

ORDINANCE NO. 2014-06

AN ORDINANCE ESTABLISHING THE OFFICIAL STATUS OF A PRIVATE/PUBLIC ALLEYWAY OR DRIVE WHICH FROM THIS DAY FORWARD SHALL BE CLASSIFIED AS A PUBLIC ROAD FOR THE PURPOSE OF PROVIDING PUBLIC INGRESS AND EGRESS TO ALL PROPERTIES ABUTTING THE ROAD.

WHEREAS, The City of Peñitas is a legally incorporated Home Rule City under the State of Texas Constitution and Texas State Statutes, and

WHEREAS, The City of Peñitas has no records or official maps of any properties, property ownerships, roadways, easements or utilities existing prior to the incorporation of the City, and

WHEREAS, The City of Peñitas is aware of an existing Gravel/Dirt road which is located on and abuts the east boundary line of: 1) a .566 acre tract of land in Tract 344 of the Partition of Los Ejidos de Reynosa Viejo recorded in Volume 2487, Page 988, and 2) a .279 acre tract of land in Tract 344 of the Partition of Los Ejidos de Reynosa Viejo recorded in Volume 2487, Page 982

WHEREAS, The Gravel/Dirt road extending North from West Jasmine has existed for over forty years and predates the incorporation of the City of Peñitas.

THE CITY OF PEÑITAS HEREBY ORDAINS THAT:

SECTION 1. The Gravel/Dirt road which extends Northward from the North Right of Way line of West Jasmine is hereby designated an official City of Peñitas Public Road. The road is 37' wide and approximately 442' long (see attached Exhibit 1).

SECTION 2. The herein described Road is hereby officially named North Jasmine Road.

SECTION 3. The designated maximum speed allowed on North Jasmine shall be 20 MPH.

SECTION 4. The City of Peñitas shall provide appropriate signage, maintenance and improvements as authorized by the City Commission commencing on the effective day of this ordinance.

SECTION 5. This ordinance shall take effect and be in force from the date after the Third and Final Reading is passed by the city commission and signed by the Mayor and attested by the City Secretary.

READ, and CONSIDERED on First Reading this the 1st day of October, 2014 at a Regular CALLED MEETING OF THE CITY COMMISSION OF THE CITY OF PENITAS, TEXAS, at which a quorum was present and which was held in accordance with Chapter 551, of the Texas Government Code.

CITY OF PENITAS, TEXAS

ATTESTED BY:


MAYOR ANTONIO "TONY" FLORES JR.



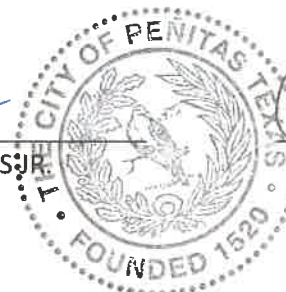

CITY SECRETARY ANA VALDEZ

READ, and CONSIDERED on Second Reading this the 5th day of November 2014 at a Regular CALLED MEETING OF THE CITY COMMISSION OF THE CITY OF PENITAS, TEXAS, at which a quorum was present and which was held in accordance with Chapter 551, of the Texas Government Code.

CITY OF PENITAS, TEXAS

ATTESTED BY:


MAYOR ANTONIO "TONY" FLORES JR.




CITY SECRETARY ANA VALDEZ

READ, CONSIDERED, and APPROVED on Third Reading this the 3rd day of December, 2014 at a Regular CALLED MEETING OF THE CITY COMMISSION OF THE CITY OF PENITAS, TEXAS, at which a quorum was present and which was held in accordance with Chapter 551, of the Texas Government Code.

EXECUTED THIS 3rd DAY OF December, 2014.

CITY OF PENITAS, TEXAS

ATTESTED BY:


MAYOR ANTONIO "TONY" FLORES JR.




CITY SECRETARY ANA VALDEZ

R.O.W.
Surveying Services, LLC.

900 South Stewart, Suite 13
Mission, Texas 78572

Metes and Bounds Description

For a

0.2475 Of an Acre Tract of Land

Being a 0.2475 of an acre tract of land located in the City of Penitas, Hidalgo County, Texas, out of Tracts 334 and 335, Los Ejidos de Reynosa Viejo Grant as recorded in Volume 7, Pages 5 thru 8, of the Map Records, Hidalgo County, Texas, said 0.2475 of an acre tract of land being more particularly described by metes and bounds as follows;

Beginning at a Mag Nail found in the South line of said Tract 334, for the Southeast corner of a called 0.566 of an acre tract of land as described in Volume 408, Page 8 of the Deed Records, Hidalgo County, Texas;

Thence departing the South line of Tract 334 and with the East line of said 0.566 of an acre tract of land, N 08° 55' 33" E at a distance of 295.41 feet passing a ½' iron pin found for the Southeast corner of a called 0.279 of an acre tract of land as described in Volume 2487, Page 982, of the Deed Records, Hidalgo County, Texas, a total distance of 442.14 feet to a ½" iron pin found in the Southwesterly line of a called 1.07 acre tract of land as described in Document Number 1891429 of the Official Records, Hidalgo County, Texas, for the Northwest corner of this herein described tract of land;

Thence with the South line of said 1.07 acre tract of land, S 58° 45' 13" E, at a distance of 21.46 feet passing the West line of said Tract 335, continuing a total distance of 35.68 feet to a ½" iron pin found for the South corner of said 1.07 acre tract of land, for the Northwest corner of a called 0.50 of an acre tract of land as described in Volume 2872, Page 925 of the Deed Records Hidalgo County, Texas, for the Northeast corner of this herein described tract of land;

Thence with the West line of said 0.50 of an acre tract of land, S 11° 52' 57" W, a distance of 225.78 feet to a ½" iron pin found for the Northwest corner of a called 0.23 of an acre tract of land as described in Document Number 2339700, of the Official Records, Hidalgo County, Texas, for a corner of this herein described tract of land;

Thence with the West line of said 0.23 of an acre tract of land, S 08° 55' 33" W, a distance of 211.59 feet to a point in the South line of said Tract 335, for the Southeast corner of this herein described Tract of land

Thence with the South line of said Tract 335, N 59° 24' 58" W at a distance of 4.30 feet passing the Southeast corner of said Tract 334, a total distance of 22.98 feet to the **Point of Beginning** and being a 0.2475 of an acre tract of land for roadway dedication.

Bearings based on the Texas State Plane Coordinate System, Texas South Zone, North American Datum 1983 (2011).

Surveyed on the ground this the 22nd day of October, 2014.



Kurt Schumacher
Registered Professional Land Surveyor No. 6333

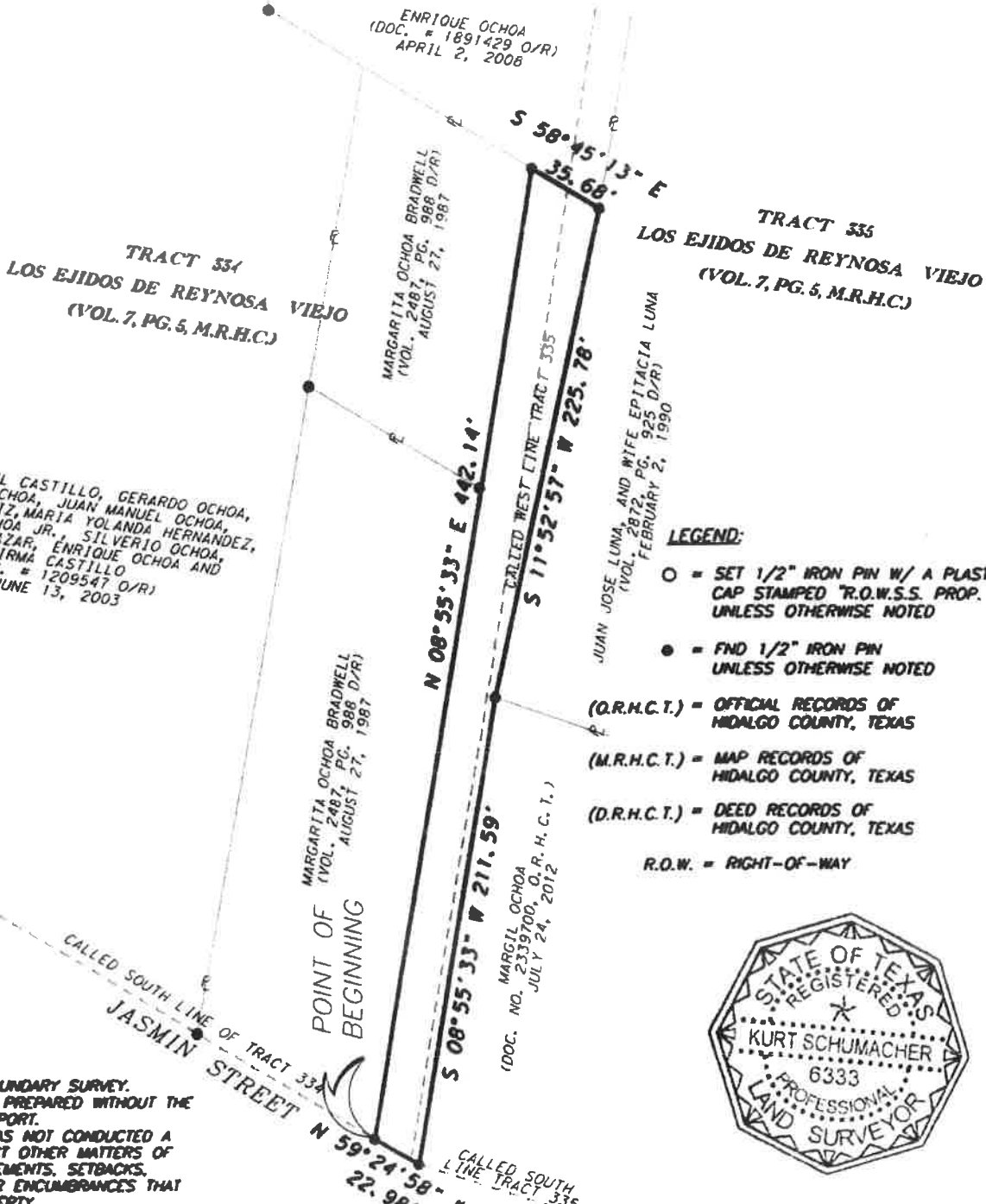




SCALE: 1"=75

EXHIBIT

BEING A 0.2475 OF AN ACRE TRACT OF LAND FOR CITY ROADWAY DEDICATION, OUT OF TRACT 334 AND 335, LOS EJIDOS DE REYNOSA VIEJO GRANT, AS RECORDED IN VOLUME 7, PAGES 5 THRU 8, OF THE MAP RECORDS, HIDALGO COUNTY, TEXAS



MARIA ISABEL CASTILLO, GERARDO OCHOA, ERNESTO OCHOA, JUAN MANUEL OCHOA, IDOLINA ALANIZ, MARIA YOLANDA HERNANDEZ, ISABEL OCHOA JR., SILVERIO OCHOA, IRENE SALAZAR, ENRIQUE OCHOA AND IRMA CASTILLO (DOC. # 1209547 O/R) JUNE 13, 2003

ENRIQUE OCHOA (DOC. # 1891429 O/R) APRIL 2, 2008

MARGARITA OCHOA BRADWELL (VOL. 2487, PG. 988 D/R) AUGUST 27, 1987

MARGARITA OCHOA BRADWELL (VOL. 2487, PG. 988 D/R) AUGUST 27, 1987

MARGIL OCHOA (DOC. NO. 2339700, O.R. H. C. T.) JULY 24, 2012

JUAN JOSE LUNA, AND WIFE EPTITACIA LUNA (VOL. 2812, PG. 925 D/R) FEBRUARY 2, 1990

LEGEND:

- = SET 1/2" IRON PIN W/ A PLASTIC CAP STAMPED "R.O.W.S.S. PROP. COR." UNLESS OTHERWISE NOTED
- = FND 1/2" IRON PIN UNLESS OTHERWISE NOTED
- (O.R.H.C.T.) = OFFICIAL RECORDS OF HIDALGO COUNTY, TEXAS
- (M.R.H.C.T.) = MAP RECORDS OF HIDALGO COUNTY, TEXAS
- (D.R.H.C.T.) = DEED RECORDS OF HIDALGO COUNTY, TEXAS
- R.O.W. = RIGHT-OF-WAY

NOTES:

1. THIS IS NOT A BOUNDARY SURVEY.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
3. THIS SURVEYOR HAS NOT CONDUCTED A TITLE SEARCH TO DEPICT OTHER MATTERS OF RECORD, SUCH AS EASEMENTS, SETBACKS, RESTRICTIONS OR OTHER ENCUMBRANCES THAT MAY AFFECT THIS PROPERTY
4. BEARING BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM 1983.
5. METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS HEREIN PLAT.



STATE OF TEXAS
COUNTY OF HIDALGO

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS SURVEY IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND ALL OBSERVABLE EVIDENCE OF BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE ABOVE PREMISES ARE SHOWN

THIS 22 DAY OF Oct 2014

KURT SCHUMACHER
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6333



SURVEYING SERVICES, LLC

900 S. STEWART RD. SUITE 13
MISSION, TEXAS 78572
TEL.: (956) 424-3335
FAX.: (956) 583-7116

I, Ana Valdez, City Secretary for the City of Peñitas, do hereby certify that this is a true and correct copy of Ordinance No. 2014-06 which was read, considered, and approved at the Regular Called Meeting of the City Council held on 3rd day of December, 2014 at which a quorum was present.

Ana M. Valdez

Ana Valdez
City Secretary
City of Penitas

