NOTICE OF PUBLIC HEARING ON PROPOSED
ANNEXATION OF PROPERTY ADJACENT TO
THE CITY OF DANBURY, TEXAS

TO ALL INTERESTED PERSONS, INCLUDING ALL RESIDENTS OF THE CITY OF DANBURY, BRAZORIA COUNTY, TEXAS, AND ANY AND ALL PERSONS, FIRMS, CORPORATIONS, GOVERNMENTS AND THE POLITICAL SUBDIVISIONS AND AGENCIES THEREOF OWNING ANY PORTION OF THE BELOW DESCRIBED AREA OR ANY INTEREST IN SUCH AREA OR ANY LAND WITHIN THE CORPORATE LIMITS OF SAID TOWN:

Pursuant to the authority of Article 970a and Article 974, Revised Civil Statutes of Texas, the City Council of the City of Danbury, Texas, will conduct a public hearing beginning at 7:00 o'clock P.M. on Tuesday, the 15th day of December, 1987, at the City Hall of said City, located in Danbury, Brazoria County, Texas, concerning whether or not the corporate limits of said city should be extended and the following described area lying adjacent to the present corporate limits of the said city be annexed, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference for all purposes.

BY ORDER OF THE CITY COUNCIL OF THE CITY OF DANBURY, TEXAS, made and entered this 24th day of November, 1987.

Debby Warner

DEBBY WARNER, CITY SECRETARY
CITY OF DANBURY, TEXAS

85222 790

(RECORDED AS PER ORIGINAL)

FIELD NOTES OF A 3.00 ACRE TRACT OUT OF THE STEELE 11.07 ACRE TRACT OUT OF TRACT #3 OF THE HENRY AUSTIN LEAGUE NO. 5, ABSTRACT 13, BRAZORIA COUNTY, TEXAS, AND BY METES AND BOUNDS DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod marking the East corner of the Steele 11.07 acre tract, said 11.07 acres being that same tract described in Volume 911, Page 836 of the Deed Records of Brazoria County, Texas;

THENCE; North 26°05'05" West 436.11 feet along the Northeast line of the Steele 11.07 acre tract to an iron rod for corner;

THENCE; South 62°55'15" West 299.66 feet, along the Southeast right-of-way line of County Road #530, to an iron rod for corner;

THENCE; South 26°05'05" East 438.34 feet to an iron rod for corner in the Northwest line of Danbury Heights Subdivision, according to the plat recorded in Volume 10, Pages 61 & 62 of the Plat Records of Brazoria County, Texas;

THENCE; North 62°31' East, 299.72 feet, along the Northwest line of Danbury Heights Subdivision, to the Place of Beginning;

Said tract therein containing 3.00 Acres of Land.

Certified Correct: Randy L. Stroud

Randy L. Stroud, Registered Public Surveyor, License #2112

4T 12,660

11-27-84

Randy L. Stroud, P.E.
135 West Locust St.
Angleton, Texas 77515

STATE OF TEXAS
RANDY L STROUD
2112
REGISTERED PUBLIC SURVEYOR

EXHIBIT "A"

ORDINANCE NO. 87-10

AN ORDINANCE OF THE CITY OF DANBURY, TEXAS, CONTAINING A PREAMBLE; CONTAINING FINDINGS OF FACT; PROVIDING THAT THE CORPORATE BOUNDARY LIMITS OF SUCH CITY BE EXTENDED AND CERTAIN TERRITORY ANNEXED, SUCH TERRITORY DESCRIBED THEREIN; PROVIDING A SEVERANCE CLAUSE; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND APPROVAL.

WHEREAS, Article 974, Revised Civil Statues of Texas, provides that the governing body of any city or town may, by ordinance, receive into the municipality any territory to the extent of one-half of a mile in width when a majority of the inhabitants qualified to vote for members of the State Legislature vote in favor of becoming a part of such municipality and certify such vote to the City Council; and

WHEREAS, the City of Danbury was heretofore duly organized as a municipality under the provisions of Chapter 11, Title 28, revised Civil Statutes of the State of Texas and subsequently adopted the provisions of Chapters 1 through 10 of said Title 28; and

WHEREAS, an affidavit was received by three or more of such inhabitants qualified to vote for members of the State Legislature certifying such vote as evidenced by the petition attached to such affidavit, which affidavit was filed before the Mayor of the City of Danbury, who certified said affidavit to the City Council; and

WHEREAS, the Municipal Annexation Act of the State of Texas, as codified under Article 970a, Revised Civil Statutes of Texas and hereinafter called "the Act", requires that before a municipality may institute annexation proceedings, the governing body thereof shall provide an opportunity for all interested persons to be heard at two (2) public hearings to be held not more than forty (40) nor less than twenty (20) days prior to the institution of such proceedings, and that notice of such hearing shall be published in a newspaper having general circulation within such municipalty and in the territory proposed to be annexed, upon such request, and such notice being published at least once not more than twenty (20) nor less than ten (10) days

prior to such hearing; and

WHEREAS, the second such hearing being an on-site annexation hearing is no longer required unless requested by twenty (20) or more adults residing in the area proposed to be annexed, and such on-site annexation hearing has not been heretofore requested; and

WHEREAS, the Act further requests that, prior to the publication of notice of such any hearing or hearings, the governing body of such municipality shall direct its planning or other appropriate departments to prepare a service plan that provides for extension of municipal services into the area to be annexed, specifies the contents of such plan, and provides that under no circumstances shall such plan provide fewer services or a lower level of services in the area to be annexed than were in existence in that area at the time immediately preceding the annexation thereof, directs that such plan be made available for inspection and explain to any inhabitants of the area to be annexed at such hearing and requires that such plan shall be attached to the ordinance annexing such area and approved as a part of such ordinance; and

WHEREAS, The Angleton Times, published in the City of Angleton, Brazoria County, Texas, is a paper having general circulation within the City of Danbury, Texas, and in the territory hereinbelow described; and

WHEREAS, notice of such public hearing was published once in The Angleton Times not more than twenty (20) days nor less than ten (10) days prior to the date of such public hearing and that written notice by certified mail, return receipt requested, was also given to the owner of real property in the area to be annexed if any such owner did not sign such petition at their last known address; and

WHEREAS, not more than forty (40) days nor less than twenty (20) days prior to the introduction of this ordinance, to-wit, on the 8th day of December, 1987, beginning at 7:00 o'clock P.M., at the City Hall in the City of Danbury, Brazoria County, Texas, the City Council of the City of Danbury, Texas, did hold such public hearing at which all inter-

ested citizens of the City of Danbury, Texas, and those who inhabit or own property in the territory described below, were each given an opportunity to be heard and at which time and place the Mayor did file the service plan, which is attached hereto as Exhibit "B" and made a part hereof for all purposes; and

WHEREAS, after hearing the evidence adduced at such public hearing, the City Council of the City of Danbury, Texas, is of the opinion that the best interest of the citizens of the Danbury, Texas, and of those who reside in the territory described below, will be served by extending the corporate boundary limits of the City of Danbury, Texas, by annexing such land.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DANBURY, TEXAS:

SECTION ONE (1): Findings of Fact.

The City Council of the City of Danbury, Texas, here now finds and determines as a matter of fact that the area hereinafter described is adjacent to the present corporate limits of said city and within its extraterritorial jurisdiction; that a majority of the inhabitants in the area to be annexed described herein, which inhabitants are qualified to vote for members of the State Legislature, did in fact, vote to become a part of said city; and that said city does not yet having a planning department; that no persons claiming to be residents of such area requested in writing an on-site hearing; that the notice and other provisions of the Constitution and Laws of the State of Texas, including the Municipal Annexation Act, codified as Article 970a and Article 974, Revised Civil Statutes of Texas have been fully complied with and have been given and published in the manner and for the length of time required by law; that a public hearing was conducted at the time and in the manner required by law; that each of the statements of fact set forth above in the preamble of this Ordinance are true and correct.

SECTION TWO (2): Corporate Boundary Limits Extended and Territory Annexed.

Pursuant to the provisions of the Constitution and Laws of the State of Texas, the corporate boundary limits of the City of Danbury, Texas, are hereby

extended and fixed to include the following described real property adjacent thereto, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference for all purposes.

SECTION THREE (3): Service Plan Approved.

As required by Subsection E of Section 10 of the Municipal Annexation Act, the City Council of the City of Danbury, Texas, being the governing body thereof, does hereby approve the service plan attached hereto as Exhibit "B".

SECTION FOUR (4): Rights and Duties of Territory Annexed:

As provided in Article 974, Revised Civil Statutes of Texas, the territory above described and so received and annexed shall hereafter be a part of the City of Danbury, Texas, and said residents and any future residents thereon shall be entitled to all the rights and privileges of the residents of said city and shall be bound by the acts and ordinances of said city.

SECTION FIVE (5): Filing with the County Clerk.

As required by said Article 974g, the City Secretary of the City of Danbury, Texas, is hereby authorized and directed to file in the office of the County Clerk of Brazoria County, Texas, a certified copy of this ordinance.

SECTION SIX (6): Zoning.

In conformity with Ordinance No. 50 of the City of Danbury, Texas, being the comprehensive zoning ordinance of the city, adopted on the 29th day of June, 1970, the territory hereby annexed is zoned "B", being "Restricted Commercial and Residential".

SECTION SEVEN (7): Correction of City Map.

In conformity with Article 971a, Revised Civil Statutes of Texas, the City Secretary is hereby authorized and directed to correct the map of the City of Danbury, Texas, showing the boundaries thereof in existence after the adoption of this ordinance.

SECTION EIGHT (8): Severance Clause.

In the event any section, phrase, word, paragraph, sentence or subsection of this ordinance is found to be unconstitutional, void or inop-

erative by the final judgment of a court of competent jurisdiction, or if any part of the real property annexed herein is found by the final judgment of a court of competent jurisdiction to have been annexed illegally or improperly, such defective provision, if any, or such real property improperly annexed, as the cse may be, are hereby declared to be severable from the remaining provisions of this ordinance and real property annexed by this ordinance, such remaining provisions shall remain in full force and effect and such real property as was properly anknexed shall remain a part of the city.

SECTION NINE (9): Effective Date.

This ordinance shall take effect and be in force from and after the date of its pssage and approval.

READ, PASSED AND APPROVED this 29th day of December, 1987.

Richard D. Tullos
RICHARD TULLOS, MAYOR
CITY OF DANBURY, TEXAS

ATTEST:

Debby Warner
DEBBY WARNER, CITY SECRETARY
CITY OF DANBURY, TEXAS

85222 790

(RECORDED AS PER ORIGINAL)

FIELD NOTES OF A 3.00 ACRE TRACT OUT OF THE STEELE 11.07 ACRE TRACT OUT OF TRACT #3 OF THE HENRY AUSTIN LEAGUE NO. 5, ABSTRACT 13, BRAZORIA COUNTY, TEXAS, AND BY METES AND BOUNDS DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod marking the East corner of the Steele 11.07 acre tract, said 11.07 acres being that same tract described in Volume 911, Page 886 of the Deed Records of Brazoria County, Texas;

THENCE; North 26°05'05" West 436.11 feet along the Northeast line of the Steele 11.07 acre tract to an iron rod for corner;

THENCE; South 62°55'15" West 299.66 feet, along the Southeast right-of-way line of County Road #530, to an iron rod for corner;

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Said tract therein containing 3.00 Acres of Land.

Certified Correct: Randy L. Stroud

Randy L. Stroud, Registered Public Surveyor, License #2112

4T 12,660

11-27-84

Randy L. Stroud, P.E.
135 West Locust St.
Angleton, Texas 77515

STATE OF TEXAS
RANDY L. STROUD
2112
REGISTERED PUBLIC SURVEYOR

EXHIBIT "A"

PLAN FOR PROVIDING CITY SERVICES TO ANNEXED TERRITORY

BE IT KNOWN that the following document, shall constitute a plan for providing all city services unto all of those residents of that certain area, more particularly described by legal description in Exhibit "A" attached hereto and incorporated herein by reference for all purposes, wherein the City of Danbury, pursuant to a duly filed Petition for Annexation shall annex the said property and shall thereafter be required to provide to the said area the same city services to the said annexed territory as may be available to all other citizens and areas of the City of Danbury. It is specifically provided herein that this plan shall, under no circumstances, provide fewer services or a lower level of services in the area to be annexed than were in existence in that area at the time immediately preceding the annexation thereof, and it is further provided that the City Secretary shall make such plan available for inspection and explanation to any inhabitants of the area to be annexed at public hearing or hearings, and that the said plan shall be affixed to and attached to the ordinance annexing such area.

In furtherance of the above stated objectives and in compliance with appropriate statutes governing the annexation of property within extraterritorial jurisdiction of a municipality, it is specifically provided as follows, to-wit:

1. The City of Danbury shall provide police protection to all inhabitants and property owners in the area to be annexed which shall be equivalent to that level of protection provided to all other inhabitants and territory now constituting the City of Danbury, Texas. It is specifically pro-

vided that the said level of police protection, including surveillance, patrols, investigation and response to requests for assistance shall be at a level no lower than the level of said police protection and services in the area to be annexed than were in existence at the time and in that area immediately preceding the annexation thereof.

2. The City of Danbury shall provide to all inhabitants and property owners within the area to be annexed water and sewer facilities and services equivalent to those provided to all other inhabitants and to all other areas located within the City of Danbury, at the same rate heretofore established for such services for all other inhabitants and areas of the City of Danbury. It is further expressly provided that the level of water and sewer services provided by the municipal utility department shall in no event be lower, or fewer than, the level of services in the area to be annexed than were in existence in that area at the time immediately preceding the annexation thereof.

3. This plan specifically provides that the City of Danbury shall provide refuge and trash collection services equivalent to those provided inhabitants and all other areas of the City of Danbury. It is expressly herein provided that the level of such services shall in no event be less than those available to other inhabitants and other territorial areas of the City of Danbury and shall in no event be less than the level of services in the area to be annexed than were in existence in that area at the time immediately preceding the annexation thereof.

The City of Danbury certifies that all affected departments of the City shall further be notified of the existence of this plan and shall be re-

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Said tract therein containing 3.00 Acres of Land.

Certified Correct: Randy L. Stroud

Randy L. Stroud, Registered Public Surveyor, License #2112

4T 12,660

11-27-84

Randy L. Stroud, P.E.
135 West Locust St.
Angleton, Texas 77515

STATE OF TEXAS
RANDY L. STROUD
2112
REGISTERED PUBLIC SURVEYOR

EXHIBIT "A"

City of Danbury

DANBURY, TEXAS 77534

January 15, 1988

Comptroller of Public Accounts
Revenue Accounting Division
P. O. Box 13528
Austin, Texas 78711

Re: Annexation Ordinance

Gentlemen:

The City of Danbury has made an annexation to the City recently, as indicated in Ordinance 87-10, which is enclosed.

If you have any questions, please contact me.

Sincerely,

Debby Warner

Debby Warner
City Secretary

dw
encl.

THE STATE OF TEXAS

COUNTY OF BRAZORIA

I, Debby Warner, do hereby certify that I am the duly qualified and appointed City Secretary of the City of Danbury, Texas: and I do further certify that the foregoing pages constitute a true and correct copy of Ordinance Number 87-10, Annexation Ordinance, duly passed and adopted by Danbury City Council at its meeting of December 29, 1987, at 7:00 o'clock P. M.

To certify which, witness my hand and seal of the City of Danbury, Texas, this 15th day of January, 1988.

Debby Warner

Debby Warner, City Secretary
City of Danbury, Texas

I hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 87-10 passed by the City Council of the City of Danbury on the 29th day of December, 1987.

Witness my hand and seal of office this 10th day of September, 2003.

Sandra Bush acting City Secretary

Sandra Bush, Acting City Secretary

Doc# 2004016086
Pages 10
03/22/2004 09:45:53 AM
Filed & Recorded in
Official Records of
BRAZORIA COUNTY
JOYCE HUDMAN
COUNTY CLERK
Fees $32.00

THE STATE OF TEXAS §

COUNTY OF BRAZORIA §

CITY OF DANBURY §

PETITION FOR ANNEXATION

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF DANBURY, TEXAS:

We, the undersigned, do hereby swear and certify to the City Council and Mayor of the City of Danbury, Texas, that a majority of the inhabitants qualified to vote for members of the State Legislature in the territory described in the document attached as Exhibit "A" hereto and which is incorporated herein by reference, have voted in favor of becoming a part of the City of Danbury, Texas, and request that the City Council of said city annex said territory. Said territory is adjacent and contiguous to the corporate limits of said city and said territory is less than one-half mile in width. Said vote is evidenced by the Petition for Annexed signed by 41 inhabitants of said territory, which are in fact a majority of the inhabitants of said territory.

Respectfully submitted,

x Leah M. Dandefer

SIGNED AND SWORN TO BEFORE ME this the 23 day of November, 1987.

Aileene Williams
Notary Public In and For
the State of Texas
Name Printed: Aileene Williams
Commission Expires: 12-30-89

x Mary L. Schenck

SIGNED AND SWORN TO BEFORE ME this the 23 day of November, 1987.

Aileene Williams
Notary Public In and For
the State of Texas
Name Printed: Aileene Williams
Commission Expires: 12-30-89

x Azella Kapner

SIGNED AND SWORN TO BEFORE ME this the 23 day of November, 1987.

Aileene Williams
Notary Public In and for
the State of Texas
Name Printed: Aileene Williams
Commission Expires: 12-30-89

The following voters, constituting a majority of voters qualified to vote for members of the State Legislature, petition for annexation as referenced above:

Leah M. Sandefer	Maria M. Pina
Mary Schenck	Calvin Wofford
~~Henry A. Schenck~~	Dee Dee Hairston
Azella Kapner	Bobby Vasquez
Pat Rucker	Tami Wofford
Patty Dukes	[illegible]
[illegible]	[illegible]
[illegible]	Anita Lucey
Cheryl Keith	Jennifer Sandoval
Steve Keith	Rosel R. Carmelo
[illegible]	Doug Self
[illegible]	Michael Springer
[illegible] Williams	Oscar Mayberry Jr.
Bettye [illegible]	Jeannette Mayberry
Lola King	Curtis Blaylock
Marie Allen	Antoinette Blaylock
Johnny Allen	Sheila Thomasson
[illegible]	Al Burgess
[illegible] O'Donnell	Helen Batsby
Marilyn Mata	
Kelly O'Donnell	
Jeanette McDonald	

85222 790

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Certified Correct: Randy L. Stroud

Randy L. Stroud, Registered Public Surveyor, License #2112

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Angleton, Texas 77515

STATE OF TEXAS
RANDY L STROUD
2112
REGISTERED PUBLIC SURVEYOR

EXHIBIT "A"

FILED this 24th day of November, 1987, at 5:00 o'clock P .M.

Richard Tullos

RICHARD TULLOS, MAYOR
CITY OF DANBURY, TEXAS

CERTIFICATION

The undersigned, being the Mayor of the City of Danbury, Texas, hereby certifies to the City Council of said city, in accordance with Arrticle 974, Revised Civil Statutes of Texs, that on the 24th day of November, 1987, I received the attached Petition for Annexation from the inhabitants of the area described therein who have voted in favor of annexation; that I have examined said Petition; that I find it to be in good and proper form; that I recommend annexation of such territory by the City Council.

SIGNED this 24th day of November, 1987.

Richard D Tullos

RICHARD TULLOS, MAYOR
CITY OF DANBURY, TEXAS