ORDINANCE NO. 2023-05

AN ORDINANCE OF THE CITY OF IOWA COLONY, TEXAS ASSIGNING NEWLY ANNEXED AREAS TO CITY COUNCIL DISTRICTS, WITH RELATED PROVISIONS.

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

- 1. The term "Annexed Areas" herein means all areas annexed into the City of Iowa Colony for full or limited purposes before the enactment of this Ordinance but after April 26, 2022, which is the date the City Boundaries Commission passed a Resolution establishing the original boundaries of Iowa Colony City Council Districts A, B, and C. For convenience and without limiting the foregoing, a list and further descriptions of areas included in the Annexed Areas are attached and incorporated herein in full.
- 2. The City Council of the City of Iowa Colony, Texas ("the City") hereby finds that the following facts are true:
 - a. Section 3.01(c) of the Home Rule Charter ("the Charter") of the City of Iowa Colony, Texas provides for three of the seven City Council members to be elected from single-member districts designated as Districts A, B, and C.
 - b. Section 3.01(f)(2)(iv) of the Charter states:

"Promptly following the addition of territory to the city by a boundary change, the City Council shall by ordinance add that territory to an adjacent district or districts."

- c. Accordingly, this Ordinance adds newly annexed territory to an adjacent Council District and does not otherwise change any Council Districts.
- d. The Annexed Areas, as herein defined, are adjacent to only Council District C, so this Ordinance adds the Annexed Areas only to Council District C.
- e. The district boundaries adopted by this Ordinance are based upon census blocks from the United States Census of 2020 and the boundaries of the newly Annexed Areas herein defined.
- f. The district boundaries adopted by this Ordinance are as compact as reasonably practicable.
- g. The district boundaries established by this Ordinance are as equal as reasonably practicable in total population and voting age population.
- h. The district boundaries established by this Ordinance neither concentrate nor fracture populations of any racial, ethnic, language, or other demographic group in violation of Section 2 of the Voting Rights Act of 1965.
- i. This Ordinance has been read and passed at two meetings of the City Council, each held after 72 hours of notice and open to the public, in compliance with all requirements of the Texas Open Meetings Act.
- j. A quorum of the members of the City Council was present in person throughout those meetings.

- k. Upon a motion and second duly made, this Ordinance was passed by the members of the City Council present at each of those meetings.
- 1. Those meetings and the passage of this Ordinance complied with all requirements of applicable law.
- 3. The Annexed Areas are adjacent to only Council District C. The City Council hereby adds the Annexed Areas to Council District C.
- 4. The district boundaries hereby established shall be effective for the municipal election(s) of May 2023, and thereafter until lawfully changed.

READ, PASSED, and APPROVED on the FIRST READING on JANUARY 23, 2023.

READ, PASSED, APPROVED, and ADOPTED on the SECOND and FINAL READING ON FEBRUARY 27, 2023.

CITY OF IOWA COLONY, TEXAS

By: _______ MICHAEL BYRUM-BRATSEN, MAYOR

ATTEST:

KAYLEEN ROSSER, CITY SECRETARY



EXHIBIT "A" ANNEXED AREAS

The Annexed Areas added to Council District C by the foregoing ordinance include all areas annexed into the City of Iowa Colony by the following ordinances:

Ord. Nos. 2022-06 and 2022-16, generally concerning Brazoria County Municipal Utility District No. 87 and D.R. Horton Development; and

Ord. No. 2022-17, generally concerning the Amber Ferrell-Steele tract.

Descriptions of the Annexed Areas in those ordinances are attached hereto and incorporated herein in full.

DESCRIPTION OF CITY OF IOWA COLONY ANNEXATION AREA - MUD 87

EXHIBIT "A"

Exhibit ____ Page 1 of 4 Pages

County: Brazoria
Project: Sharp Tract
Job No. 212102
MBS No. 21-386

FIELD NOTES FOR 559.563 ACRES

Being a tract containing 559.563 acres of land, located in the H.T. & B.R.R. Company Survey, Lot 68, Abstract Number 561, H.T. & B.R.R. Company Survey, Lot 58, Abstract Number 516, William Hall Survey, Abstract Number 713 and the William Pettus Survey, Abstract Number 714 in Brazoria County, Texas; said 559.563 acre tract being a portion of a tract conveyed to AA Sharp Investments, LTD. in File Number 2007068904 of the Official Public Records of Brazoria County (O.P.R.B.C.), a call 81.19 acre tract recorded in the name of Julip Holdings, LLC in File Number 2014025313 of the O.P.R.B.C. and a portion of a call 44.995 acre tract recorded in the name of 258 Colony Investments, LTD. in File Number 2021080026 of the Official Records of Fort Bend County (O.R.F.B.C.); said 559.563 acre tract being more particularly described by two (2) metes and bounds as follows (bearings being based on the Texas Coordinate System, South Central Zone, NAD 83, as derived from GPS observations):

TRACT I: 173.218 ACRES

Beginning at the northwesterly corner of a call 20.00 acre tract recorded in the name of Area Storage and Business Park, Inc. in File Number 2006058190 of the O.P.R.B.C. and being on the southerly line of aforesaid 44.995 acre tract:

Thence, with the westerly line of said 20.00 acre tract, South 03 degrees 01 minute 57 seconds East, a distance of 2391.00 feet to the centerline of County Road 57 (Juliff-Manvel Road) and being on the southerly line of Lot 52 and the northerly line of Lot 53, Emigration Land Company Subdivision, a subdivision recorded in Volume 3 Page 128 of the Brazoria County Plat Records (B.C.P.R.);

Thence, with the centerline of said County Road 57, North 86 degrees 59 minutes 33 seconds East, a distance of 1277.55 feet to the northwesterly corner of a call 28.215 acre tract recorded in the name of William A. Tull in File Number 03-011501 of the O.P.R.B.C.;

Thence, with the westerly line of said 28.215 acre tract, South 03 degrees 26 minutes 30 seconds East, a distance of 2490.04 feet;

Thence, through and across Lot 57 and Lot 54, said Emigration Land Company Subdivision, South 86 degrees 54 minutes 36 seconds West, a distance of 2167.29 feet to the easterly line of a call 47.27 acre tract recorded in the name of Jose Martinez, Ramon Martinez and Juvencio Martinez in File Number 94-029430 of the O.R.F.B.C.;

Thence, with said easterly line, North 02 degrees 50 minutes 48 seconds West, a distance of 2493.09 feet to the aforesaid centerline of County Road 57;

Thence, with said centerline, South 86 degrees 59 minutes 33 seconds West, a distance of 128.47 feet;

Thence, through and across Lot 50, said Emigration Land Company Subdivision, aforesaid Lot 52 and aforesaid 44.995 acre tract, North 12 degrees 23 minutes 09 seconds East, a distance of 4132.41 feet to the northerly line of said 44.995 acre tract.

Exhibit ____ Page 2 of 4 Pages

Thence, with said northerly line, North 86 degrees 55 minutes 29 seconds East, a distance of 152.40 feet to the northwesterly corner of a call 30.000 acre tract recorded in the name of Juan R. and Rebecca Garza in File Number 9876103 of the O.R.F.B.C.;

Thence, with the westerly line of said 30.000 acre tract, South 03 degrees 03 minutes 21 seconds East, a distance of 1593.34 feet to the southwesterly corner of said 30.000 acre tract and the southeasterly corner of aforesaid 44.995 acre tract:

Thence, with the southerly line of said 44.995 acre tract and the northerly line of aforesaid 20.00 acre tract, South 86 degrees 59 minutes 33 seconds West, a distance of 259.37 feet to the **Point of Beginning** and containing 173.218 acres of land.

TRACT II: 386.345 ACRES

Beginning at the northeasterly corner of a call 25.0207 acre tract styled as Tract I and recorded in the name of Bayou Rifles, Inc. in File Number 00-028088 of the O.P.R.B.C., the northwesterly corner of a call 58.82 acre tract recorded in the names of McAlister Opportunity Fund 2014, L.P. and McAlister Opportunity Fund III, L.P. in File Number 2017055969 of the O.P.R.B.C.

Thence, with a line previously recognized as the easterly line of a patent filed in the name of A.B. Langermann (cancelled via the Texas Court of Civil Appeals in Giraud, et al versus Huffman, 46 SW(2d), page 367), North 02 degrees 55 minutes 29 seconds West, a distance of 3778.29 feet;

Thence, through and across aforesaid AA Sharp Investments, LTD, tract, the following seven (7) courses:

- 1) North 79 degrees 48 minutes 25 seconds East, a distance of 137.71 feet;
- 2) North 73 degrees 46 minutes 28 seconds East, a distance of 253.03 feet;
- 3) North 24 degrees 18 minutes 27 seconds East, a distance of 307.17 feet;
- 4) North 04 degrees 23 minutes 35 seconds East, a distance of 349.88 feet;
- 5) North 21 degrees 17 minutes 16 seconds West, a distance of 178.00 feet;
- 6) North 16 degrees 42 minutes 03 seconds West, a distance of 499.70 feet;
- South 88 degrees 38 minutes 11 seconds West, a distance of 55.76 feet to the easterly line of a call 10.77 acre tract styled as Tract IV and recorded in the name of Baker Process, Inc. in File Number 2010007796 of the O.P.R.B.C.;

Thence, with said easterly line, North 02 degrees 54 minutes 49 seconds West, a distance of 183.38 feet to the northeasterly corner of said 10.77 acre tract;

Thence, with the northerly line of said 10.77 acre tract and the northerly line of a call 1.320 acre tract styled as Tract V and recorded in the name of Baker Process, Inc. in File Number 2010007798 of the O.P.R.B.C., South 87 degrees 05 minutes 31 seconds West, a distance of 520.84 feet to the southeasterly corner of a call 15.987 acre tract recorded in the name of 258 Colony Investments, LLC in File Number 2019127945 of the O.R.F.B.C.;

Exhibit Page 3 of 4 Pages

Thence, with the easterly line of said 15.987 acre tract North 03 degrees 03 minutes 55 seconds West, a distance of 1208.76 feet to the northeasterly corner of said 15.987 acre tract and being on the southerly line of a call 26 acre tract recorded in the name of Jean W. Payne Trust in File Number 1997040600 of the O.P.R.B.C.;

Thence, with said southerly line and the southerly line of a call 80 acre tract recorded in the name of John Price in Volume 287, Page 11 of the O.P.R.B.C., North 86 degrees 49 minutes 06 seconds East, a distance of 2831.42 feet to the westerly line of a call 57.471 acre tract recorded in the name of Maryfield, LTD. in File Number 2005018713 of the O.P.R.B.C.:

Thence, with said westerly line, the westerly line of an unidentified tract, the westerly line of a call 60.001 acre tract recorded in the name Michael J. Gentry in File Number 20200011282 of the O.P.R.B.C. and the westerly line of a call 127.270 acre tract recorded in the name of McAlister Opportunity Fund 2014, L.P. and McAlister Opportunity Fund III, L.P. in File Number 2018009437 of the O.P.R.B.C., South 02 degrees 54 minutes 25 seconds East, a distance of 2596.48 feet the northeasterly corner of a call 40 acre tract recorded in the name of E.R.M. Holdings, Inc. in File Number 2015023601 of the O.P.R.B.C.;

Thence, with the northerly line of said 40 acre tract, South 87 degrees 13 minutes 46 seconds West, a distance of 1316.96 feet to the northwesterly corner of said 40 acre tract;

Thence, with the westerly line of said 40 acre tract, South 02 degrees 46 minutes 33 seconds East, a distance of 1345.09 feet to the center of County Road 81 and being the northwesterly corner of a call 10.00 acre tract recorded in the name of Christy Ngo in File Number 2020011424 of the O.P.R.B.C.;

Thence, with the westerly line of said 10.00 acre tract and the westerly line of a call 29.88 acre tract recorded in the name of Dominic Joseph Magnabosco in File Number 2020035285 of the O.P.R.B.C., South 03 degrees 10 minutes 06 seconds East, a distance of 1320.01 feet to the southwesterly corner of said 29.88 acre tract;

Thence, with the southerly line of said 29.88 acre tract, North 86 degrees 48 minutes 25 seconds East, a distance of 1312.83 feet to the westerly line of a call 1101.117 acre tract recorded in the name of lowa Colony Sterling Lakes, LTD. in File Number 03-075438 of the O.P.R.B.C.;

Thence, with said westerly line, South 02 degrees 51 minutes 05 seconds East, a distance of 3935.41 feet to the southeasterly corner of aforesaid 81.19 acre tract and being the middle of County Road 57 (Juliff Manvel Road);

Thence with the southerly line of said 81.19 acre tract, South 87 degrees 21 minutes 05 seconds West, a distance of 1320.48 feet to the southwesterly corner of said 81.19 acre tract;

Thence, with the westerly line of said 81.19 acre tract, the easterly lines of a call 1.00 acre tract styled as Tract 1 and call 1.00 acre tract styled as Tract 2, both recorded in the name of Delbert Lee Hutchinson in File Number 95-017047 of the O.P.R.B.C., and the easterly line of Brazoria Bend Country Club Estates, a subdivision recorded in Volume 17, Pages 273 and 274 of the Brazoria County Plat Records (B.C.P.R.), North 02 degrees 47 minutes 53 seconds West, a distance of 1319.36 feet to the northeasterly corner of said Brazoria Bend Country Club Estates;

Thence, with the northerly line of said Brazoria Bend Country Club Estates, South 87 degrees 34 minutes 02 seconds West, a distance of 41.50 feet to the southeasterly corner of aforesaid 58.82 acre tract;

Exhibit _____ Page 4 of 4 Pages

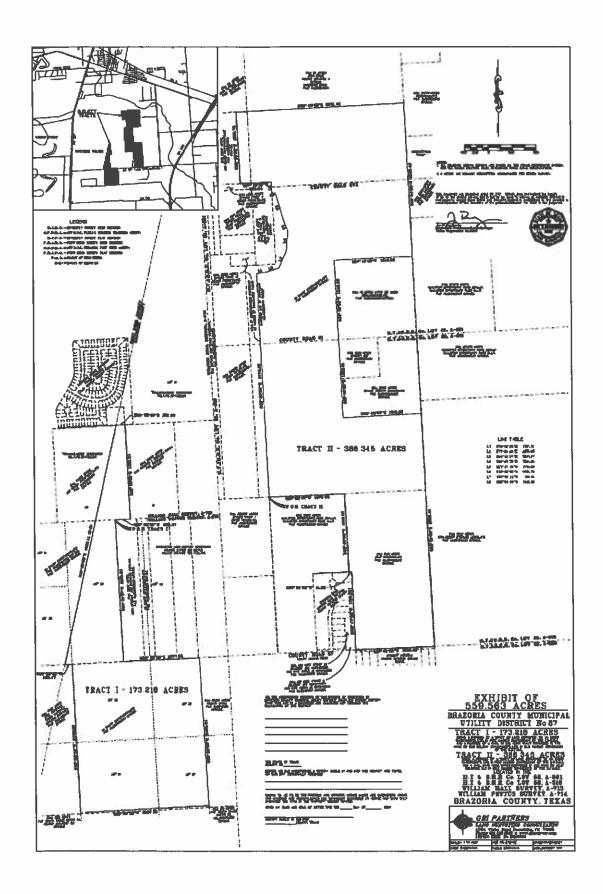
Thence, with the easterly line of said 58.82 acre tract, North 02 degrees 50 minutes 05 seconds West, a distance of 1319.57 feet to the northeasterly corner of said 58.82 acre tract;

Thence, with the northerly line of said 58.82 acre tract, South 87 degrees 22 minutes 47 seconds West, a distance of 1279.96 feet to the Point of Beginning and containing 386.345 acres of land.

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 interest 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.

THIS DESCRIPTION WAS PREPARED IN CONNECTION WITH AN EXHIBIT FILED IN PROJECT NUMBER 212102 AT GBI PARTNERS.

GBI PARTNERS TBPELS Firm No. 10130300 Ph: 281.499.4539 September 29, 2021



County: Brazoria
Project: Price Tract
Job No. 212102
MBS No. 22-529

FIELD NOTES FOR 49.069 ACRES

Being a tract containing 49.069 acres of land, located in the William Hall Survey, Abstract Number 713 in Brazoria County, Texas; said 49.069 acre tract being a portion of a call 50.029 acre tract recorded in the name of D.R. Horton-Texas, LTD. in File Number 2022033742 of the Official Public Records of Brazoria County (O.P.R.B.C.); said 49.069 acre tract being more particularly described by metes and bounds as follows (bearings being based on the Texas Coordinate System, South Central Zone, NAD 83, as derived from GPS observations):

Beginning at the southeasterly corner of said 50.029 acre tract, the northeasterly corner of a call 25.0 acre tract recorded in the name of Bayou Rifles, Inc. in File Number 2016033329 of the O.P.R.B.C. and being on the westerly line of a call 100-feet wide Right-of-Way (R.O.W.) recorded in the name of Bayou Rifles, Inc. in File Number 2001052768 of the O.P.R.B.C.;

Thence, with the southerly line of said 50.029 acre tract, South 86 degrees 55 minutes 29 seconds West, a distance of 1368.32 feet to the southwesterly corner of said 50.029 acre tract;

Thence, with the westerly line of said 50.029 acre tract and partially with the easterly line of Southern Colony Expansion Phase 1, Section 3, a subdivision recorded in Plat Number 20210014 of the Fort Bend County Plat Records (F.B.C.P.R.), North 03 degrees 04 minutes 56 seconds West, a distance of 1042.99 feet;

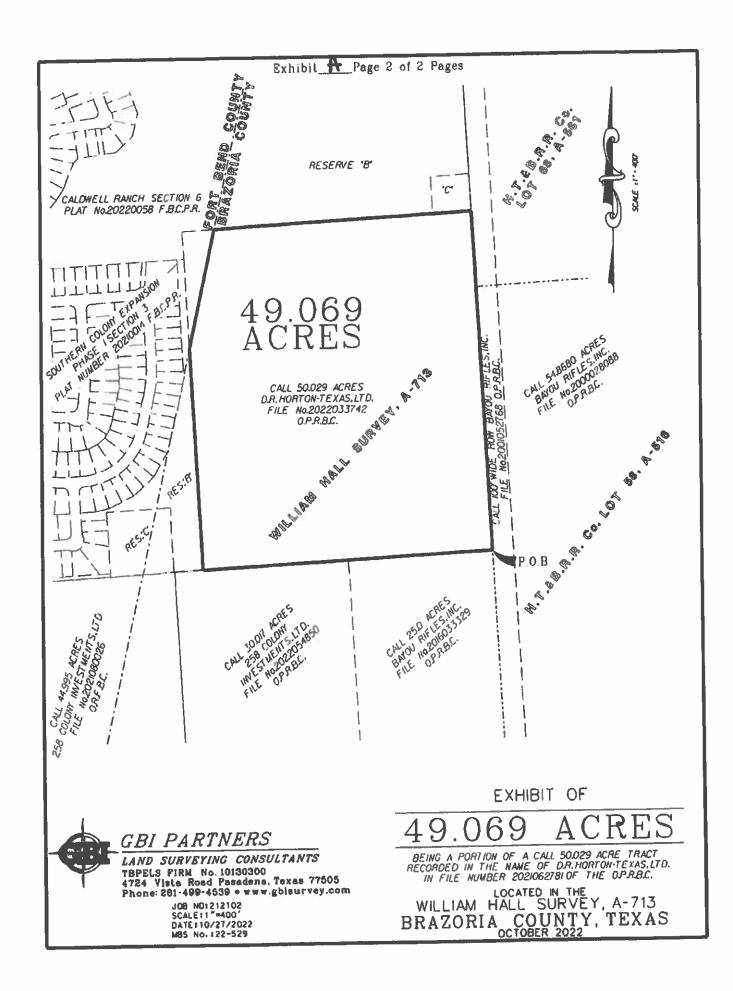
Thence, through and across said 50.029 acre tract, North 12 degrees 23 minutes 09 seconds East, a distance of 570.29 feet to the northerly line of said 50.029 acre tract and the southerly line of Caldwell Ranch Section 6, a subdivision recorded in Plat Number 20220058 of the F.B.C.P.R.;

Thence, with said southerly line, North 86 degrees 55 minutes 29 seconds East, a distance of 1216.22 feet to the northeasterly corner of said 50.029 acre tract, the southeasterly corner of said Caldwell Ranch Section 6 and being on the westerly line of aforesaid 100-feet wide R.O.W.;

Thence, with said westerly line, South 03 degrees 04 minutes 56 seconds East, a distance of 1592.64 feet to the **Point of Beginning** and containing 49.069 acres of land.

GBI PARTNERS TBPELS Firm No. 10130300 Ph: 281.499.4539 October 27, 2022





County: Project:

Brazoria Garza Tract 222202

Job No. MBS No.

22-129 (Revised)

FIELD NOTES FOR 30.017 ACRES

Being a tract containing 30.017 acres of land, located in the William Hall Survey, Abstract Number 713 in Brazoria County, Texas; said 30.017 acre tract being a call 30.017 acre tract recorded in the name of 258 Colony Investments, LTD. in File Number 2022054850 of the Official Public Records of Brazoria County (O.P.R.B.C.); said 30.017 acre tract being more particularly described by metes and bounds as follows (bearings being based on the Texas Coordinate System, South Central Zone, NAD 83, as derived from GPS observations):

Beginning at the southwesterly corner of said 30.017 acre tract and the southeasterly corner of a call 44.995 acre tract recorded in the name of 258 Colony Investments, Ltd. in File Number 2021080026 of the Official Records of Fort Bend County (O.R.F.B.C.);

Thence, with the easterly line of said 44.995 acre tract and the westerly line of said 30.017 acre tract, North 03 degrees 03 minutes 21 seconds West, a distance of 1593.34 feet to a 1-inch iron pipe found at the northwesterly corner of said 30.017 acre tract, the northeasterly corner of said 44.995 acre tract;

Thence, with the northerly line of said 30.017 acre tract, North 86 degrees 55 minutes 29 seconds East, a distance of 820.89 feet to a 5/8-inch iron rod found at the northeasterly corner of said 30.017 acre tract and the northwesterly corner of a call 25.0 acre tract recorded in the name of Bayou Rifles, Inc. in File Number 2016033329 of the O.P.R.B.C., from which a 5/8-inch iron rod found at the northeasterly corner of said 25.0 acre tract bears North 86 degrees 55 minutes 29 seconds East, a distance of 683.64 feet;

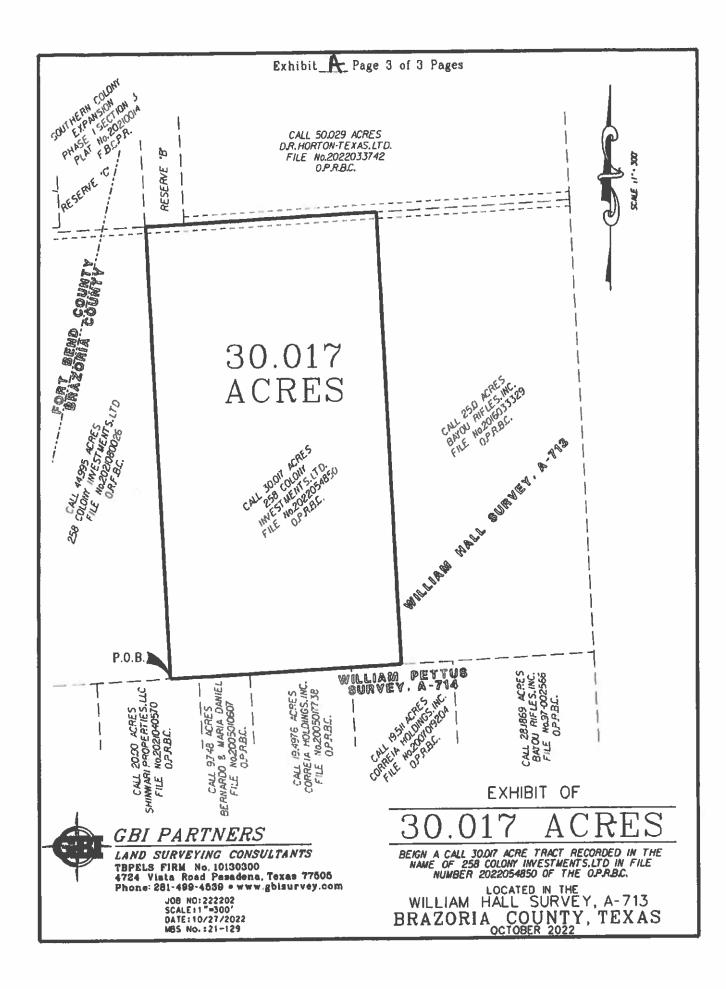
Thence, with the common line of said 30.017 acre tract and 25.0 acre tract, South 03 degrees 03 minutes 09 seconds East, a distance of 1591.58 feet to a 1/2-inch iron rod found at the southeasterly corner of said 30.017 acre tract, the southwesterly corner of said 25.0 acre tract and being on the northerly line of a call 19.511 acre tract recorded in the name of Correia Holdings, Inc. in File Number 2007019204 of the O.P.R.B.C., from which a 5/8-inch iron rod found at the southeasterly corner of said 25.0 acre tract bears North 86 degrees 57 minutes 11 seconds East, a distance of 684.41 feet;

Thence, with the southerly line of said 30.017 acre tract, the following two (2) courses:

 South 86 degrees 42 minutes 09 seconds West, at a distance of 179.20 feet pass a 1-inch iron pipe found at the northwesterly corner of said 19.511 acre tract and the northeasterly corner of a call 19.4976 acre tract recorded in the name of Correia Holdings, Inc. in File Number 2005017738 of the O.P.R.B.C., in all a distance of 539.33 feet to a 1-inch iron pipe found at the northwesterly corner of said 19.4976 acre tract and the northeasterly corner of a call 9.748 acre tract recorded in the name of Bernardo and Maria Daniel in File Number 2005010607 of the O.P.R.B.C.;

2) South 86 degrees 59 minutes 33 seconds West, at a distance of 181.09 feet pass a 5/8-inch iron rod found at the northwesterly corner of said 9.748 acre tract and the northeasterly corner of a call 20.00 acre tract recorded in the name of Shinwari Properties, LLC in File Number 2021040570 of the O.P.R.B.C., in all a distance of 281.47 feet to the Point of Beginning and containing 30.017 acres of land.

GBI PARTNERS TBPELS Firm No. 10130300 Ph: 281.499.4539 June 21, 2022 (Revised 10/27/2022)



County: Project:

Brazoria Sliver Tract

Job No.

212102

MBS No.

22-528

FIELD NOTES FOR 1.000 ACRE

Being a tract containing 1.000 acre of land, located in the H.T.& B.R.R.Company Survey, Lot Number 68, Abstract Number 561 in Brazoria County, Texas; said 1.000 acre tract being a portion of a call 306.158 acre tract styled as Parcel 3 and recorded in the name of 608 Colony Investments, LTD. in File Number 2021062781 of the Official Public Records of Brazoria County (O.P.R.B.C.); said 1.000 acre tract being more particularly described by metes and bounds as follows (bearings being based on the Texas Coordinate System, South Central Zone, NAD 83, as derived from GPS observations):

Beginning at the southeasterly corner of a call 2.000 acre tract styled as Tract III and recorded in the name of Baker Process, Inc. in File Number 2010007797 of the O.P.R.B.C. and the south-westerly corner of a call 10.77 acre tract styled as Tract IV and recorded in the name of Baker Process, Inc. in File Number 2010007796 of the O.P.R.B.C.;

Thence, with the southerly line of said 10.77 acre tract and the southerly line of a call 4.364 acre tract recorded in the name of Baker Process, Inc. in File Number 2022032266 of the O.P.R.B.C., North 87 degrees 04 minutes 52 seconds East, a distance of 417.86 feet to the southeasterly corner of said 4.364 acre tract;

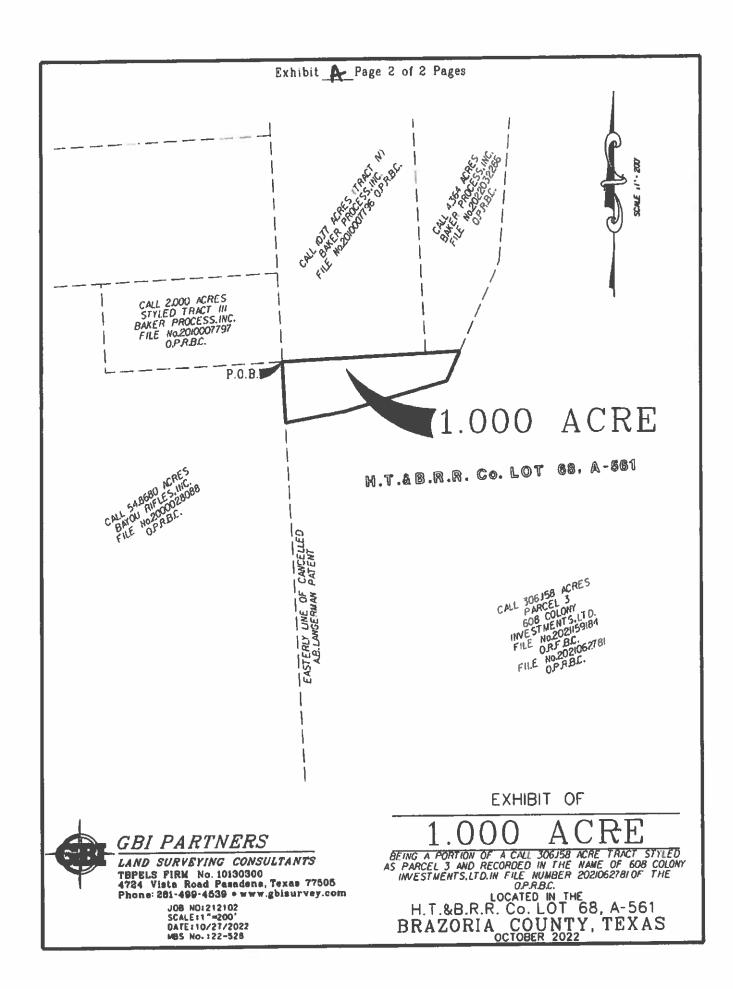
Thence, through and across aforesaid 306.158 acre tract, the following three (3) courses:

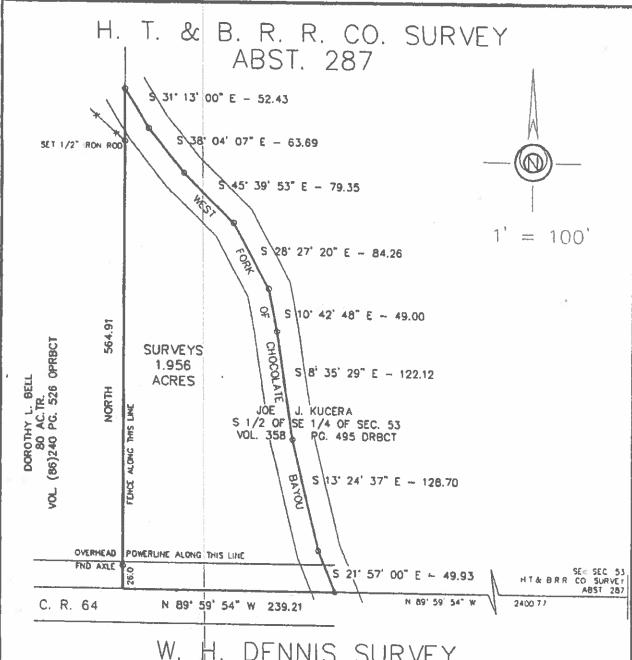
- 1) South 24 degrees 18 minutes 27 seconds West, a distance of 76.51 feet;
- 2) South 73 degrees 46 minutes 28 seconds West, a distance of 253.03 feet;
- 3) South 79 degrees 48 minutes 25 seconds West, a distance of 137.71 feet to the westerly line of said 306.158 acre tract;

Thence, with said line, North 02 degrees 55 minutes 29 seconds West, a distance of 143.71 feet to the **Point of Beginning** and containing 1.000 acre of land.

GBI PARTNERS TBPELS Firm No. 10130300 Ph: 281.499.4539

October 27, 2022





W. H. DENNIS SURVEY ABST. 511

CASE NO. 2003 AL 513913-P AMERICAN TITLE COMPANY

SURVEY MAP SHOWING BOUNDARIES ON 1.956 ACRES OF LAND, OUT OF 80.0 ACRES OF LAND, BEING THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 53, H. T. & B. R. R. CO. SURVEY, ABSTRACT 287, BRAZORIA COUNTY, TEXAS, AS RECORDED IN VOLUME 358, PAGE 495, DEED RECORDS, BRAZORIA COUNTY, TEXAS.

This survey was made on the ground on July 1, 2003, under my supervision and conforms to the Texas Professional Land Surveying Practices Act and the General Rules of Procedures and Practices of the Texas Board of Professional Land Surveying, as revised July 1999