

city copy

**ORDINANCE NO. 2028**

**AN ORDINANCE PROVIDING FOR THE DISANNEXATION FROM THE CORPORATE BOUNDARIES OF THE CITY OF PLUM GROVE, TEXAS OF THAT CERTAIN 61.5 ACRE TRACT OF LAND, MORE OR LESS, OUT OF THE 000161 DAVID COLE SURVEY, TRACT 19 40, LIBERTY COUNTY, TEXAS, PURSUANT TO THE PETITION FOR DISANNEXATION BY RALEIGH J. MORROW, ON OR ABOUT APRIL 10, 2017; TERMINATING INHABITANTS' RIGHTS AND PRIVILEGES; ESTABLISHING FILING AND PUBLICATION REQUIREMENTS; AND PROVIDING FOR EFFECTIVE DATE AND PUBLIC NOTICE AND OPEN MEETING REQUIREMENTS.**

**WHEREAS**, Raleigh J. Morrow ("Raleigh"), filed a Petition for Disannexation with the City of Plum Grove on or about April 3<sup>rd</sup> 2017, requesting that the City of Plum Grove disannex certain parcels of land owned by Raleigh, identified as the approximately 61.5 acres shown and described as tract 19 40 in Exhibit "A" attached and hereto; and

**WHEREAS**, Raleigh requests in the Petition that the identified parcels of land be disannexed from the City of Plum Grove pursuant to Section 43.144 of the Texas Local Government Code ("Disannexation of Sparsely Populated Area in General Law Municipality"); and

**WHEREAS**, the parcels of land to be disannexed consist of at least ten (10) acres and are either uninhabited or contain fewer than one occupied residence or business structure for every two acres and fewer than three occupied residences or business structures on any one acre; and

**WHEREAS**, the disannexed territory will be within the City of Plum Grove's ETJ; and; now, therefore,

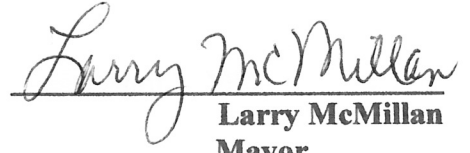
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLUM GROVE, TEXAS:**

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

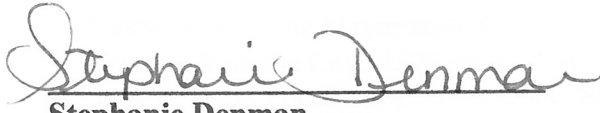
**Section 2.** The below described tract of land, comprising 61.5 acres, more or less, being generally located south on Plum Grove Road, is hereby disannexed and discontinued from the corporate limits of the City of Plum Grove, Texas. Said tract of land hereby disannexed and discontinued from the City of Plum Grove, Texas, is more particularly described by survey tract in Exhibit "A" attached hereto and for all things made part hereof.

**Section 3.** The City Secretary be, and she is hereby, authorized and directed to forthwith cause a certified copy of this Ordinance to be delivered to the County Clerk of Liberty County, Texas, as required by § 41.0015, TEXAS LOCAL GOVERNMENT CODE.

**PASSED, APPROVED, AND ADOPTED this the 10<sup>th</sup> day of April 2017.**

  
**Larry McMillan**  
**Mayor**

**ATTEST:**

  
**Stephanie Denman**  
**City Secretary**

**SEAL**



April 3, 2017

PETITION

I, *R. J. Morrow*, a resident of the City of Plum Grove, Liberty County, Texas, hereby petition the Mayor and City Council of said city to disannex (exclude) the following described property from the City Limits of the City of Plum Grove, Liberty County, Texas, as permitted by the State of Texas Local Government Code; Section 43,144 Subsection 1, B. This property qualifies for disannexation under this chapter.

As described by the Liberty County Central Appraisal District:

000161 David Cole Survey, Tract 17.....Acres *6 1/2 ac*

. If approved, Sec.43.144 of the Local Government Code directs the mayor to enter in the minutes or records of the governing body an order discontinuing the area and an ordinance adopted stating the same. The area ceases to be a part of the municipality on the date of the entry of the order. (Acts 1987, 70<sup>th</sup> Leg.,ch. 149, Sec. 1, eff. Sept. 1, 1987)

If approved, it is further requested that the City of Plum Grove, Liberty County, Texas, furnish the petitioner a signed, dated, and sealed copy of both minutes of record and ordinance adopted or issued for personal records.

Respectfully:

*R. J. Morrow*  
*Raleigh J. Morrow*