

**ORDINANCE NUMBER 850-2016**

**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 April 12, 2016, 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 May 24, 2016 and June 14, 2016, 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 May 12, 2016 and May 26, 2016, 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 28th day of June, 2016.

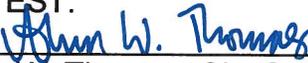
**DULY PASSED AND APPROVED** on second reading this 12th day of July, 2016.  
(Third Reading Suspended)

**DULY PASSED, APPROVED, AND ADOPTED** on third and final reading this  
\_\_\_\_ day of \_\_\_\_\_, 2016.



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

ATTEST:

  
\_\_\_\_\_  
Alun W. Thomas, City Secretary  
City of Dickinson, Texas

APPROVED AS TO FORM AND CONTENT:

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

**EXHIBIT "A"**  
**CITY OF DICKINSON ANNEXATION AREA**

**BEGINNING** at the southeast corner of Block 12, of Nichols Addition, as shown in the Map of Dickinson, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 7, Page 1, of the Map Records of Galveston County, Texas, and being in the southwest right of way line of Ohio Avenue;

**THENCE** northwesterly along the southwest right of way line of said Ohio Avenue to the northwest right of way line of Deats Road and said point being the southwest corner of Block 121, of the Dickinson Townsite, as shown in said Map of Dickinson;

**THENCE** northeasterly along the north line of said Deats Road to the southeast corner of said Block 121, of said Dickinson Townsite, and being in the southwest right of way line of Arkansas Avenue;

**THENCE** Northwesterly along the southwest right of way line of said Arkansas Avenue, same being the Northeast line of Blocks 121, 122, 123, and 124, of said Dickinson Townsite, to the southeast corner of Block 125, of said Dickinson Townsite, and being in the northwest right of way line of 27<sup>th</sup> Street;

**THENCE** northeasterly along the northwest right of way line of said 27<sup>th</sup> Street, same being the southeast line of Blocks 155, 185, 215, and 245, of said Dickinson Townsite, to the point of intersection of the southeast line of said Block 245, with the south line of the City of League City's Extraterritorial Jurisdiction, and said point being approximately 179 feet +/-northeasterly of the northeast right of way line of Kentucky Avenue;

**THENCE** northeasterly along the south line of said City of League City's Extraterritorial Jurisdiction, and being a non-tangent curve to the right with a radius of 10560 feet, to the east right of way line of Dickinson Avenue, also commonly known as F.M. 1266, and being in the west line of Block 169, of Nicholstone Addition, and being approximately 10 feet +/-south of East 22<sup>nd</sup> Street;

**THENCE** Southerly along the east right of way line of said Dickinson Avenue, to the southwest corner of Block 185, of said Nicholstone Addition, same being the point of intersection of the east right of way line of said Dickinson Avenue and the north right of way line of East 25<sup>th</sup> Street;

**THENCE** westerly along the projection of the north right of way line of said East 25<sup>th</sup> Street to the west right of way line of said Dickinson Avenue, and being in the east line of Block 124, of Addition "B", of said Map of Dickinson;

**THENCE** Southerly along the west right of way line of said Dickinson Avenue, to the southeast corner of said Block 124, of Addition "B", and being in the northwest right of way line of said Deats Road;

**THENCE** Southwesterly along the northwest right of way line of said Deats Road, same being the southeast line of said Block 124, of Addition "B", and the southeast line of Blocks 241, and 211, of said Moores Addition, to a point in the southeast line of said Block 211, of said Moores Addition, said point being approximately 110 feet +/- southwesterly from the southeast corner of said Block 211, of Moores Addition, and being the point of intersection of the northwesterly projection of the southwest line of Block 3, of Country Place Subdivision, same being the northeast line of Block 2, of said Country Place Subdivision;

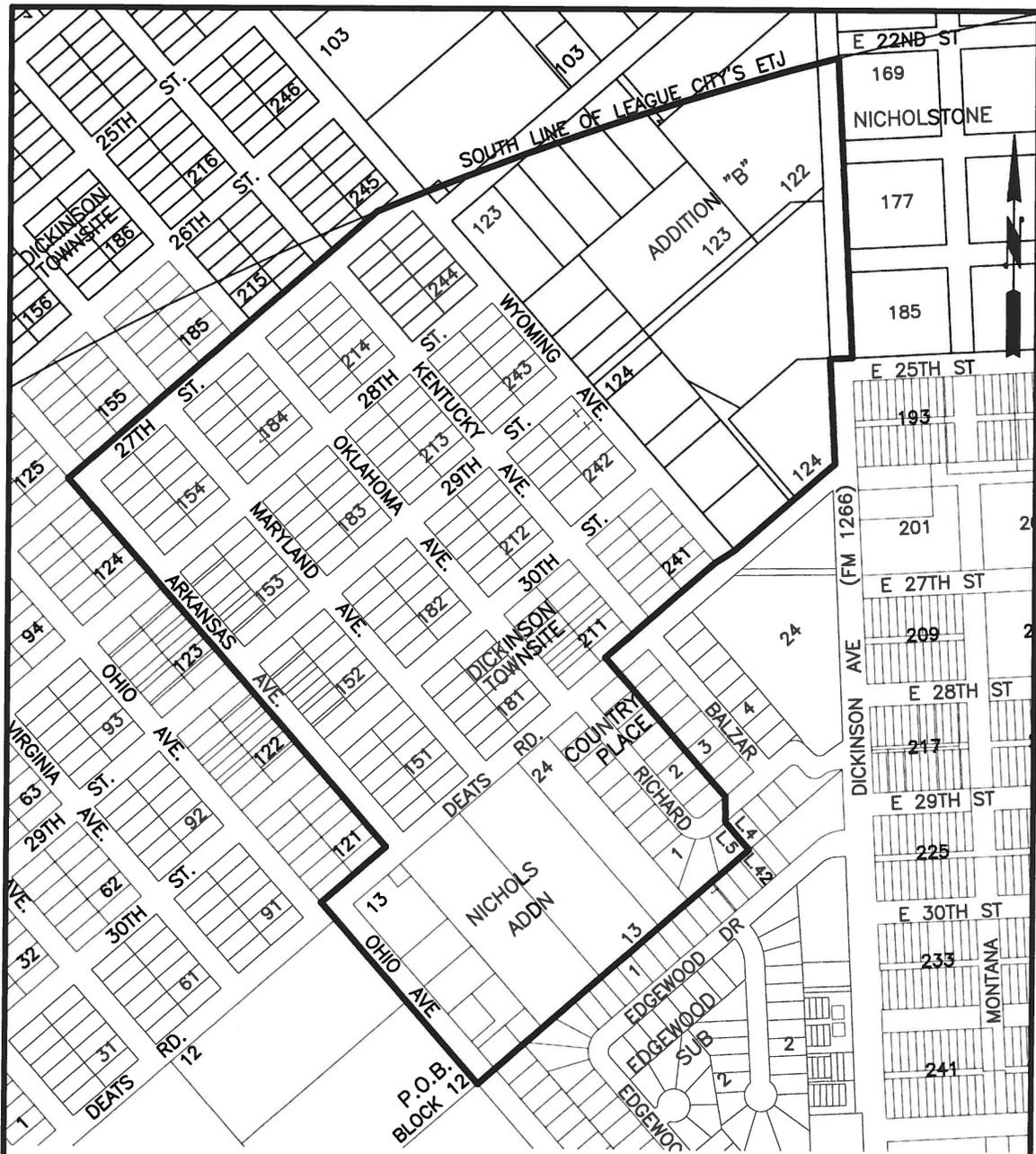
**THENCE** Southeasterly along the southwesterly line of said Block 3, of Country Place Subdivision, to the southwest corner of said Block 3, and being in the northwest right of way line of Richard Drive;

**THENCE** Southerly and crossing said Richard Drive, to the northeast corner of Lot 5, Block 1, of said Country Place Subdivision, same being the northwest corner of Lot 4, Block 1, of said Country Place Subdivision;

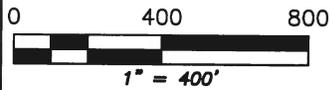
**THENCE** southeasterly along the east line of said Lot 5, Block 1, of Country Place Subdivision, to the southeast corner of said Lot 5, and being in the northwest line of Lot 42, Block 1, of Edgewood Subdivision;

**THENCE** Southwesterly along the northwest line of said Block 1, of Edgewood Subdivision, to the POINT OF BEGINNING.

**NOTE:** THIS DOCUMENT HAS BEEN 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 HAS BEEN PREPARED.



Note: this document has been 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 has been prepared.



*Ellis Surveying Services, LLC.*  
 2805 25th Avenue North  
 Texas City, TX 77590  
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 Texas Firm Reg. No. 100340-00

**EXHIBIT "A"**  
**CITY OF DICKINSON**  
**ANNEXATION AREA**

JULY 06, 2016

**PAGE 3 OF 3**  
**PROJECT NO. 2326**

**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, who the City of Dickinson has an interlocal with 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, who the City of Dickinson has an interlocal with 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.