**  
**Description of the Property in Disannexation Proceedings**

**Ford:**

Lot Twenty-One (21) containing  $\pm$  15.33 acres, and Lot Twenty-Two (22) containing  $\pm$  10 acres, out of the R.W. Sharp Subdivision of Section Twenty-Two (22), I & G N R R Survey, Abstract 693, Brazoria County, Texas, and Abstract 616 of Galveston County, Texas according to the map or plat thereof recorded in Volume 11, Page 67, of the Plat Records of Brazoria County, Texas; Lot Thirty-Seven (37) containing  $\pm$  10 acres, and Lot Thirty-Eight (38) containing  $\pm$  12.93 acres, out of the R.W. Sharp Subdivision of Section Twenty-Two (22), I & G N R R Survey Abstract 693, Brazoria County, Texas, and Abstract 616 of Galveston County, Texas, according to the map or plat thereof recorded in Volume 11, Page 67 of the Plat Records of Brazoria County, Texas. Total:  $\pm$ 48.26 Acres.

**Hawkes:**

The west 5.376 acres of Lot 39 and all of Lot 40 (10 acres) in the R.W. Sharp Subdivision of Section 22, I & G N R R Survey, Abstract 693, Brazoria County, Texas, according to the map or plat thereof, recorded in Volume 1, Page 67 of the Plat Records of Brazoria County, Texas; a tract or parcel of land containing 1.6770 acres being out or and a part of the Westerly portion of Lot 39 of R.W. Sharp Subdivision out of Section 22 of the I & G N R R Survey, Abstract 693 in Brazoria County, Texas, according to the map or plat thereof recorded in Volume 1, Page 67 of the Brazoria County Plat Records, being out of 15.3820 acre tract conveyed to Steve and Janice Hawkes described in Deed in Volume 98-004945 of the Official Public Records of Brazoria County, Texas. Total:  $\pm$ 17.053 Acres.

**Ware:**

The East 5.0233 acres of Lot Thirty-Nine (39) of R.W. Sharp Subdivision of Section 22, I & G N R R Survey, Abstract 693, a subdivision in Brazoria County, Texas, according to the map or plat thereof recorded in Volume 1, Page 67 of the Plat Records of Brazoria County, Texas.

**Sanders:**

Star Estates (A0693 I & G N R R)(Alvin), Block 1, Lot 6, 7.894 Acres

Lot Six (6) containing 7.894 acres of final Plat of Star Estates, a Subdivision in Brazoria County and Galveston County, Texas, according to the map or plat thereof recorded in Volume 19, Pages 441 and 442 of the Plat Records of Brazoria County, and recorded in Volume 16, Page 568 of the Map Records of Galveston County, Texas.

**EXHIBIT B**  
**Description of the Property to be Included in Disannexation**

**Flores:**

Star Estates (A0693 I & G N R R)(Alvin), Block 1, Lot 1, 0.761 Acres

Lot One (1) of the Final Plat of Star Estates, a subdivision in Brazoria County and Galveston County, Texas, according to the map or plat thereof recorded in Volume 19, Pages 441 and 442 of the Plat Records of Brazoria County, and recorded in Volume 18, Page 566 of the Map Records of Galveston County, Texas.

**Mize and Martinez:**

Star Estates (A0693 I & G N R R)(Alvin), Block 1, Lot 2, 0.477 Acres

Lot Two (2) of the Final Plat of Star Estates, a subdivision in Brazoria County and Galveston County, Texas, according to the map or plat thereof recorded in Volume 19, Pages 441 and 442 of the Plat Records of Brazoria County, and recorded in Volume 18, Page 566 of the Map Records of Galveston County, Texas.

**Mapp:**

Star Estates (A0693 I & G N R R)(Alvin), Block 1, Lot 3, 0.311 Acres

Lot Three (3) of the Final Plat of Star Estates, a subdivision in Brazoria County and Galveston County, Texas, according to the map or plat thereof recorded in Volume 19, Pages 441 and 442 of the Plat Records of Brazoria County, and recorded in Volume 16, Page 566 of the Map Records of Galveston County, Texas.

**Longoria:**

Star Estates (A0693 I & G N R R)(Alvin), Block 1, Lot 4, 0.144 Acres

Lot Four (4) of the Final Plat of Star Estates, a subdivision in Brazoria County and Galveston County, Texas, according to the map or plat thereof recorded in Volume 19, Pages 441 and 442 of the Plat Records of Brazoria County, and recorded in Volume 16, Page 566 of the Map Records of Galveston County, Texas.

**Level:**

Star Estates (A0693 I & G N R R)(Alvin), Block 1, Lot 5, 0.012 Acres

Lot Five (5) of the Final Plat of Star Estates, a subdivision in Brazoria County and Galveston County, Texas, according to the map or plat thereof recorded in Volume 19, Pages 441 and 442 of the Plat Records of Brazoria County, and recorded in Volume 18, Page 566 of the Map Records of Galveston County, Texas.