

**ORDINANCE 2017-11-13**

**AN ORDINANCE OF THE CITY OF LYFORD, TEXAS ANNEXING CERTAIN AREAS ADJACENT TO THE CITY BASED ON A REQUEST FROM THE OWNER OF THE PROPERTY FOR VOLUNTARY ANNEXATION OF THE PROPERTY INTO THE CITY LIMITS OF THE CITY OF LYFORD, EXTENDING THE BOUNDARIES AND EXTRA TERRITORIAL JURISDICTION OF THE CITY, TO INCLUDE SAID ANNEXED AREA WITHIN THE CORPORATE LIMITS OF THE CITY; GRANTING TO SAID ANNEXED AREA AND ALL OWNERS AND INHABITANTS THEREOF ALL THE RIGHTS AND PRIVILEGES ACCORDED TO CITIZENS OF THE CITY; BINDING SAID AREAS AND ALL OWNERS AND INHABITANTS THEREOF TO ALL RULES, ORDINANCES AND OTHER ACTS OF THE CITY, AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lyford, Texas is a General Law municipality; and

**WHEREAS**, the City of Lyford is authorized by Chapter 43 of the Texas Local Government Code to fix the boundaries of the City and to provide for the extension of the boundaries and the annexation of additional territory lying adjacent to the City; and

**WHEREAS**, Section 43.028 of the Texas Local Government Code (LGC) governs the annexation of an area that is (1) one-half mile or less in width; (2) contiguous to the annexing municipality; and (3) is vacant and without residents or on which fewer than three qualified voters reside.

**WHEREAS**, Section 43.028 of the Texas LGC provides that areas described in the previous paragraph may be annexed upon receipt by the municipal government of a written petition from the owners of the property in the area, said petition being acknowledged in the manner required for deeds by each person having an interest in the area, and describing the area by metes and bounds; and

**WHEREAS**, Section 43.028 of the Texas LGC further provides that such petition for annexation be heard by the City Commission after the 5<sup>th</sup> day, but before the 30<sup>th</sup> day after the petition is filed, and that the City Commission shall hear the arguments for and against the annexation; and

**WHEREAS**, Section 43.028 of the Texas LGC provides that if the City Commission grants the petition for annexation, said annexation shall be effectuated on the date of the ordinance;

**WHEREAS**, the City of Lyford received a petition dated October 2, 2017, from the Lyford Economic Development Corporation – Type B requesting a petition to annex 27.867 acres out of the East 33.28 acres of Lot Two (2), Section Ten(10), Lyford Tract of the Gulf Coast Irrigation Company Subdivision, Willacy County, Texas, said property being located on the northwest side of US 77 and FM 498; and

**WHEREAS**, the letter was properly notarized and included metes and bounds description of the property; and

**WHEREAS**, the property proposed to be annexed is adjacent to current city boundaries and is within the Town's extra-territorial jurisdiction; and,

**WHEREAS**, no one resides on the property which is proposed for annexation;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LYFORD, TEXAS, THAT:**

**Section 1.** The City of Lyford hereby annexes the property described in Exhibit A to this ordinance and brings it into the city limits.

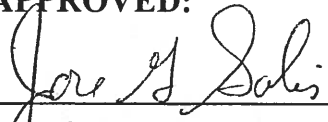
**Section 2.** The City of Lyford, Texas hereby grants to said annexed area and any and all owners and inhabitants thereof all the rights and privileges accorded to them by the City of Lyford, Texas, and binds said area and all owners and inhabitants thereof to all the rules, ordinances and other acts of the City of Lyford, Texas applicable to them.

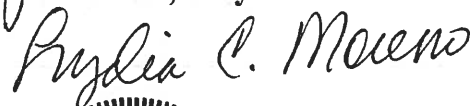
**Section. 3** The City Secretary of the City of Lyford, Texas or his/her designated representative is hereby directed to file a certified copy of this ordinance with all appropriate agencies, as required by state or federal law.

**Section 4.** This ordinance shall be effective immediately upon adoption.


**PASSED AND APPROVED THIS THE 13<sup>th</sup> DAY OF NOVEMBER 2017.**

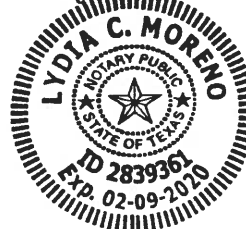
**APPROVED:**

  
\_\_\_\_\_  
Jose G. Solis, Mayor



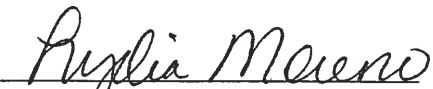
**ATTEST:**

  
\_\_\_\_\_  
Lydia Moreno, City Secretary



**STATE OF TEXAS  
COUNTY OF WILLACY**

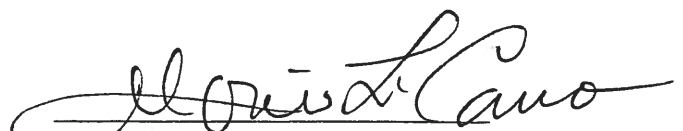
I, Lydia Moreno, City Secretary for the City of Lyford hereby certify that this is a true and correct duplicate original of Ordinance 2017-11-13 approved by the City Commission of the City of Lyford on October 23, 2017, at a duly called meeting of the City Commission of the City of Lyford where a quorum of the City Commission was present.

  
Lydia Moreno, City Secretary

**State of Texas  
County of Cameron**

This instrument was acknowledged before me on the day of November 13, 2017, by Lydia Moreno, City Secretary of the CITY OF LYFORD, TEXAS, as the act and deed thereof.



  
Notary Public, State of Texas

After recording return to:

City of Lyford  
13550 Main Avenue  
Lyford, Texas 78569

# Exhibit "A"



## CENTERLINE SURVEYING

Victor Banuelos, R.P.L.S.  
1205 W Jackson Ave, Suite B  
P.O. Box 1148  
Harlingen, Tx 78551  
(956) 778-9391

### METES AND BOUNDS:

A 27.867 acre tract of land, more or less, out of the East 33.28 acres of Lot Two (2), Section Ten (10), Lyford Tract of the Gulf Coast Irrigation Company Subdivision, Willacy County, Texas as recorded in Volume 1, Page 430 of the Transcribed Records from Cameron County to Willacy County, Texas, said 27.867 acre tract of land being more particularly described as follows:

COMMENCING at a ½ inch steel rod found in concrete on the intersection of the North line of Lot 2, and the West right of way line of U.S. Highway Expressway 77 (380.00 Ft. R.O.W.) for the Northeast corner and POINT OF BEGINNING of the tract of land herein described;

THENCE, South 00 degrees 49 minutes 05 seconds East, with the West right of way line of U.S. Highway Expressway 77, a distance of 1,240.30 feet to a surveyor's concrete monument found for the Southeast corner of this tract;

THENCE, South 52 degrees 37 minutes 50 seconds West, with the West right of way line of U.S. Highway Expressway 77, a distance of 58.60 feet to a ½ inch steel rod found in concrete for a corner of this tract;

THENCE, South 82 degrees 10 minutes 34 seconds West, with the West right of way line of U.S. Highway Expressway 77, a distance of 80.62 feet to a ½ inch steel rod set for a corner of this tract, said corner being on the North right of way line of State Highway F.M. 498 (60.00 Ft. R.O.W.);

THENCE, South 00 degrees 41 minutes 55 seconds East, with the West right of way line of U.S. Highway Expressway 77, at a distance of 30.00 feet passing the Centerline of State Highway F.M. 498, a total distance of 34.74 feet to a point on the South line of Lot 2 for a corner of this tract;

THENCE, South 89 degrees 07 minutes 23 seconds West, with the South line of Lot 2, a distance of 516.24 feet to a point for a corner of this tract;

THENCE, North 00 degrees 47 minutes 10 seconds West, at a distance of 5.56 feet passing the Centerline of State Highway F.M. 498, at a distance of 35.56 passing a ½ inch steel rod found on the North right of way line of State Highway F.M. 498, and being the Southeast corner of a certain one acre tract of land conveyed from E. G. Villarreal et ux to Emilia V. Cantu, recorded in Volume 93, Page 672 of the Willacy County Deed Records, a total distance of 285.56 feet to a ½ inch steel rod found at the Northeast corner of said certain one acre tract of land for a corner of this tract;

THENCE, South 89 degrees 12 minutes 50 seconds West, with the North line of said certain one acre tract of land, a distance of 175.00 feet to a ½ inch steel rod found on the Northwest corner of said certain one acre tract of land for a corner of this tract;

THENCE, South 00 degrees 47 minutes 10 seconds East, with the West line of said certain one acre tract of land, a distance of 20.00 feet to a ½ inch steel rod found for a corner of this tract, said corner being the Northeast corner of a certain 0.53 acre tract of land conveyed to Manuel P. Villarreal, recorded in Volume 101, Page 138 of the Willacy County Deed Records;

THENCE, South 89 degrees 12 minutes 50 seconds West, with the North line of said certain 0.53 acre tract of land, at a distance of 100.00 feet passing the Northwest corner of said certain 0.53 acre tract of land, and Northeast corner of a certain 0.42 acre tract of land conveyed from Georginia V. Pedrael etal to Robert P. Villarreal, recorded in Volume 135, Page 11 of the Willacy County Deed Records, a total distance of 180.00 feet to a ½ inch steel rod found on the Northwest corner of said certain 0.42 acre tract of land for the Southwest corner of this tract, said corner being on the East line of A. S. Heasley Subdivision as recorded in Volume 2, Page 6 of the Willacy County Map Records;

THENCE, North 00 degrees 47 minutes 44 seconds West, with the East line of said A. S. Heasley Subdivision, a distance of 1,054.92 feet to a ½ inch steel rod set on the North line of Lot 2, Section 10 for the Northwest corner of this tract;

THENCE, North 89 degrees 12 minutes 11 seconds East, with the North line of Lot 2, a distance of 997.84 feet to the POINT OF BEGINNING and containing 27.867 acres of land, more or less.

*Victor Banuelos*

Victor Banuelos, R.P.L.S.  
Reg. No. 3880

Job No. 3010-16



December 6, 2016