

ORDINANCE NO. 2008-O-2C

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ANGLETON TEXAS, AND THE VOLUNTARY ANNEXATION OF CERTAIN TERRITORY, WHICH SAID AREA IS OWNED BY THE ANGLETON INDEPENDENT SCHOOL DISTRICT; PROVIDING FOR CONDITIONS OF ANNEXATION AND ADOPTION BY REFERENCE OF THE ANNEXATION AGREEMENT BETWEEN THE CITY OF ANGLETON, TEXAS AND THE ANGLETON INDEPENDENT SCHOOL DISTRICT; AND PROVIDING THAT FROM HENCEFORTH SAID TERRITORY SHALL BE A PART OF THE CITY OF ANGLETON, TEXAS, SUBJECT TO AND BOUND BY THE PROVISIONS OF ALL ORDINANCES AND CODIFICATION OF ORDINANCES OF SAID CITY; PROVIDING FOR SAID PROPERTY TO BE ZONED C-2 WITHOUT FURTHER ACTION OF THE PLANNING AND ZONING COMMISSION AND THE CITY COUNCIL; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

WHEREAS, a public hearing was held before the City council of the City of Angleton at the City Hall at Angleton, Texas, on the 12th day of February, 2008 and on the 26th day of February, 2008, and all interested persons were provided with an opportunity to be heard on the proposed annexation of the lands described in Exhibit "A" attached hereto and incorporated herein by reference, AND upon the property coming into the city with a zoning of C-2, rather than R-1;

WHEREAS, the population of the City of Angleton, Texas, is in excess of 5,000 inhabitants, to-wit: Said City having had a population of 18,130 inhabitants according to the Federal Census Report of 2000; and

WHEREAS, the described territory is owned by the Angleton Independent School District and is within the extraterritorial jurisdiction of the City of Angleton;

WHEREAS, as the sole land owner, the Angleton Independent School District has voluntarily petitioned the City for annexation; and

WHEREAS, the parties have reached an agreement setting forth the terms and conditions and obligations resulting from this annexation; and

WHEREAS, the territory has no inhabitants;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS, DULY ASSEMBLED:

SECTION 1. That the matters and facts recited in the preamble hereof are hereby found and determined to be true and correct.

SECTION 2. The City of Angleton hereby annexes for all purposes the territory described on Exhibit “A”, which is attached hereto and incorporated herein by reference for all purposes **and** Lot 13 of the Oliver and Barrow Subdivision out of the T.S. Lee Survey, Abstract 318, Brazoria County, Texas. Any portion of the land previously annexed is included herein to insure annexation of the entire territory being converted to the new secondary school complex of AISD. The boundary limits of the City shall include said territory. The ordinances, codes, resolutions, regulations, and all laws of the City shall apply to said territory. The City Council finds that all requirements of law for this annexation have been satisfied.

SECTION 3. That the parties have entered into an agreement setting forth the terms, conditions and obligations resulting from this voluntary annexation, said “Agreement” is attached hereto as “Exhibit B” and incorporated herein by reference for all purposes. Said agreement has been approved by and executed by the Angleton Independent School District and the Angleton City Council. That all ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 4. Said property is hereby zoned C-2 with the passage of this Ordinance.

SECTION 5. If any section or part of this Ordinance is unconstitutional, illegal, or invalid, then such unconstitutionality, illegality, or invalidity of such section or part shall in no way effect, impair or invalidate the remaining portion thereof, but such remaining portion shall remain in full force and effect.

SECTION 5. This ordinance shall be effective from and after its passage and adoption.

PASSED AND ADOPTED, this 26th day of February, 2008.

THE CITY OF ANGLETON, TEXAS

J. PATRICK HENRY, MAYOR

ATTEST:

AMANDA DAVENPORT, CITY SECRETARY

APPROVED AS TO FORM:

KEITH VAUGHAN, CITY ATTORNEY