

**CITY OF WHARTON  
ORDINANCE NO. 2022-06**

**AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY, OWNED BY THE CITY OF WHARTON, WHARTON COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY, AND ADOPTING A SERVICE PLAN.**

**WHEREAS,** Article I. Incorporation; Form of Government; Corporate and General Powers of the City of Wharton City Charter; Section 8 Extending city limits upon petition and Section 9 Extending and fixing city limits by ordinance as restricted by law, of the City Charter, of the City of Wharton, Texas, an incorporated city, authorizes the annexation of territory, subject to the laws of this state; and,

**WHEREAS,** The procedures prescribed by the City Charter of the City of Wharton, Texas, and the laws of this state have been duly followed with respect to the following described territory, to wit:

1. 17.31 acres or 753,916 square feet of land, situated in the Alexander Jackson Timber League, Abstract No. 34 and the William Kincheloe League, Abstract No. 38, Wharton County, Texas
2. 2.931 acres or 127,671 square feet of land, situated in the Alexander Jackson Timber League, Abstract No. 34, Wharton County, Texas
3. 2.950 acres or 128,519 square feet of land, situated in the Alexander Jackson Timber League, Abstract No. 34, Wharton County, Texas
4. 0.9058 acres or 39,456 square feet of land, situated in the Alexander Jackson Timber League, Abstract No. 34, Wharton County, Texas
5. 0.2055 acres or 8,952 square feet of land, situated in the Alexander Jackson Timber League, Abstract No. 34, Wharton County, Texas
6. 5.495-acre tract of land situated in the Alexander Jackson Timber League, Abstract No. 34 in Wharton County, Texas
7. 3.686-acre tract of land situated in the Alexander Jackson Timber League, Abstract No. 34 in Wharton County, Texas
8. 3.852-acre tract of land situated in the Alexander Jackson Timber League, Abstract No. 34 in Wharton County, Texas. (Exhibit A).

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHARTON, TEXAS, that:**

**Section I.** That the heretofore described property is hereby annexed to the City of Wharton, Wharton County, Texas, and that the boundary limits of the above described territory within the city limits of the City of Wharton, and the

same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the City of Wharton and they shall be bound by the acts, ordinances, resolutions, and regulations of said city.

**Section II.** A service plan for the area is adopted and attached as Exhibit B.

**Section III.** The City Secretary is hereby directed to file with the County Clerk of Wharton, Texas, a certified copy of this ordinance.

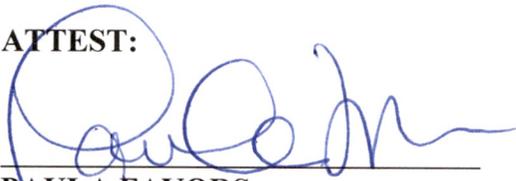
**Section IV.** This ordinance shall become effective immediately upon its passage.

**PASSED, APPROVED, and ADOPTED** by the City Council of the City of Wharton, Texas, on the 9<sup>th</sup> day of May 2022.

**CITY OF WHARTON, TEXAS**

By:   
**TIM BARKER**  
Mayor

**ATTEST:**

  
**PAULA FAVORS**  
City Secretary

**APPROVED AS TO FORM:**

  
**PAUL WEBB**  
City Attorney



# FM 1301 Extension Annexation Exhibit "A"



Google Earth

Sunset Dr  
3000 ft

1301



**“Exhibit B”**  
**ANNEXATION SERVICE PLANS CITY OF WHARTON, TEXAS**  
**MUNICIPAL SERVICE PLAN**

**TERRITORY**

This Service Plan is applicable to the territory which are described in Exhibit A attached to this document, which are being annexed by the City of Wharton, Texas.

**INTENT**

It is the intent of the City of Wharton that this Service Plan shall provide for the delivery of full available municipal services to the annexed areas in accordance with State law. The failure of this plan to describe any particular service shall not be deemed to be an attempt to omit the provision of such services from the annexed areas. The delivery of municipal services may be accomplished through any means permitted by law.

**EFFECTIVE TERM**

This Service Plan shall be in effect for a ten-year period commencing on the effective date of this annexation.

**AMENDMENT OR RENEWAL**

This Service Plan may be amended from time to time as provided by Texas Local Government Code, Section 43.056 (e), (j), and (k). Renewal of the Service Plan shall be at the sole option of the Wharton City Council.

**FIRE**

*Existing Services:* Wharton Volunteer Fire Department

*Services to be Provided:* Fire suppression will be available to the area upon annexation. Primary fire response will be provided by Wharton Voluntary Fire Department, located at 319 N Fulton Wharton, TX 77488. 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.

**POLICE**

*Existing Services:* Wharton County Sheriff's Department

*Services to be Provided:* Currently, the area is under the jurisdiction of the Wharton County Sheriff's Office. However, upon annexation, the City of Wharton 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:* Wharton County Permit Department

*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 Wharton.

### **PLANNING AND ZONING**

*Existing Services:* None

*Services to be Provided:* The City of Wharton does not have zoning.

### **LIBRARY**

*Existing Services:* Wharton County

*Services to be Provided:* Library serves will continue to be provided by Wharton County.

### **HEALTH DEPARTMENT- HEALTH CODE ENFORCEMENT SERVICE**

*Existing Services:* None

*Services to be Provided:* The Texas Department of Health and Human Services will implement the enforcement of the State of Texas' health ordinances and regulations on the effective date of the annexation.

### **ANIMAL CONTROL**

*Existing Services:* None

Animal control services will be provided to the area as needed by the Wharton Police Department.

### **STREET**

*Existing Services:* None

*Services to be Provided:* Developers will provide streets at their own expense and will be inspected by the City of Wharton Engineers at time of completion(s). The City of

Wharton will then maintain the streets(s) upon approval. Maintenance to the street(s) will be provided by the City of Wharton 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 of Wharton Engineers at time of completions. The City of Wharton will then maintain the drainage upon approval.

### **STREET LIGHTING**

*Existing Services:* None

*Services to be Provided:* The City of Wharton will coordinate any request for improved street lighting with the local electric provider in accordance with standard City of Wharton policy.

### **TRAFFIC ENGINEERING**

*Existing Services:* None

*Services to be Provided:* The City of Wharton Public Works Department provide, after the effective date of annexation, any additional traffic control devices per City of Wharton requirements.

### **WATER SERVICE**

*Existing Services:* None

*Services to be Provided:* Water service to the area will be provided in accordance with the applicable codes and departmental policy. When other property develops in the adjacent area, water service shall be provided in accordance with extension ordinances. Extension of service shall comply with City of Wharton codes and ordinances.

### **SANITARY SEWER SERVICE**

*Existing Services:* None

*Services to be Provided:* Sanitary sewer service to the area of proposed annexation will be provided in accordance with applicable codes and departmental policy. When property develops in the adjacent areas, sanitary sewer service shall be provided in accordance

with the present extension ordinance. Extension of service shall comply with applicable codes and ordinances.

### **SOLID WASTE SERVICES**

*Existing Services:* None

*Services to be Provided:* Solid Waste Collection and Disposal shall be provided to the area of annexation in accordance with the present ordinance. Service shall comply with existing City of Wharton policies, beginning with occupancy of structures and the laws of the state of Texas.

### **MISCELLANEOUS**

All other applicable municipal services will be provided to the area in accordance with the City of Wharton's established policies governing extension of municipal services to newly annexed areas.