

**ORDINANCE NO. 2009-06**

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF INGLESIDE ON THE BAY, SAN PATRICIO COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID TOWN SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID TOWN LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES RESOLUTIONS AND REGULATIONS OF SAID CITY; PROVIDING FOR PUBLICATION AND SEVERANCE.

WHEREAS, the City of Ingleside by Ordinance No. 980 relinquished certain property to Ingleside on the Bay; and

WHEREAS, Ingleside on the Bay and Ingleside have entered into a Cession Agreement ceding such property to Ingleside on the Bay; and

WHEREAS, a petition has been signed by a majority of the property owners who are citizens of the State of Texas, qualified voters of the area to be annexed and citizens of the State of Texas and inhabitants of the herein after described territory; and

WHEREAS, said property is adjacent, contiguous and adjoining to City of Ingleside on the Bay and within the extraterritorial jurisdiction of said city; and

WHEREAS, said described territory is not within the extraterritorial jurisdiction of any other city; and

WHEREAS, a majority of the qualified voters in the above described property, by petition and vote expressed the desires of said qualified voters to be annexed to Ingleside on the Bay, and such has been presented to the Mayor; and

WHEREAS, said petition has been certified by the affidavit of those voters to the fact of the vote and to the affect that said petition is signed by a majority of the qualified voters within said property; and

WHEREAS, the Mayor of Ingleside on the Bay has certified the filed affidavit to the governing body of Ingleside on the Bay; and

WHEREAS, two public hearings before the City Council of Ingleside on the Bay, Texas were held in the Council Chambers, City Hall, on the 5th day of May, 2009 and the 19th day of May, 2009; and

WHEREAS, all interested persons were provided an opportunity to be

heard on the proposed annexation of the herein described territory on the dates of said public hearings; and

WHEREAS, notice of such public hearings were published in the official newspaper of Ingleside on the Bay having general circulation in said town of the herein described territory as required by law; and

WHEREAS, the dates of the public hearings were not more forty days nor less than twenty days prior to the institution of annexation proceedings;

NOW THEREFORE, BE IT ORDAINED by the City Council of Ingleside on the Bay:

**Section 1.** That the following described property, to-wit:

1.652 ACRES OF LAND OUT OF THE OLD TOWNSITE OF INGLESIDE AS SHOWN ON THE MAP RECORDED IN VOLUME 2, PAGES 5 AND 6, MAP RECORDS OF SAN PATRICIO COUNTY, TEXAS, WITH SAID 1.652 ACRE TRACT EMBRACING ALL OF LOTS 5 AND 6, BLOCK 93, AND ALL OF LOTS 1 THRU 6, OF BLOCK 105, OF SAID INGLESIDE TOWNSITE, ALONG WITH THAT PORTION OF A 20.0 FOOT ALLEY LYING EAST OF AND ADJACENT TO LOTS 5 AND 6, BLOCK 93, AND LOTS 1 THRU 6, BLOCK 105, ALONG WITH THAT PORTION OF THE UNIMPROVED FIFTEENTH STREET AS SHOWN ON THE OLD MAP OF SAID INGLESIDE TOWNSITE, WITH SAID 1.652 ACRE TRACT BEING MORE PARTICULARLY DESCRIBE BY METES AND BOUNDS description attached hereto as Exhibit A.

be and the same is hereby annexed to Ingleside on the Bay, San Patricio County, Texas, and that the boundary limits of Ingleside on the Bay be and the same are hereby extended to include the above described territory within the city limits of Ingleside on the Bay, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants shall hereafter be entitled to all rights and privileges by the citizens of Ingleside on the Bay and they shall be bound by the acts, ordinances, resolutions and regulations of said city.

**Section 2.** The above described area so annexed shall be annexed and made a part of the corporate limits of the City of Ingleside on the Bay and the property so added hereby shall bear its pro rata share of the taxes levied and assessed by the City of Ingleside on the Bay.

**Section 3.** The City Council of the City of Ingleside on the Bay hereby accepts any and all public rights of way, public easements and any and all other dedications to the public in the herein above described property annexed to the City of Ingleside on the Bay.

**Section 4.** The City Secretary is authorized and directed to file a certified

copy of this Ordinance with the County Clerk of San Patricio County, Texas, the Secretary of State and the State Comptroller's office.

**Section 5.** The City Attorney is authorized and directed to cause the appropriate filing to be made with the U. S. Department of Justice under the Federal Voting Rights Act.

**Section 6.** The Service Plan for area hereby annexed is approved as part of this Annexation Ordinance and is attached hereto as an Exhibit.

**Section 7.** This Ordinance is effective from and after the publication of the caption hereof in the official newspaper of the City of Ingleside on the Bay as provided by law.

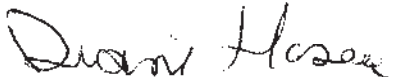
**Section 8.** If any provision of this Ordinance or the application thereof to any person, property or circumstance shall be held unenforceable, invalid, illegal or otherwise considered improper, the remainder of this Ordinance and the application of such provision to other persons, property and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance and each separate part, section and provision thereof would have been enacted without such invalid provision.

PASSED by an affirmative vote of all members of the City Council of Ingleside on the Bay, this the 16<sup>th</sup> day of June, 2009.



  
Howard Gillespie, Mayor

ATTEST:

  
Diane Hosea, City Secretary

The City of Ingleside on the Bay Council passed the following ordinance at the City Council meeting of June 17, 2009.

**ORDINANCE NO. 2009-06**

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Published in The Ingleside Index, June 24, 2009

THE STATE OF TEXAS  
COUNTY OF SAN PATRICIO:

Before me, the undersigned authority, personally appeared

Brenda Burr of The Ingleside Index, who after being

by me duly sworn, on his oath deposes and said:

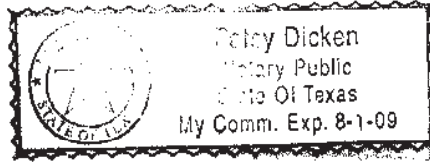
1. That (he) (she) is Publisher of The Ingleside Index a weekly newspaper published in San Patricio County, Texas

2. That the City of Ingleside on Bay published Ordinance 2009-06

hereto annexed, was published in the regular issues of said Ingleside Index once each week for One (1) week successive weeks said publications having been made on the June 24, 2009

3. That a printed copy of said Notice as the same appeared in said issues is attached hereto

Brenda Burr



Sworn to and subscribed before me this 26<sup>th</sup> day of June, 2009

Patsy Dicken  
Notary Public, San Patricio County, Texas

PUBLICATION FEE: \$ \_\_\_\_\_