

ORDINANCE NO. 25-40

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HARLINGEN BY ANNEXING, FOR FULL PURPOSE, A 10.00 ACRE TRACT OF LAND OUT OF BLOCK 3, F.H.HANDLEY SUBDIVISION, LOCATED ON THE EAST SIDE OF PALOMA LANE APPROXIMATELY 2,010.46 FEET SOUTH OF GARRETT ROAD, INCLUDING ALL OF THE RIGHT-OF-WAY ON THE SOUTH SIDE OF GARRETT ROAD, APPROXIMATELY 320.77 EAST OF PALOMA LANE AND ALL OF THE RIGHT-OF-WAY ALONG PALOMA LANE, SOUTH OF GARRETT ROAD TO AND THROUGH THE PROPERTY; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Harlingen, Texas (the "City") desires to annex approximately 10.00 acres of land out of Block 3, F.H. Handley Subdivision, located on the east side of Paloma Lane approximately 2,010.46 feet south of Garrett Road, including all the right-of-way on the south side of Garrett Road approx. 320.77 feet east of Paloma Lane and all the right-of-way along Paloma Lane south of Garrett Road to and through the property, as shown in Exhibit "A" and "B", and

WHEREAS, pursuant to Chapter 43, Section 43.003, of the Texas Local Government Code, a home-rule municipality may extend the boundaries of the municipality and annex area adjacent to the municipality which are contained in the municipality's extra-territorial jurisdiction (ETJ); and

WHEREAS, Chapter 43, Subchapter C-3 of the Texas Local Government Code authorizes municipalities to annex an area on the request of all property owners in an area; and

WHEREAS, the City Commission provided public notice and held public hearings on June 25, July 2, and July 16, 2025, for all interested persons to attend and be heard in accordance with Texas Local Government Code, Chapter 43, Subchapter C-3, § 43.0673; and

WHEREAS, at such hearings all interested persons were heard concerning the advisability of annexing such tracts of land; and

WHEREAS, the City Commission of the City of Harlingen finds that the inclusion of such additional area will be of benefit to the City of Harlingen; now therefore

BE IT ORDAINED BY THE CITY OF HARLINGEN:

Section 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Commission and made a part hereof for all purposes as findings of fact.

Section 2. The Property, lying outside of, but adjacent to and adjoining the City and located within the City's ETJ, is hereby annexed into the City, and the boundaries of the City are extended to include the Property within the corporate limits of the City. From and after the date of this ordinance, the Property shall be entitled to all the rights and privileges of the City and shall be bound by all the acts, ordinances, resolutions, and regulations of the City.

Section 3. The City finds annexation of the Property to be in the public interest due the Property promoting economic growth of the City.

Section 4. The City Manager is hereby authorized and directed to take appropriate action to have the official map of the City revised to reflect the addition to the City's Corporate Limits and the City Secretary is directed to file a certified copy of this Ordinance in the office of the County Clerk of Cameron County, Texas, and in the official records of the City.

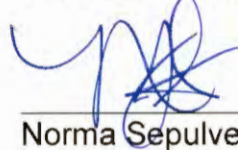
Section 5. If for any reason any section, paragraph, subdivision, clause, phrase, word, or other provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this Commission that every section, paragraph, subdivision, clause phrase, word, or provision hereof shall be given full force and effect for its purpose.

Section 6. This Ordinance will take effect upon its adoption by the City Commission in accordance with the provisions of Article V, Section 5 of the City Charter.

APPROVED ON FIRST READING on this 2nd day of July 2025

APPROVED, PASSED, AND ADOPTED ON SECOND AND FINAL READING on this 16th day of July 2025

CITY OF HARLINGEN



Norma Sepulveda, Mayor

ATTEST:



Mayra Herrera, City Secretary

EXHIBIT "A"

NOTES AND TECHNICAL INFORMATION

1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF PROFESSIONAL LAND SURVEYORS, TEXAS, AND THE TEXAS SURVEYING ACT, CHAPTER 81, TEXAS STATUTES ANNOTATED, AS AMENDED.

2. THE SURVEY WAS CONDUCTED ON THE DATE INDICATED ON THE SURVEYOR'S CERTIFICATE.

3. THE SURVEY WAS CONDUCTED BY THE SURVEYOR NAMED ON THE SURVEYOR'S CERTIFICATE.

4. THE SURVEY WAS CONDUCTED FOR THE PURPOSES OF THE SURVEYOR'S CERTIFICATE.

5. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF PROFESSIONAL LAND SURVEYORS, TEXAS, AND THE TEXAS SURVEYING ACT, CHAPTER 81, TEXAS STATUTES ANNOTATED, AS AMENDED.

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7. THE SURVEY WAS CONDUCTED BY THE SURVEYOR NAMED ON THE SURVEYOR'S CERTIFICATE.

8. THE SURVEY WAS CONDUCTED FOR THE PURPOSES OF THE SURVEYOR'S CERTIFICATE.

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12. THE SURVEY WAS CONDUCTED FOR THE PURPOSES OF THE SURVEYOR'S CERTIFICATE.

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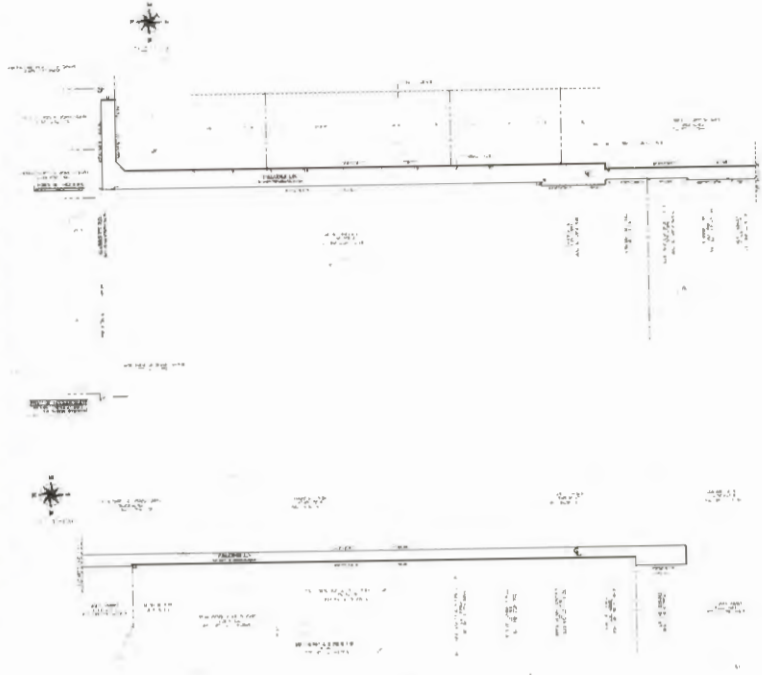
16. THE SURVEY WAS CONDUCTED FOR THE PURPOSES OF THE SURVEYOR'S CERTIFICATE.

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LEGEND

1	IRON ROD FOUND
2	IRON ROD SET WITH CAP STAMPED "MOORE-4370"
3	PIPE FOUND
4	POWER POLE
5	FIRE HYDRANT
6	WATER VALVE
7	STATION STAKE/PIPE
8	SIGN
9	OUTLINE ANCHOR

NOTES

1. BASIS OF BEARINGS AS PER THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 83.
2. ADDRESS: PALOMA LANE, BARKERS, TEXAS 75558.
3. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
4. IRRIGATION STRUCTURES WITHIN THIS TRACT FOR WHICH NO DEED WAS REVIEWED. FOR INFORMATION REGARDING IRRIGATION FACILITIES AND RIGHTS OF WAY CONTACT HARTLEIGH IRRIGATION DISTRICT.
5. DRAINAGE DITCHES WITHIN THIS TRACT FOR WHICH NO DEED WAS REVIEWED. FOR INFORMATION REGARDING DRAINAGE FACILITIES AND RIGHTS OF WAY CONTACT CAMERON COUNTY DRAINAGE DISTRICT NO. 3.
6. AS PER FIELD OBSERVATION THERE IS AN OVERLAP BETWEEN THE EAST BOUNDARY OF THIS TRACT AND THE WEST BOUNDARY OF THE TRACT TO THE EAST, AS SHOWN.

SURVEYOR CERTIFICATE

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY AS DESCRIBED HEREIN WAS MONUMENTED ON THE GROUND ON 04/19/2018, THAT THE ONLY VISIBLE MONUMENTS ARE AS SHOWN THAT THERE ARE NO VISIBLE ENCROACHMENTS, MOBILE OVERLAPPING, APPARENT ENCROACHMENTS, OR MOBILE ENCROACHMENTS EXCEPT AS SHOWN HEREIN. THIS SURVEY CONFORMS TO THE MINIMUM STANDARDS OF PRACTICE PROMULGATED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

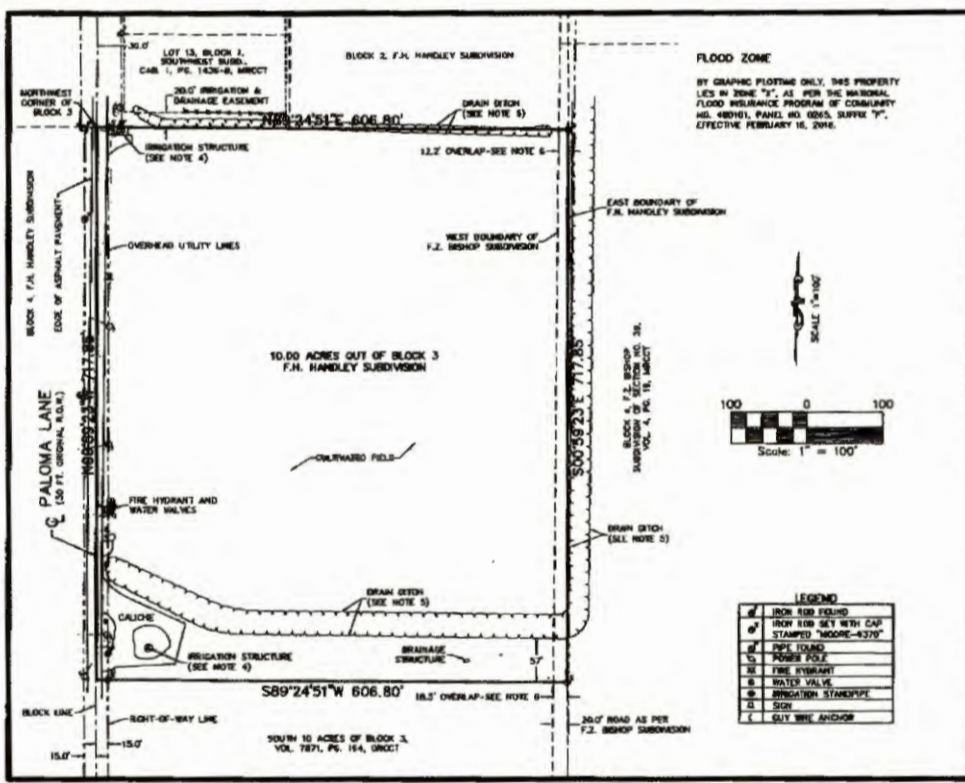
Cody Moore
 CODY MICHAEL MOORE, R.P.L.S.
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 6370
 DATE: 4/19/18

BOUNDARY SURVEY OF:
 10.00 ACRES OF LAND OUT OF BLOCK 3,
 F.H. HANDLEY SUBDIVISION,
 CAMERON COUNTY, TEXAS, RECORDED IN
 VOLUME 4, PAGE 64, MAP RECORDS OF
 CAMERON COUNTY, TEXAS.

FOR PATRICKA AMBROS
 DATE: 11 APRIL 2018 JOB NO. 131002

Moore Land Surveying, LLC
 14216 PAUL DAVIS LA PRIO, TX 75159
 (954)405-0888 MPLS Form No. 1803090

10.00 ACRES OUT OF BLOCK 3, F.H. HANDLEY SUBDIVISION, CAMERON COUNTY, TEXAS, RECORDED IN VOLUME 4, PAGE 64, MAP RECORDS OF CAMERON COUNTY, TEXAS.



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Cody Moore
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EXHIBIT "B"

ANNEXATION SERVICE AGREEMENT

SECTION 1. Pursuant to the provisions of V.T.C.A., Local Government Code Section 43.0672, in connection to the voluntary annexation of 10.00 acres of land out of Block 3, F.H. Handley Subdivision, located on the east side of Paloma Lane approximately 2,010.46 ft. south of Garrett Road, including all the right-of-way on the south side of Garrett Road approx. 320.77 ft east of Paloma Lane and all the right-of-way along Paloma Lane south of Garrett Road to and through the property, Cameron County, Texas, the owners(s) of the land in the area and the City of Harlingen ("City"), collectively referred to herein as the "Parties", hereby enter into this written Annexation Service Agreement as follows:

- A. Services to be provided on the effective date of annexation unless otherwise specified.
1. Police Protection
Patrolling, radio response to calls and other routine police services using present personnel and equipment will be provided on the effective date of annexation. Patrol positions will be added when population warrants.
 2. Fire Protection
Fire protection by the present personnel and equipment of the fire fighting force within the limitations of available water will be provided on the effective date of annexation.
 3. Emergency Medical Services
Emergency medical services will be provided through contract services on the effective date of annexation.
 4. Environmental Health and Code Compliance
Health protection including the elimination of weedy lots, illegal dumping, unsanitary septic systems, sources of standing water and other public nuisances will be provided on the effective date of annexation.

Regulation of animal and fowl density will be provided on the effective date of annexation.
 5. Solid Waste Collection
Pick up will begin on the effective date of annexation at the same level of service and cost provided to other similar areas presently found within the City of Harlingen.

Brush collection will be on a periodic basis as established by the City Sanitation Department with an active utility account.

EXHIBIT "B"

6. Operation and maintenance of public water and wastewater facilities
Routine maintenance of existing water and wastewater facilities owned by Harlingen Waterworks System that are not within the service area of another water or wastewater utility will begin on the effective date of annexation.
 7. Operation and maintenance of public roads and streets
Routine maintenance of public roads and streets will begin on the effective date of annexation on the same basis as presently occurs in the city.
- B. If the city fails to zone the property as Residential, Single-Family District after the rezoning public hearings are held, the city agrees to de-annex the property within three (3) months after the rezoning process is completed.
- C. The city agrees not to require the dedication of any additional right of way and to not require ten (10) feet of additional asphalt, with curb and gutter and sidewalks along the Paloma Lane boundaries during the subdivision process.

SIGNED this 20 day of June, 2025.

CITY OF HARLINGEN

By: Gabriel Gonzalez
Gabriel Gonzalez, CPM, City Manager

PROPERTY OWNER(S) OF THE PROPERTY DESCRIBED ABOVE

By: J.V. & Jessica Garcia
J.V. & Jessica Garcia