

**ORDINANCE NO. 2021-36**

AN ORDINANCE OF THE CITY OF IOWA COLONY, TEXAS, CONTAINING FINDINGS OF FACT; ANNEXING A PORTION OF CEDAR RAPIDS PARKWAY (COUNTY ROAD 57) AND A PORTION OF AMES BOULEVARD (COUNTY ROAD 48), AS MORE FULLY DESCRIBED HEREIN; ADOPTING A SERVICE AGREEMENT, AND PROVIDING A SEVERANCE CLAUSE AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS, DULY ASSEMBLED:

1. The City Council of the City of Iowa Colony, Texas ("the City") hereby finds that all statements in any part of this ordinance are true.
2. This annexation is authorized by Section 43.1055 of the Texas Local Government Code and all other applicable law.
3. Brazoria County is the owner of the rights of way annexed by this ordinance, and Brazoria County has requested this annexation.
4. This entire ordinance is in the public interest.
5. This ordinance causes an area to be completely surrounded by the City but does not include that area within the City, and the City Council finds that surrounding that area is in the public interest, for several reasons:
 - (a) this annexation expands the contiguous area of the City along the roads, for clarity and uniformity of jurisdiction over traffic offenses, 911 emergency calls, and other laws;
 - (b) this annexation expands the contiguous area of the City toward additional territory that the owners wish to have annexed into the City;
 - (c) the owners of the area to be surrounded have not petitioned the City to annex it;
 - (d) the area to be surrounded is already in the extraterritorial jurisdiction of the City of Iowa Colony, so it already is ineligible for annexation by any other city, with or without this annexation; and
 - (e) other good and sufficient reasons.
6. The procedures and requirements of the Texas Local Government Code and any other applicable law have been duly followed and satisfied concerning this annexation.
7. The property (herein called "the Annexed Area") described on Exhibit "A," which is attached hereto and incorporated herein in full, is hereby annexed into the City of Iowa Colony, Texas, and the boundary limits of the City of Iowa Colony are hereby extended to include the Annexed Area within the territorial limits of the City of Iowa Colony. The inhabitants of the

Annexed Area shall hereafter be entitled to all the rights and privileges of citizens of the City of Iowa Colony and shall be bound by the acts, ordinances, resolutions, and regulations of that City.

8. The City of Iowa Colony hereby adopts and enacts the Municipal Service Plan attached hereto as Exhibit "B" and incorporated herein in full.

9. The City Secretary is hereby directed to file a certified copy of this ordinance with the Brazoria County Clerk and the Texas Comptroller of Public Accounts.

10. If any portion of this ordinance, of whatever size, is ever held to be invalid for any reason, the remainder of this ordinance shall remain in full force and effect. Without limiting the generality of the foregoing, if this annexation is ever held invalid as to any portion, of whatever size, of the territory described on Exhibit "A" hereto, then this annexation shall remain valid as to the remainder of such territory.

11. This ordinance shall be effective immediately upon its passage and approval. The Home Rule Charter of the City requires only one reading of this ordinance, because state law required public hearings before the passage of this ordinance.

READ, PASSED AND APPROVED on the 20th day of December, 2021.

CITY OF IOWA COLONY, TEXAS

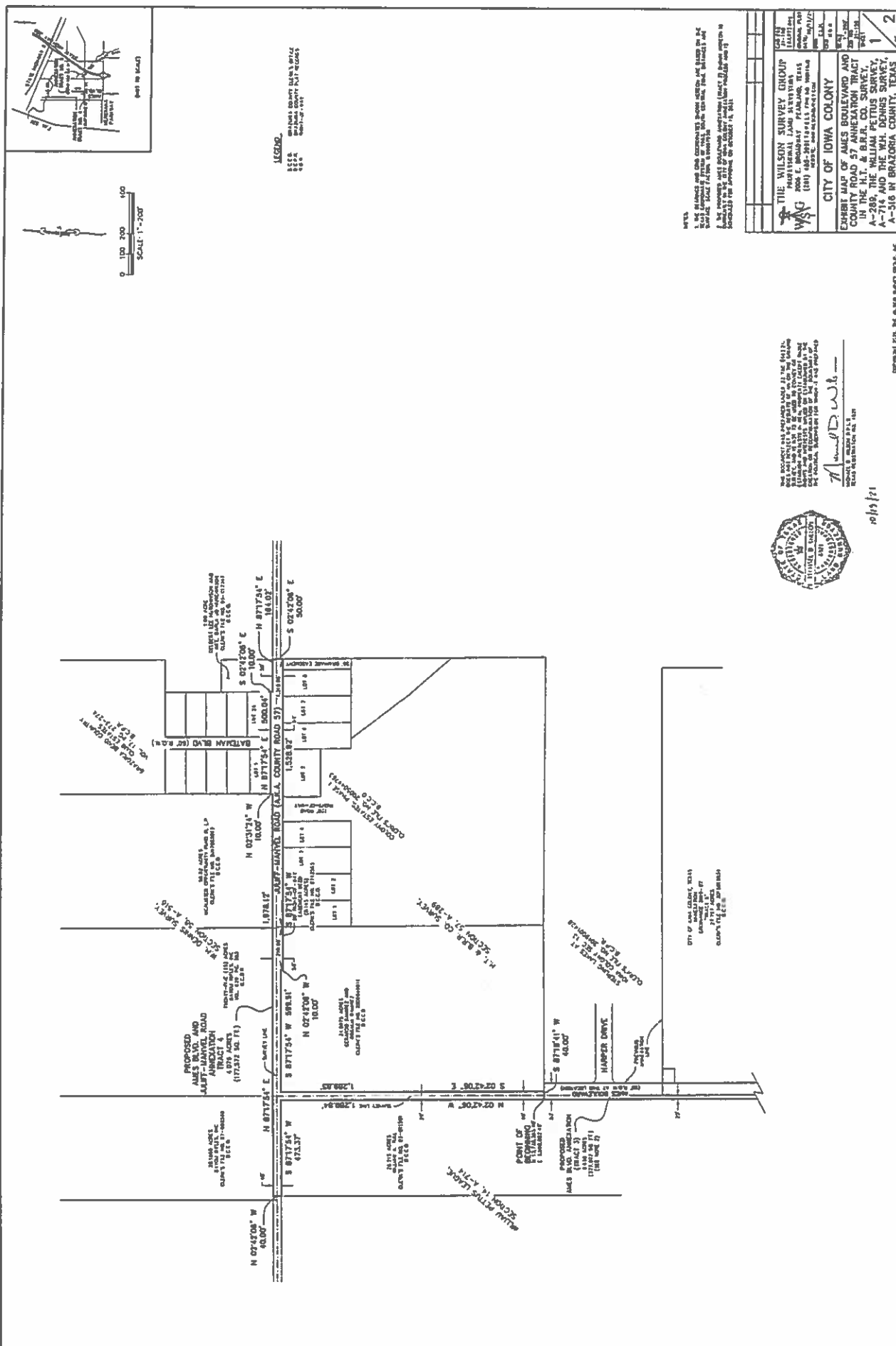
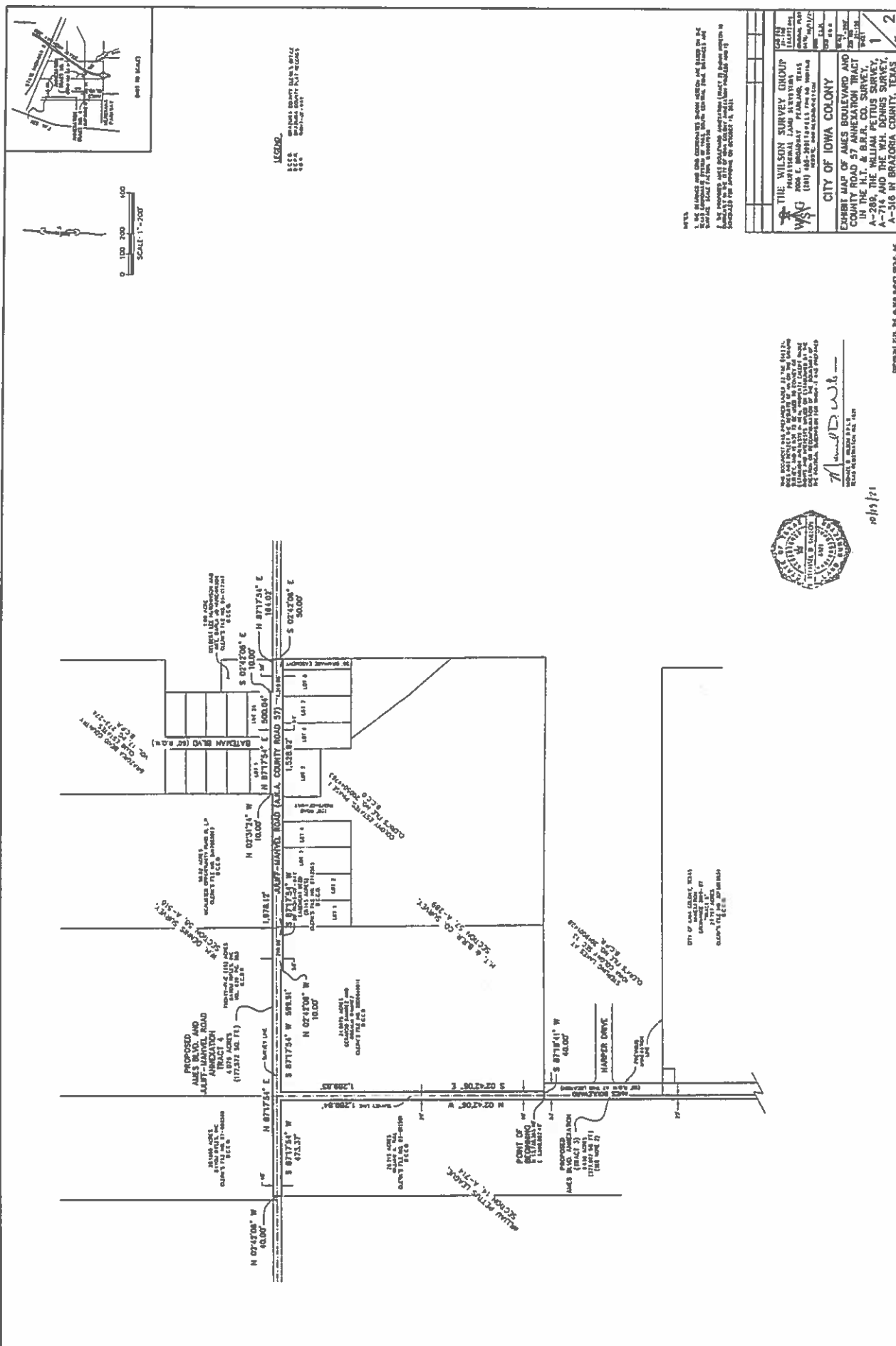
By: 
MICHAEL BYRUM-BRATSEN,
MAYOR

ATTEST:


KAYLEEN ROSSER, CITY SECRETARY



**EXHIBIT “A”
ANNEXED AREA**



City of Iowa Colony
4.076 Acres

H.T. & B.R.R. Co. Survey, Section 57, A-289,
William Pettus League, A-714 &
W.H. Dennis Survey, Section 58, A-516

**ANNEXATION TRACT 4
EXTENSION OF 40-FOOT WIDE R.O.W. (AMES BLVD.)
AND JULIFF-MANVEL ROAD (C.R. 57)**

STATE OF TEXAS §

COUNTY OF BRAZORIA §

METES AND BOUNDS DESCRIPTION of a 4.076-acre tract in the H.T. & B.R.R. Co. Survey, Section 57, Abstract No. 289, the William Pettus League, Abstract No. 714 and the W. H. Dennis Survey, Section 58, Abstract No. 516 in Brazoria County, Texas. Said 4.076-acre tract is a portion of a 40-foot wide road right-of-way as dedicated on the Emigration Land Company plat as recorded in Volume 2, Page 113 in the Brazoria County Plat Records and a portion of Juliff-Manvel Road (a.k.a. County Road 57) and is more particularly described as follows:

BEGINNING at a point in the west right-of-way line of Ames Boulevard (based on a width of 80-feet), said point is the northwest corner of a proposed 8.656-acre Ames Boulevard Annexation Tract No. 3 and is in the west line of said 40-foot wide road right-of-way. Said point has a Texas State Plane grid coordinate of N 13,728,365.40', E 3,098,022.48';

THENCE, North 02°42'06" West, 20-feet west of and parallel to the common survey line between said H.T. & B.R.R. Co. Survey and said William Pettus League and along the west line of said 40-foot wide road right-of-way for a distance of 1,289.84 feet to a point in the south line of said Juliff-Manvel Road (based on a width of 40-feet at this location);

THENCE, South 87°17'54" West, along the south line of said Juliff-Manvel Road (40-feet wide at this location) for a distance of 473.37 feet to a point in the west line of a 28.215-acre tract of land described in a deed to William A. Tull as recorded in Clerk's File No. 03-011501 in the Brazoria County Clerk's Office;

THENCE, North 02°42'06" West, along the projected west line of said 28.215-acre tract for a distance of 40.00 feet to a point in the north line of said Juliff-Manvel Road (40-feet wide at this location);

THENCE, North 87°17'54" East, along the north line of said Juliff-Manvel Road (40-feet wide at this location) for a distance of 1,978.12 feet to a point in the west line of Brazoria Bend Country Club Estates as recorded in Volume 17, Page 273-274 in the Brazoria County Plat Records;

THENCE, North 02°31'24" West, along the west line of said Brazoria Bend Country Club Estates for a distance of 10.00 feet to a point in the north line of said Juliff-Manvel Road (60-feet wide at this location);

THENCE, North 87°17'54" East, along the north line of said Juliff-Manvel Road (60-feet wide at this location) for a distance of 500.04 feet to a point in the east line of said Brazoria Bend Country Club Estates;

THENCE, South 02°42'06" East, along the east line of said Brazoria Bend Country Club Estates for a distance of 10.00 feet to a point in the north line of said Juliff-Manvel Road (50-feet wide at this location);

THENCE, North 87°17'54" East, along the north line of said Juliff-Manvel Road (50-feet wide at this location) for a distance of 164.02 feet to a point for corner, said point is in the projected east line of Colony Estates, Phase I as recorded in Clerk's File No. 2005044763 in the Brazoria County Clerk's Office;

THENCE, South 02°42'06" East, for a distance of 50.00 feet to a point in the east line of said Colony Estates, Phase I, said point is in the south line of said Juliff-Manvel Road (50-feet wide at this location);

THENCE, South 87°17'54" West, along the south line of said Juliff-Manvel Road, as dedicated by said Colony Estates, Phase I, at a distance of 1,318.06 feet pass the west line of said Colony Estates, Phase I, said point is the southeast corner of a 0.145-acre right-of-way easement tract dedicated in Clerk's File No. 8742565 in the Brazoria County Clerk's Office, and continue for a total distance of 1,528.92 feet to the southwest corner of said 0.145-acre tract;

THENCE, North 02°42'06" West, along the west line of said 0.145-acre tract for a distance of 10.00 feet to a point in the south line of said Juliff-Manvel Road (40-feet wide at this location);

THENCE, South 87°17'54" West, along the south line of said Juliff-Manvel Road (40-feet wide at this location) for a distance of 599.91 feet to a point in the east line of the aforementioned 40-foot wide road right-of-way;

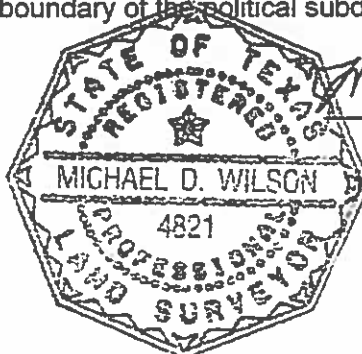
THENCE, South 02°42'06" East, along the east line of said 40-foot wide road right-of-way for a distance of 1,289.85 feet to a point in the north line of the aforementioned Ames Boulevard (80-feet wide at this location), said point is in the north line of the aforementioned proposed 8.656-acre Ames Boulevard Annexation Tract No. 3;

THENCE, South 87°18'41" West, along the north line of the aforementioned proposed 8.656-acre Ames Boulevard Annexation Tract No. 3 for a distance of 40.00 feet to the POINT OF BEGINNING, containing a computed area of 4.076-acres (177,572 square feet).

NOTE:

1. The bearings, distances and grid coordinate shown hereon are based on the Texas Coordinate System of 1983, South Central Zone. Distances are surface. Scale factor: 0.99987.
2. A separate Boundary Map has been prepared in connection with this metes and bounds description.
3. 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.

The Wilson Survey Group, Inc.
2006 East Broadway, Suite 103
Pearland, Texas 77581
281-485-3991
T.B.P.E.L.S. Firm No. 10014900
Job No. 21-150



Michael D. Wilson
Michael D. Wilson, R.P.L.S.
Registration No 4821
10/13/21

**EXHIBIT “B”
SERVICE PLAN**

CITY OF IOWA COLONY
MUNICIPAL SERVICE PLAN
(For Proposed Annexation of Part of Cedar Rapids Parkway and
N. Segment of Ames Boulevard – 2021)
October 28, 2021

GENERAL

The annexation area as defined herein consists of portions of the rights of way of Cedar Rapids Parkway (County Road 57) and Ames Boulevard (County Road 48), which greatly limits the amounts and types of public services required.

The area proposed for annexation (“the annexation area,” or “the area”), is shown on the attached property descriptions and map, which are incorporated herein in full. The annexation area is generally described as a segment of the right of way of County Road 57 (Cedar Rapids Parkway) from a point approximately 473.37 feet west of the west side of the intersection of County Road 57 with County Road 48 (Ames Boulevard), then eastward along County Road 57 approximately 2,642.2 feet; and a segment of the right of way of County Road 48 from the south side of its intersection with County Road 57, then southward along County Road 48 approximately 1,289.85 feet to the existing Iowa Colony limits.

POLICE

Currently, the area is under the jurisdiction of the Brazoria County Sheriff’s Office. However, upon annexation, the City Police Department, supplemented by the Brazoria County Sheriff’s Office, will provide police services to the area.

FIRE

Fire suppression will be available to the area upon annexation. Primary fire response will be provided by the Iowa Colony Volunteer Fire Department. Fire services will also be provided by the Brazoria County Emergency Services District No. 3.

EMS

Emergency medical services will be available to the area upon annexation. Emergency medical services will be provided by Brazoria County Emergency Services District No. 3 and by the Iowa Colony Volunteer Fire Department.

BUILDING INSPECTION and CODE ENFORCEMENT

The Iowa Colony Building Official and Code Enforcement Officer will provide code enforcement services upon annexation. This includes issuing building, electrical, plumbing, and

other permits and providing inspection services for any new construction and remodeling and enforcing all other applicable codes that regulate building construction within the City.

The City will also provide various code enforcement services. These include zoning enforcement, animal control, subdivision regulation enforcement, and junk vehicle compliance, among other codes and ordinances the City has adopted.

PLANNING AND ZONING

The City's authority to regulate development and land use through the administration of the City's Zoning Ordinance will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City's Subdivision Ordinance.

CODE ENFORCEMENT

The City's Code Enforcement Officer will implement the enforcement of the City's ordinances and regulations in the annexed area on the effective date of the annexation.

STREETS

The annexation area is the right of way of roadways that already exist, although future expansions are expected. To the extent that improvements become necessary, either the City or a developer will provide them. City street improvements will be inspected by the City Engineer for compliance with the Design Criteria Manual. Maintenance of the publicly dedicated street facilities will be provided by the City upon the effective date of the annexation, subject to any obligation of the subdivider or other persons concerning streets.

STORM WATER MANAGEMENT

Developers will provide storm water drainage at their own expense, and such facilities will be inspected by the City Engineer at time of completion. The City will then maintain the public drainage systems following city approval and acceptance. Responsibility for any storm water drainage facilities not covered as provided above will be allocated the same as for street construction and maintenance, as herein provided.

STREET LIGHTING

Responsibility for street lighting will be allocated the same as for storm water management.

WATER SERVICE

If water service becomes necessary, a municipal utility district or the City will provide water service to the area in accordance with the applicable codes and City policy.

SANITARY SEWER SERVICE

The annexation area is unlikely to need sanitary sewer service, since it consists of roadway rights of way. If sanitary sewer service becomes necessary, the City or a municipal utility district will provide that service to the area in accordance with the applicable codes and City policy.

SOLID WASTE SERVICES

Solid Waste Collection shall be provided to the area by private contractors. Service shall comply with any City policies, beginning with occupancy of structures.

PARKS, PLAYGROUNDS, AND SWIMMING POOLS

Since the annexation area consists of road rights of way, no parks, playgrounds, or swimming pools are expected.

CAPITAL IMPROVEMENTS

To the extent that capital improvements become necessary, either the City or a developer will provide them, within any time limits provided by law.

MISCELLANEOUS

Any other applicable municipal services will be provided to the area in accordance with the City's established policies governing extension of municipal services to newly annexed areas.

SUBJECT TO CONTRACTS

The City has various agreements with developers, one or more municipal utility districts, and/or other governmental entities concerning the development of the area proposed for annexation, and other matters intended to optimize the land use, tax base, and/or efficient and economical provision of services in the area. This Service Plan is subject to the terms of any of those arrangements and does not waive or impair any of those terms.



CITY OF IOWA COLONY

12003 Iowa Colony Blvd.
Iowa Colony Tx. 77583
Phone: 281-369-2471
Fax: 281-369-0005
www.iowacolonytx.gov


CERTIFICATION

STATE OF TEXAS
COUNTY OF BRAZORIA
CITY OF IOWA COLONY

I, Kayleen Rosser, City Secretary of the City of Iowa Colony, Texas being the person charged with the care, custody, and control of the records, do hereby certify that the foregoing is a true, correct, and complete copy of Ordinance No. 2021-36 approved by the City Council on the 20th day of December, 2021, in the City of Iowa Colony, Texas, and I further certify that the same has not been repealed, amended, altered, or changed in any way since its enactment.

IN TESTIMONY WHEREOF witness my hand and the seal of the City of Iowa Colony, Texas, on the 21st day of December, 2021.





KAYLEEN ROSSER, CITY SECRETARY
CITY OF IOWA COLONY

FILED and RECORDED

Instrument Number: 2021083574

Filing and Recording Date: 12/21/2021 11:30:50 AM Pages: 12 Recording Fee: \$66.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Brazoria County, Texas.



A handwritten signature in cursive script that reads "Joyce Hudman".

Joyce Hudman, County Clerk
Brazoria County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT DESTROY - Warning, this document is part of the Official Public Record.

cclerk-clare