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VILLAGE OF FAIRCHILDS, TEXAS

ORDINANCE NO. 2016-06

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE VILLAGE OF FAIRCHILDS, TEXAS AND EXTENDING THE BOUNDARIES OF SAID VILLAGE SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE VILLAGE LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID VILLAGE.

WHEREAS, the Village of Fairchilds is a general-law municipality.

WHEREAS, the owners of the territory have petitioned the Village Council for the Village of Fairchilds in writing to annex the proposed area;

the territory proposed to be annexed is one-half mile or less in width;

the territory is contiguous to the annexing municipality; and

fewer than three qualified voters reside on the proposed territory.

WHEREAS, the Village has prepared a service plan for said territory which is attached as **Exhibit "B"** to this ordinance;

WHEREAS, the Village has published notice of hearings on said annexation and held hearings as required by law; and

WHEREAS, after hearing arguments for annexation and no arguments against the annexation the Village Council has voted to annex said territory into the Village.

NOW THEREFORE, be it ordained by the Village Council of the Village of Fairchilds, Texas, that the following described property, to-wit:

That the property is described in a field note description attached to this ordinance as **Exhibit "A"** and incorporated and adopted in it's entirety as part of this ordinance for all purposes.

be and the same is hereby annexed to and made a part of the Village of Fairchilds, Texas and that the corporate limits of said Village of Fairchilds, Texas, are hereby extended so as to embrace and incorporated with the Village of Fairchilds, Texas, all the territory, lands, and property within the bounds of the

territory included within the metes and bounds hereinabove described and attached to this ordinance as **Exhibit "A"**.

That the inhabitants of the above described territory so hereby annexed shall be entitled to and shall receive all the rights and privileges accruing to citizens of said Village the same as other inhabitants of said Village now in force and effect and those that may hereafter be passed by the Village Council.

That the municipal service plan for the herein annexed territory provided for in **Exhibit "B"** attached here to is adopted.

The Village Clerk is hereby directed to file with the County Clerk of Fort Bend County, Texas a certified copy of this ordinance.

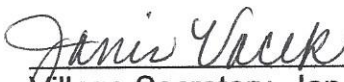
PASSED by an affirmative vote of a majority of the members of the Village Council, this 10th day of November, 2016.

APPROVED:



Mayor Bob Haenel

ATTEST:



Village Secretary, Jan Vacek

EXHIBIT "A"

October 11, 2016

Revised October 21, 2016

Parcel E – 2.003 acres (more or less)

Marvin A. Kucera and Sharlet A. Kucera

A FIELD NOTE DESCRIPTION of 2.003 acres (more or less) of Land being a call 2.003 acre tract (Fort Bend County Clerk's File No. 2013109395; called "Lots 27 and 28", Volume 588, Page 350; Deed Records of Fort Bend County, Texas) to be annexed into the City Limits of the Village of Fairchilds, being out of Lot No. Ten (10) of the Mennonite Colony Subdivision (Volume 10, Page 282; Deed Records of Fort Bend County, Texas) being in the Barnabas Wickson Survey, Abstract No. 95, Fort Bend County, Texas.

FOR CONNECTION, begin at a point for the East corner of a call 59.413 acre tract (Fort Bend County Clerk's File No. 1999039228 and Volume 145, Page 76; Deed Records of Fort Bend County, Texas) to be annexed into the City Limits of the Village of Fairchilds (**Parcel C**) and for the Northwest corner of an unrecorded subdivision of the E and L Development Company call 19.546 acre tract (Volume 532, Page 831; Deed Records of Fort Bend County, Texas); **THENCE**; South 44 degrees, 55 minutes, 20 seconds West (reference bearing – Volume 532, Page 831; Deed Records of Fort Bend County, Texas) - 236.15 feet (more or less) along the Southeasterly line of said call 59.413 acre tract being along the Northwesterly line of said call 19.546 acre tract to a point for the Northern corner of a call 2.0 acre tract ("Lots 33 and 34"; Volume 612; Page 45; Deed Records of Fort Bend County, Texas) to be annexed into the City Limits of the Village of Fairchilds (**Parcel D**); **THENCE**; South 54 degrees, 26 minutes East – 331.25 feet (more or less) along the Northeasterly line of said call 2.0 acre tract to a point for the Eastern corner of said call 2.0 acre tract and for the Northern corner of said call 2.003 acre tract in the centerline of Leroy Road (60 foot wide Access Road Easement – call 3.6397 acres; Volume 588, Page 350; Deed Records of Fort Bend County, Texas); Said corner being the Northern corner of and **PLACE OF BEGINNING** for this 2.003 acre (more or less) tract of Land;

THENCE; South 54 degrees, 26 minutes East – 331.25 feet (more or less) along the Northeasterly line of said call 2.003 acre tract to a point for the Eastern corner of this tract; Said corner being the Eastern corner of said call 2.003 acre tract in the Northwesterly line of a call 14.316 acre tract of Land (Tract 3; Volume 2444, Page 712; Official Records of Fort Bend County, Texas) to be annexed into the City Limits of the Village of Fairchilds (**Parcel F**);

A Field Note Description of
Parcel E – 2.003 acres (more or less)
October 21, 2016
Page Two (2)

THENCE; South 45 degrees, 16 minutes, 35 seconds West – 267.12 feet (more or less) along the Southeasterly line of said call 2.003 acre tract along the Northwesterly line of said call 14.316 acre tract (**Parcel F**) to a point for the Southern corner of this tract; Said corner being the Southern corner of said call 2.003 acre tract;

THENCE; North 54 degrees, 26 minutes West – 330.40 feet (more or less) along the Southwesterly line of said call 2.003 acre tract to a point for the Western corner of this tract; Said corner being the Western corner of said call 2.003 acre tract and being the Southern corner of said call 2.0 acre tract (**Parcel D**);

THENCE; North 45 degrees, 05 minutes, 58 seconds East – 267.0 feet (more or less) along the Northwesterly line of said call 2.003 acre tract along the Southeasterly line of said call 2.0 acre tract (**Parcel D**) and being with the centerline of said Leroy Road to the **PLACE OF BEGINNING** and containing 2.003 acres (more or less) of Land.

Brad Schodek

Brad L. Schodek, R.P.L.S. No. 6430



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 boundary of the political subdivision for which it was prepared.

**MUNICIPAL SERVICE PLAN
EXHIBIT B**

A. Police Protection

Services to be provided: Police protection is currently provided by Fort Bend County Sheriff's Department. Residents of the annexed area, beginning on the effective date of the annexation shall be provided the same type of police protection services that is currently provided to any other area of the Village beginning on the effective date of the annexation of the area.

B. Fire Protection Including Emergency Ambulance

Services to be Provided: Fire protection is currently provided by the Fairchild Volunteer Fire Department and emergency ambulance services is provided by Fort Bend County. Residents of the annexed area, beginning on the effective date of the annexation shall be provided the same type of fire protection services and emergency ambulance services that is currently provided to any other area of the Village beginning on the effective date of the annexation of the area.

C. Solid Waste Collection

Service to be provided: The Village does not provide solid waste collection. Each property owner currently contracts on their own for solid waste collection.

D. Water Service

Service to be provided: The Village does not provide water service. Each property owner currently receives water by individual water wells.

E. Sanitary Sewer Service

Service to be provided: The Village does not provide sanitary sewer service. Each property owner currently maintains individual septic systems for sanitary wastes.

F. Maintenance of Roads and Streets

Services to be provided: Street maintenance and other street services shall be provided to the annexed area in accordance with existing Village ordinances, resolutions, and regulations, after the effective date of the annexation of the area.

G. Parks and Recreation

No Parks and Services to be provided: The Village shall provide to the residents of the annexed area the same type services for Parks and Recreation that are currently provided to any other area of the Village, beginning on the effective date of the annexation of the area.

H Library Service

No Library Services to be provided: The Village shall provide to the residents of the annexed area the same type services for Library Service that are currently provided to any other area of the Village, beginning on the effective date of the annexation of the area.

I. Street Lighting

No street lights Services to be provided: The Village shall provide to the residents of the annexed area the same type services for placement of street lights that are currently provided to any other area of the Village, beginning on the effective date of the annexation of the area.

J. Miscellaneous

All other applicable municipal services will be provided to the area in accordance with the Village of Fairchilds established policies governing extension of municipal services to newly annexed areas.

AFFIDAVIT

I, Jason Chlapek, after having been duly sworn on my oath depose and say:

That I am editor of the Gulf Coast Tribune, a weekly newspaper of general circulation, published in the City of Needville in the County of Fort Bend, State of Texas, which newspaper has been continuously and regularly published in said City and County for more than 50 years next preceding the date thereof, and that the

Notice of Public Hearing on
Fairchild's annexation

No one (1) was published in each and every copy of said newspaper each week for publication(s) was as follows to wit:

October 27, 2016

And further, that the copy of said

annexation notice Fairchild's

Appended hereto is a true and correct copy of same as printed in said newspaper.

(signed) Jason Chlapek

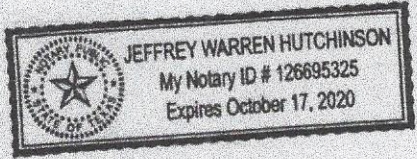
Jason Chlapek

Subscribed and sworn to before me, the undersigned authority, by _____

This, 15 day of November, 2016.

Notary Public, Brazoria County, Texas

Jeffrey Warren Hutchinson
Jeffrey Hutchinson



NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS THAT:

The Village of Fairchilds, Texas has approved petitions for annexation and the Village proposes to institute proceeding to enlarge and extend the boundary limits of said Village to include the following described territories:

(See description attached as Exhibit "A")

On the 9th day of November, 2016 at 7:00 p.m. in the Fairchild Volunteer Fire Department located in the Village of Fairchilds, 8715 Fairchild Road, Richmond, Texas 77469, the Village Council will hold a public hearing giving all interested persons the right to appear and be heard on the proposed annexations by the Village of Fairchilds, Texas of the following described properties, to-wit: (See description attached as Exhibit "A")

On the 10th day of November, 2016 at 7:00 p.m. in the Fairchild Volunteer Fire Department located in the Village of Fairchilds, 8715 Fairchild Road, Richmond, Texas 77469, the Village Council will hold a public hearing giving all interested persons the right to appear and be heard on the above-described proposed annexations by the Village of Fairchilds, Texas.

By order of the Village Council of the Village of Fairchilds, Texas this the 20th day of October, 2016
 Bob Haenel
 Mayor
 Attest:
 Janis Vacek
 City Secretary

EXHIBIT "A"

Parcel A-0.011 acre (more or less)
 Fairchilds Road Right-of-way
 A FIELD NOTE DESCRIPTION of 0.011 acre (more or less) of Land being a ten-foot wide (10") portion of the right-of-way of Fairchilds Road (width varies) to be annexed into the City Limits of the Village of Fairchilds, being out of Lot No. Eight (8) of the Mennonite Colony Subdivision (Volume 10, Page 282; Deed Records of Fort Bend County, Texas) being in the Barnabas Wickson Survey, Abstract No. 95, Fort Bend County, Texas.

Parcel B - 26.275 acres (more or less)

A FIELD NOTE DESCRIPTION of 26.275 acres (more or less) of Land being a call 26.275 acre tract (Fort Bend County Clerk's File No. 2014105141) to be annexed into the

of the Mennonite Colony Subdivision (Volume 10, Page 282; Deed Records of Fort Bend County, Texas) being in the Barnabas Wickson Survey, Abstract No. 95, Fort Bend County, Texas.

Parcel C - 59.413 acres (more or less)

A FIELD NOTE DESCRIPTION of 59.413 acres (more or less) of Land being a call 59.413 acre tract (Fort Bend County Clerk's File No. 1999039228 and volume 145, Page 76; Deed Records of Fort Bend County, Texas) to be annexed into the City Limits of the Village of Fairchilds, being out of Lot No. Ten (10) of the Mennonite Colony Subdivision (Volume 10, Page 282; Deed Records of Fort Bend County, Texas) being in the Barnabas Wickson Survey, Abstract No. 95, Fort Bend County, Texas.

Parcel D - 2.0 acres (more or less)

A FIELD NOTE DESCRIPTION of 2.0 acres (more or less) of Land being a call 2.0 acre tract ("Lots 33 and 34"; Volume 612; Page 45; Deed Records of Fort Bend County, Texas) to be annexed into the City Limits of the Village of Fairchilds, being out of Lot No. Ten (10) of the Mennonite Colony Subdivision (Volume 10, Page 282; Deed Records of Fort Bend County, Texas) being in the Barnabas Wickson Survey, Abstract No. 95, Fort Bend County, Texas.

Parcel E - 2.003 acres (more or Less)

A FIELD NOTE DESCRIPTION of 2.003 acres (more or less) of Land being a call 2.003 acre tract (Fort Bend County Clerk's File No. 2013109395; called "Lots 27 and 28", volume 588, Page 350; Deed Records of Fort Bend County, Texas) to be annexed into the City Limits of the Village of Fairchilds, being out of Lot No. Ten (10) of the Mennonite Colony Subdivision (Volume 10, Page 282; Deed Records of Fort Bend County, Texas) being in the Barnabas Wickson Survey, Abstract No. 95, Fort Bend County, Texas.

Parcel F - 14.316 acres (more or less)

A FIELD NOTE DESCRIPTION of 14.316 acres (more or less) of Land being a call 14.316 acre tract (Volume 2444; Page 712; Official Records of Fort Bend County, Texas) to be annexed into the City Limits of the Village of Fairchilds, being out of Lot No. Ten (10) of the Mennonite Colony Subdivision (Volume 10, Page 282; Deed Records of Fort Bend County, Texas) being in the Barnabas Wickson Survey, Abstract No. 95, Fort

RETURNED AT COUNTER TO:

Village of Fairchilds / Janis Vacek
8713 Fairchilds Rd
Richmond TX 77469

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Laura Richard

Laura Richard, County Clerk
Fort Bend County, Texas

November 21, 2016 11:33:35 PM

FEE: \$39.00 CR1
GRD

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