

**ORDINANCE NUMBER 832-2016**

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF DICKINSON, TEXAS, TO EMBRACE AND INCLUDE ALL OF THE TERRITORY WITHIN CERTAIN LIMITS AND BOUNDARIES AND ANNEXING TO THE CITY OF DICKINSON, TEXAS, ALL OF THE TERRITORY WITHIN SUCH BOUNDARIES; APPROVING A SERVICE PLAN FOR ALL OF THE AREA WITHIN SUCH TERRITORY; MAKING FINDINGS; AND CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE.**

\* \* \* \* \*

**WHEREAS**, the City Council of the City of Dickinson, Texas (the "City") finds, determines and declares that the territory hereinafter described in Exhibit "A," attached hereto and made a part hereof, (the "Territory") is adjacent and contiguous to the present city limits of the City; that said Territory lies within the exclusive extraterritorial jurisdiction of the City; and that the annexation of said Territory to the City will promote the general health, safety and welfare of persons residing within the City and within said Territory, if any; and

**WHEREAS**, the City Council of the City has heretofore, on August 25, 2015, directed the staff to prepare a Service Plan that provides for the extension of municipal services to the area within the Territory; and

**WHEREAS**, two public hearings were held on October 1, 2015 and October 13, 2015, in the City Council Chambers, City Hall, 4403 Hwy 3, Dickinson, Texas, at which public hearings all interested parties were given an opportunity to be heard and the proposed Service Plan was made available for public inspection. Notice of such public hearings was given by publication in the *Galveston Daily News* on September 18, 2015 and October 1, 2015, said newspaper having general circulation within the City and within the Territory. Such notices and hearings were all in conformity with the Municipal Annexation Act, codified as Chapter 43, Texas Local Government Code, as amended

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

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The boundary limits of the City of Dickinson, Texas, are hereby extended to embrace and include all of the Territory more particularly described by metes and bounds in Exhibit "A" attached hereto, and such Territory is hereby annexed to and made a part of the City for general purposes.

Section 3. The plan for extension of municipal services into the Territory annexed to the City by the provisions of this Ordinance is set forth in the "Municipal

Service Plan" attached hereto as Exhibit "B" and made a part hereof for all purposes. Such Municipal Service Plan is hereby approved.

Section 4. The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered, and formally acted upon. The City Council further ratifies, approves, and confirms such written notice and the contents and posting thereof.

Section 5. If any section or part of this Ordinance be held unconstitutional, illegal, or invalid, or the application thereof ineffective or inapplicable as to any territory, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no wise affect, impair, or invalidate the remaining portion or portions thereof, but as to such remaining portion or portions, the same shall be and remain in full force and effect; and should this Ordinance for any reason be ineffective as to any part of the Territory hereby annexed to the City of Dickinson, such ineffectiveness of this Ordinance as to any such part or parts of any such Territory shall not affect the effectiveness of this Ordinance as to all of the remainder of such Territory or area, and the City Council hereby declares it to be its purpose to annex to the City of Dickinson every part of the Territory described in Section 2 of this Ordinance, regardless of whether any other part of such described Territory is hereby effectively annexed to the City. Provided, further, if there is included in the general description of the Territory set out in Section 2 of this Ordinance to be hereby annexed to the City of Dickinson any territory which is already a part of and included within the general limits of the City of Dickinson, or which is presently part of and included in the limits or extraterritorial jurisdiction of any other city, town, or village, or which is not within the City of Dickinson's jurisdiction to annex, the same is hereby excluded and excepted from the Territory to be annexed hereby as fully as if such excluded and excepted territory were especially and specifically described herein.

**DULY PASSED AND APPROVED** on first reading this the 10th day of November, 2015.

**DULY PASSED AND APPROVED** on second reading this 8th day of December, 2015.

**DULY PASSED, APPROVED, AND ADOPTED** on third and final reading this 12<sup>th</sup> day of January, 2016.

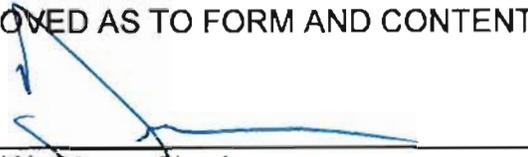
  
\_\_\_\_\_  
Julie Masters, Mayor  
City of Dickinson, Texas

ATTEST:

  
\_\_\_\_\_  
Carolyn E. Anderson, City Secretary  
City of Dickinson, Texas



APPROVED AS TO FORM AND CONTENT:

  
\_\_\_\_\_  
David W. Olson, City Attorney  
City of Dickinson, Texas

**EXHIBIT "A"**  
**DESCRIPTION OF TERRITORY**

**CITY OF DICKINSON**  
**ETJ ANNEXATION**

ALL that certain property being Blocks 193, 194, 195, 196, 201, 202, 203, 204, 209, 210, 211, 212, 217, 218, 225 and 226 together with selected intervening and adjoining parts of Dickinson Avenue, Montana Avenue, Kansas Avenue, Galveston Avenue, Texas Avenue, East 25<sup>th</sup> Street, East 26<sup>th</sup> Street, East 27<sup>th</sup> Street and East 28<sup>th</sup> Street, all being out of and a part of the **NICHOLSTONE ADDITION TO THE TOWN OF DICKINSON**, a Subdivision out of the **PERRY & AUSTIN LOWER LEAGUE**, Abstract No 19, Galveston County, Texas, according to the map or plat thereof recorded at Map Record 93, Plat Number 3, and;

ALL of RESERVE 'A', a part of RESERVE 'B', together with Lot 43, Block 1, and selected intervening and adjoining parts of Edgewood Drive, all being out of and a part of **EDGEWOOD** Subdivision, a Subdivision out of the **ROBERT HALL SURVEY**, Abstract 78, Galveston County, Texas, according to the map or plat thereof recorded at Map Record 15, Plat Number 144, and;

A part of Block 24 together with selected intervening and adjoining public streets or drives being a part of Richards Drive and all of Balzer Drive all being out of the **NICHOL'S ADDITION**, a Subdivision out of the **PERRY & AUSTIN LOWER LEAGUE**, Abstract No 19, Galveston County, Texas, according to the map or plat thereof recorded at Map Record 93, Plat Number 3;

All being of record in the Office of the County Clerk of said Galveston County, Texas, said property being more particularly described as follows, to wit:

**BEGINNING** at a point for corner being the Southeast corner of said Block 212, **NICHOLSTONE ADDITION**, said point further being the intersection of the West line of Texas Avenue, a 100 foot wide public roadway right-of-way, with the North line of East 28<sup>th</sup> Street, a 70 foot wide public roadway right-of-way;

**THENCE** in a Westerly direction along and with the North line of said East 28<sup>th</sup> Street, at 670.0 feet, more or less, pass the Southwest corner of Block 211, **NICHOLSTONE ADDITION**, the same being the East line of Kansas Avenue, a 70 foot wide public roadway right-of-way, and continuing for a total distance of 740.0 feet, more or less, to a point for corner being at the West line of the aforesaid Kansas Avenue;

**THENCE** in a Southerly direction along and with the West line of said Kansas Avenue, a distance of 660.0 feet, more or less, to a point for corner being the Southeast corner of said Block 226, **NICHOLSTONE ADDITION**, said point further being the point of intersection of the North line of 30<sup>th</sup> Street with the West line of said Kansas Avenue;

**THENCE** in a Westerly direction along and with the North line of said 30<sup>th</sup> Street, at 670.0 feet, more or less, pass the Southwest corner of Block 225, NICHOLSTONE ADDITION, the same being the point of intersection of the North line of said 30<sup>th</sup> Street with the East line of Dickinson (aka Texas State F.M. Highway 1266, a 100 foot public roadway right-of-way) and continuing for a total distance of 770.0 feet, more or less, to a point for corner being at the West line of said F.M. 1266, the same being the East line of the aforesaid RESERVE 'B', EDGEWOOD Subdivision;

**THENCE** in a Southerly direction along and with said common line, a distance of 165.0 feet, more or less, to a point for corner;

**THENCE** in a Westerly direction, perpendicular to the West line of said F.M. 1266, a distance of 151.3 feet, more or less, to a point for corner being at the West line of the aforesaid RESERVE 'B', EDGEWOOD Subdivision;

**THENCE** in a Northerly direction, parallel with the West line of said F.M. 1266 and along and with the West line of said RESERVE 'B', a distance of 241.8 feet, more or less, to a point for corner being the most Northwesterly corner of said RESERVE 'B', the same being the most Northerly corner of Lot 48, Block 2, EDGEWOOD Subdivision, said point further being at the Southeasterly line of Edgewood Drive, a 60 foot wide public roadway right-of-way;

**THENCE** in a Southwesterly direction along the Northwesterly line said Lot 48 and with the Southeasterly line of said Edgewood Drive, a distance of 33.0 feet, more or less, to a point for corner;

**THENCE** in a Northwesterly direction crossing perpendicularly the aforesaid Edgewood Drive, at 60 feet passing the Southeasterly common corner of Lots 42 and 43, Block 1, EDGEWOOD Subdivision, and continuing for a total distance of 175.0 feet, more or less, said point being the common Northwesterly corner of the aforesaid Lots 42 and 43, EDGEWOOD Subdivision, and being at the Southeasterly line of the aforesaid Block 24 of the NICHOL'S ADDITION;

**THENCE** in a Southwesterly direction along and with the Southeasterly line of said Block 24, NICHOL'S ADDITION, the same being the Northwesterly line of the aforesaid EDGEWOOD Subdivision, a distance of 12.9 feet, more or less, to a point for corner;

**THENCE** in a Northwesterly direction, perpendicular to the Southeasterly line of said Block 24, NICHOL'S ADDITION, a distance of 110.0 feet, more or less, to a point for corner, said point being at the Southeasterly line of Richard Drive, a called 60 foot wide roadway right-of-way;

**THENCE** in a Northeasterly direction along the Southeasterly line of said Richard Drive and parallel with the Northwesterly line of the aforesaid EDGEWOOD Subdivision, a distance of 50.4 feet, more or less, to a point for corner;

**THENCE** in a Northwesterly direction, perpendicular to the Northwesterly line of the aforesaid EDGEWOOD Subdivision, at 549.6 feet, more or less, pass the Southeasterly line of Deats Road, a 70 foot wide public roadway right-of-way, and continuing for a total distance of 619.6 feet, more or less, to a point for corner being at the Northwesterly line of said Deats Road;

**THENCE** in a Northeasterly direction along and with the Northwesterly line of said Deats Road, a distance of 880.8 feet, more or less, to a point for corner, said point being the point of intersection of the Northwest line of said Deats Road with the Westerly line of the aforesaid Dickinson Avenue (Texas State F.M. Highway 1266);

**THENCE** in a Northerly direction along and with the Westerly line of said F.M. 1266, a distance of 322.2 feet to a point for corner;

**THENCE** Easterly, crossing said F.M. 1266, at 70.0 feet, more or less, pass the Southwest corner of Block 185, **NICHOLSTONE ADDITION TO THE TOWN OF DICKINSON**, same being the point of intersection of the East line of said F.M. 1266 with the North line of East 25<sup>th</sup> Street; at 1480.0 feet, more or less, pass the point of intersection of the North line of said East 25<sup>th</sup> Street with the West line of Texas Avenue, a 100.0 foot wide public roadway right-of-way and continuing along and with the North line of said East 25<sup>th</sup> Street, for a total distance of 1580.0 feet, more or less, to a point for corner being the point of intersection of the North line of said East 25<sup>th</sup> Street with the West line of the aforesaid Texas Avenue;

**THENCE** in a Southerly direction along and with the East line of Texas Avenue, a distance of 330.0 feet, more or less, to a point for corner being the point of intersection of said East line with the North line of East 26<sup>th</sup> Street;

**THENCE** in a Westerly direction, crossing said Texas Avenue a distance of 100.0 feet, more or less, to a point for corner, said point being the Southeast corner of Block 196, **NICHOLSTONE ADDITION TO THE TOWN OF DICKINSON**, and further being the point of intersection of North line of 26<sup>th</sup> Street with the West line of Texas Avenue;

**THENCE** in a Southerly direction along the West line of said Texas Avenue and with the East line of Blocks 204 and 212 of **NICHOLSTONE ADDITION TO THE TOWN OF DICKINSON**, a distance of 660.0 feet, more or less, to the **POINT OF BEGINNING** and containing an approximate calculated area of +/-0.09 Square Miles of area.

**NOTE: THIS DOCUMENT HAS BEEN PREPARED UNDER 22 TAC § 663.23; 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 HAS BEEN PREPARED.**

PREPARED  
SEPTEMBER 28, 2015

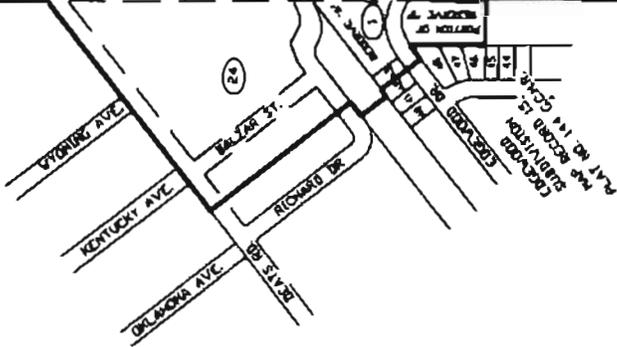
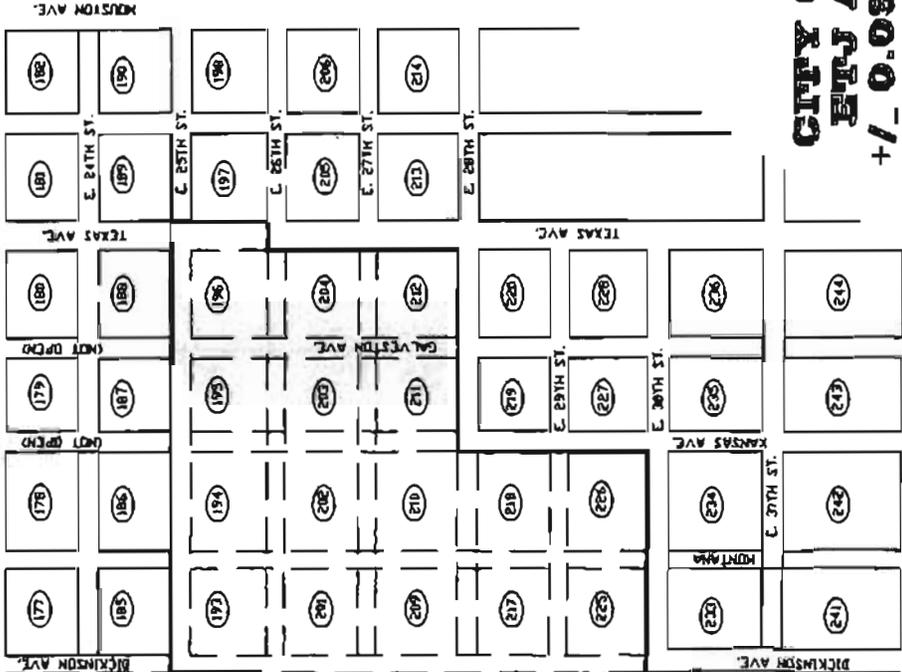
**DALE L. HARDY / GEOSURV,LLC**  
**REGISTERED PROFESSIONAL LAND SURVEYORS**  
P.O. BOX 246, LEAGUE CITY, TEXAS 77574  
PH 281-554-7739 FAX 281-554-6928 E-MAIL: dhardy@geosurvlc.com



SCALE: 1"=500'

NICHOLSTONE ADDITION  
MAP RECORD 93, PLAT NO. 3, G. C. M. R.

NICHOLS ADD.  
MAP RECORD 93, PLAT NO. 3,  
G. C. M. R.



**CITY OF DICKINSON  
CITY ANNEXATION  
+/- 0.09 SQUARE MILE  
SEPT. 2015**



P.O. Box 248, Lamar, Ok. 77874  
201-554-7728 409-763-5200 Fax: 811-554-8928

**EXHIBIT 'A'**  
PAGE 4 OF 4

**EXHIBIT "B"**  
**MUNICIPAL SERVICE PLAN**

**FIRE**

*Existing Services:* Dickinson Volunteer Fire Department

*Services to be Provided:* Fire suppression will be available to the area upon annexation. Primary fire response will be provided by Fire Station No. 1, located at 4500 FM 517 Rd E, Dickinson, TX 77539. Adequate fire suppression activities can be afforded to the annexed area within current budget appropriation. Fire prevention activities will be provided by the Fire Marshall's office as needed.

**EMS**

*Existing Services:* County Emergency Services

*Services to be Provided:* Currently, the area is under the jurisdiction of the Galveston County Emergency Services Office, in conjunction with an interlocal agreement with the City of Dickinson. However, upon annexation, the City of Dickinson's Emergency Medical Services (EMS) Department will provide service to the area. This service can be provided within the current budget appropriation.

**POLICE**

*Existing Services:* County Sheriff's Office

*Services to be Provided:* Currently, the area is under the jurisdiction of the Galveston County Sheriff's Office. However, upon annexation, the City of Dickinson Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

**BUILDING INSPECTION**

*Existing Services:* None

*Services to be Provided:* The Building Inspection Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulated building construction within the City of Dickinson.

**PLANNING AND ZONING**

*Existing Services:* None

*Services to be Provided:* The Community Development Department's responsibility for regulating development and land use through the administration of the City of Dickinson 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 of Dickinson's Subdivision Ordinance. These services can be provided within the department's current budget.

## **HEALTH DEPARTMENT- HEALTH CODE ENFORCEMENT SERVICE**

*Existing Services:* County Health Department

*Services to be Provided:* The Galveston County Health Department will implement the enforcement of the City of Dickinson's health ordinances and regulations on the effective date of the annexation. In addition the City of Dickinson Community Development Department will implement other code enforcement services that are regulated by the City's ordinances. Such services can be provided with current Health Department Personnel and within the current budget appropriation. In addition, animal control services, provided by Texas Animal Control Solutions, will be provided to the area as needed.

## **STREETS**

*Existing Services:* County Street Maintenance

*Services to be Provided:* Maintenance to the street facilities will be provided by the City upon the effective date of the annexation. This service can be provided within the current budget appropriation.

## **STORM WATER MANAGEMENT**

*Existing Services:* None

*Services to be Provided:* Developers will provide storm water drainage at their own expense and will be inspected by the City Public Works and Community Development Departments at time of completion. The City will then maintain the drainage upon approval.

## **STREET LIGHTING**

*Existing Services:* None

*Services to be Provided:* The City of Dickinson will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy.

## **WATER SERVICE**

*Existing Services:* WCID#1

*Services to be Provided:* Water service will continue to remain in the jurisdiction of WCID#1, with which the City of Dickinson has an interlocal to provide water services to the customers in the area.

### **SANITARY SEWER SERVICE**

*Existing Services:* WCID#1

*Services to be Provided:* Sanitary sewer service to the area of proposed annexation will continue to remain in the jurisdiction of WCID#1, with which the City of Dickinson has an interlocal to provide water services to the customers in the area.

### **SOLID WASTE SERVICES**

*Existing Services:* Republic Services through WCID#1 Contract

*Services to be Provided:* Solid Waste Collection shall be provided to the area of annexation in accordance with the present ordinance. Service shall comply with existing City policies, beginning with occupancy of structures.

AFFP  
Ord#830-2015-Carolyn

**CITY OF DICKINSON  
ORDINANCE  
NUMBER 832-2016**

**Affidavit of Publication**

STATE OF TX }  
COUNTY OF GALVESTON ) SS

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF DICKINSON, TEXAS, TO EMBRACE AND INCLUDE ALL OF THE TERRITORY WITHIN CERTAIN LIMITS AND BOUNDARIES AND ANNEXING TO THE CITY OF DICKINSON, TEXAS, ALL OF THE TERRITORY WITHIN SUCH BOUNDARIES; APPROVING A SERVICE PLAN FOR ALL OF THE AREA WITHIN SUCH TERRITORY; MAKING FINDINGS; AND CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT, AND PROVIDING AN EFFECTIVE DATE.

Sandra Villamil, being duly sworn, says:  
  
That she is Sandra Villamil of the The Galveston County Daily News, a daily newspaper of general circulation, printed and published in Galveston, Galveston County, TX; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:  
January 16, 2016

**DULY PASSED AND APPROVED** on first reading this the 10th day of November, 2015.

That said newspaper was regularly issued and circulated on those dates.  
SIGNED:

**DULY PASSED AND APPROVED** on second reading this 8th day of December, 2015.

*Sandra Villamil*

**DULY PASSED, APPROVED, AND ADOPTED** on third and final reading this 12th day of January, 2016.

Sandra Villamil  
  
Subscribed to and sworn to me this 16th day of January 2016.

/S/ Julie Masters, Mayor  
City of Dickinson, Texas

*Lynette Tisdale*

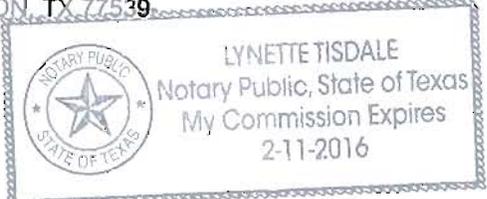
ATTEST:  
/S/ Carolyn E. Anderson,  
City Secretary  
City of Dickinson, Texas

Lynette Tisdale, Notary Public, State of Texas, Galveston County, TX  
My commission expires: February 11, 2016

APPROVED AS TO FORM AND CONTENT.  
/S/ David Olson,  
City Attorney  
City of Dickinson, Texas

13103514 00403128  
  
CITY OF DICKINSON  
4403 HWY 3  
DICKINSON, TX 77539

A full copy of Ordinance 832-2016 is on file in the Dickinson City Secretary's Office and can be obtained by contacting Carolyn E. Anderson at 281-337-6217 or by email at canderson@ci.dickinson.tx.us



Published: January 16, 2016  
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