

**ORDINANCE NO. 2022-629**

**AN ORDINANCE ANNEXING HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF SMITHVILLE, TEXAS, BASTROP COUNTY ON THE REQUEST OF SMITHVILLE INVESTMENT LLC./ SADIQUE MAREDA AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY.**

This ordinance was introduced and submitted to the City Council for adoption. After the presentation and discussion of the Ordinance, a motion was made by Councilman Gordon that the Ordinance is finally passed and adopted in accordance with the City's General Law Type A Government. The motion was seconded by Councilwoman Morgan and carried by the following votes:

Mayor Pro-tem William Gordon	<u>  X  </u> For <u>    </u> Against <u>    </u> Abstained
Councilmember Joanna Morgan	<u>  X  </u> For <u>    </u> Against <u>    </u> Abstained
Councilmember Cassie Barrientos	<u>  X  </u> For <u>    </u> Against <u>    </u> Abstained
Councilmember Tom Etheredge	<u>  X  </u> For <u>    </u> Against <u>    </u> Abstained
Councilmember Janice Bruno	<u>  X  </u> For <u>    </u> Against <u>    </u> Abstained

**WHEREAS**, Chapter 43, Subchapter C-3 of the Texas Local Government Code, allows the City of Smithville to annex territory upon the request of each owner of land in the area that requests annexation;

**WHEREAS**, by submittal of the Annexation Petition, attached hereto as Exhibit A (the "**Petition**"), each owner (the "**Owner**" whether one or more) of the real property described in the attached Exhibit B (the "**Property**"), has voluntarily requested the annexation of the Property into the City pursuant to Texas Local Government Code § 43.0671;

**WHEREAS**, pursuant to Texas Local Government Code § 43.0672, the City and the Owner have negotiated and entered into a written agreement to provide services in the Property prior to the adoption of this Ordinance;

**WHEREAS**, the City Council finds and determines that the adoption of this Ordinance promotes the health, safety, and welfare of the public; and

**WHEREAS**, the City Council finds and determines that the procedures prescribed by the Texas Local Government Code and City of Smithville, Texas, and the laws of this state have been duly followed with respect to the annexation of the Property, including but not limited to the

followed with respect to the annexation of the Property, including but not limited to the procedures set forth in Chapter 43, Subchapter C-3 of the Texas Local Government Code (the ownership of the Property being determined based on the representations of the Owner in the Petition), and that the meeting at which this Ordinance was passed was open to the public, that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SMITHVILLE, TEXAS THAT:**

SECTION 1. The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. The Property is hereby annexed to the City of Smithville, Bastrop County, Texas, and that the boundary limits of the City of Smithville be and the same are hereby extended to include the above described territory within the city limits of the City of Smithville, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall hereafter be entitled to all the right and privileges of other citizens of the City of Smithville and they shall be bound by the acts, ordinances, resolutions, and regulations of said city.

SECTION 3. That the City Secretary is hereby directed to file with the County Clerk and other appropriate officials and agencies, as required by state and federal law and city annexation procedures, certified copies of this Ordinance.

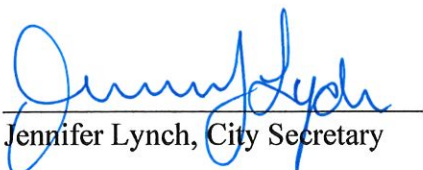
SECTION 4. This Ordinance shall become effective upon passage and publication of the caption of this ordinance as required by State law.

APPROVED and PASSED on the second and final reading on this 12<sup>th</sup> day of December 2022.



Sharon Foerster, Mayor  
City of Smithville

ATTEST:

  
Jennifer Lynch, City Secretary

# Exhibit "A"

## ANNEXATION PETITION

TO THE MAYOR AND GOVERNING BODY  
OF THE CITY OF SMITHVILLE, TEXAS:

The undersigned owner(s) of the hereinafter described tract of land, which is vacant and without residents, or on which less than three(3) qualified voters reside, hereby petition your honorable body to extend the present city limits so as to include as a part of the City of Smithville, Texas, the following described territory, to wit:

The legal description along with survey is attached hereto as Exhibit "A".

I/We certify that the above described tract of land is contiguous to the City of Smithville, Texas, is not more than one-half (1/2) mile in width and that this petition is signed and duly acknowledged by each and every person or corporation having an interest in said land.



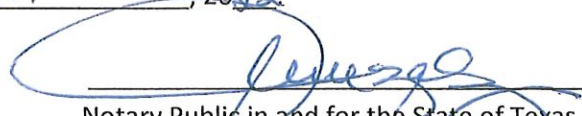
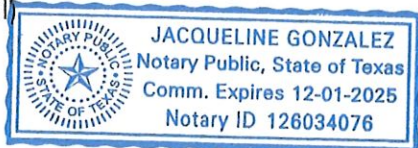
Sadique Maredia – Managing Member  
Smithville Investment LLC  
11842 Wilcrest Drive, Houston, TX, 77031

THE STATE OF TEXAS  
COUNTY OF BASTROP

Before me, the undersigned authority, on this day personally appeared Sadique Maredia  
known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he or she executed the same for purposes and consideration therein expressed.

Given under my hand and seal of office, this 2<sup>nd</sup> day of Nov., 2022.

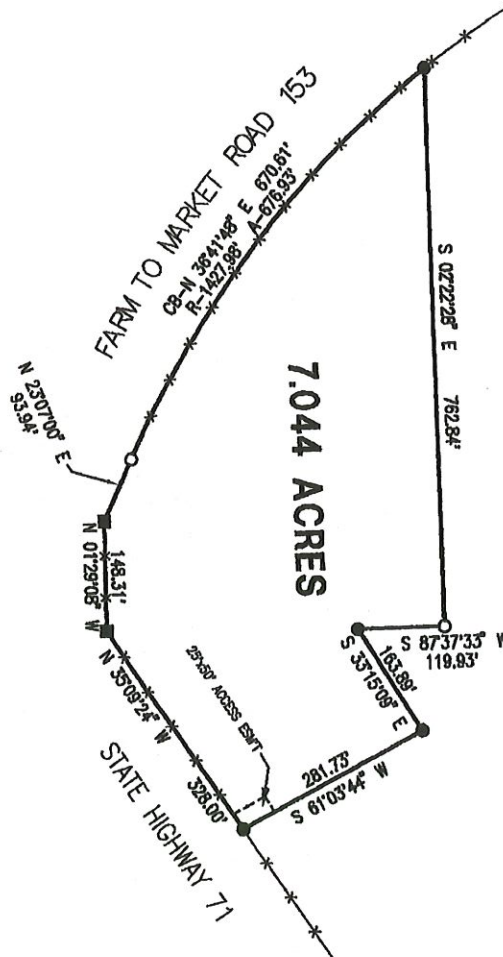
(Seal)



Notary Public in and for the State of Texas  
My commission expires: 12/1/2022



# THOMAS DECROW SURVEY, A-27



JACK ALEXANDER, et ux  
12.495 AC.TR.  
1031/147



SCALE: 1" = 200'

- CONCRETE MONUMENT
- IRON ROD FOUND
- IRON PIPE FOUND
- 5/8 IRON ROD SET
- ▲ FENCE POST
- TREE
- UTILITY POLE
- WATER METER
- WATER WELL
- - - FENCE LINE
- - - ELECTRIC LINE
- - - PIPE LINE

*Long O. Harris*

FENCES DO NOT REFLECT PROPERTY LINES

The undersigned does hereby certify to the Title Agency, Underwriter, Lender, Mortgage Co. and/or Purchaser, that this survey was, this day, made on the ground, as the property legally described hereon, and is correct, and there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines, or roads in place, except as shown hereon, and that said property has no encroachment on a dedicated road way, except as shown hereon.

*Dale L. Olson*

DALE L. OLSON  
REG. NO. 1793  
DALE L. OLSON SURVEYING COMPANY  
DATE: 01/29/08

MICHAEL D. OLSON  
REG. NO. 6088

**DALE L. OLSON**

REGISTERED PROFESSIONAL LAND SURVEYOR  
711 WATER STREET (512) 321-5476 BASTROP, TEXAS

## SURVEY PLAT

of a 7.044 ACRE TRACT in the  
THOMAS DECROW SURVEY, A-27  
BASTROP COUNTY, TEXAS.

SCALE: 1" = 200.00'

DRAFTSMAN: D. BROOKS

DATE: 29 JUN 08

BROOK HURTA or Assigns

DISK-FILE 294-29

ORDER 101008

PLAT FILE -0-

**DALE L. OLSON**  
Registered Professional Land Surveyor  
711 Water Street  
Bastrop, TX 78602  
Phone (512) 321-5476 \* Fax (512) 303-5476

FIELD NOTES FOR A 7.044 ACRE TRACT IN THE THOMAS DECROW  
SURVEY, BASTROP COUNTY, TEXAS.

BEING an 7.044 acre tract or parcel of land out of and being a part of the Thomas DeCrow Survey, A-27, in Bastrop County, Texas, and being a part of that certain 92.166 acre tract, described in a deed from Henry Buescher Parish, et ux, to Brook K. Hurta, Leslie Hurta, and Reid Sharp, dated January 28, 1998, recorded in Volume 890, Page 670, Bastrop County Deed Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a concrete right-of-way marker found at the intersection of the northeast line of State Highway No. 71 with the east line of Farm to Market Road No. 153, the west or northwest corner of the said 92.166 acre tract, for an angle corner of this tract.

THENCE with the east line of Farm to Market Road No. 153 and west line of the said 92.166 acre tract, N 01 deg. 29 min. 08 sec. W, 148.31 feet to a concrete right of way marker found; N 23 deg. 07 min. 00 sec. E, 93.94 feet to a 5/8 inch iron rod set at the beginning of a curve to the right for the most northerly northwest corner of the said 92.166 acre tract and this tract.

THENCE with the southeast line of the Farm to Market Road No. 153 and northwest line of the said 92.166 acre tract along a curve to the right whose radius is 1427.98 feet; whose long chord bears N 36 deg. 41 min. 48 sec. E, 670.61 feet; 676.93 feet along the arc to a 5/8 inch iron rod found at the northwest corner of that certain 12.495 acre tract described in a deed from Brook K. Hurta, et al, to Jack M. Alexander and Sandra L. Alexander recorded in Vol. 1031, Page 147, Bastrop County Deed Records for the northeast corner of this tract.

THENCE crossing said 92.166 acre tract with the west line of the Alexander 12.495 acre tract, S 02 deg. 22 min. 28 sec. E, 762.84 feet to a 5/8 inch iron rod found; S 87 deg. 37 min. 33 sec. W, 119.93 feet to a 5/8 inch iron rod found; S 33 deg. 15 min. 09 sec. E, 163.89 feet to a 5/8 inch iron rod found; S 61 deg. 03 min. 44 sec. W, 281.73 feet to a 5/8 inch iron rod found in the northeast line of State Highway No. 71 and southwest line of the 92.166 acre tract, the most southerly northwest corner of the Alexander tract for the southwest corner of this tract.

THENCE with the northeast line of State Highway No. 71 and southwest line of the 92.166 acre tract N 35 deg. 09 min. 24 sec. W, 328.00 feet to the POINT OF BEGINNING containing 7.044 acres of land.



Dale L. Olson  
Reg. Pro. Land Surveyor 1753

OR Michael D. Olson  
Reg. Pro. Land Surveyor 5386

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Order #: 101608

Date Created: 01/30/08