

ORDINANCE 142-99

**A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WALLIS, TEXAS,
APPROVING THE PETITION OF RELIANT ENERGY INCORPORATED TO
INCLUDE CERTAIN LAND OWNED BY THEM WITHIN THE EXTRATERRITORIAL
JURISDICTION OF THE CITY OF WALLIS.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALLIS, TEXAS:

That the Petition of Reliant Energy Incorporated, filed under the provisions of Section 42.022(b) Local Government Code, as owner of a parcel of land containing a total of 4,698 acres, and described in field notes attached to said petition, having been submitted to Council and included on the Agenda of December 9, 1999, when consideration was given to the approval of the subject petition is appropriate and desirable;

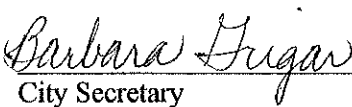
NOW, THEREFORE, BE IT ORDAINED THAT THE CITY COUNCIL OF THE CITY OF WALLIS, TEXAS:

Section 1. The City Council of the City of Wallis does ordain that the Petition for Expansion of Extraterritorial Jurisdiction filed by Reliant Energy Incorporated for inclusion of a parcel of land containing a total of 4,698 acres which it owns in the extraterritorial jurisdiction of the City of Wallis, a true and correct copy of which is attached hereto, including Exhibit "A," more particularly describing such land is PASSED, APPROVED, AND ORDAINED this 9th day of December, 1999 by a unanimous vote of Council.



Mayor

ATTEST:



City Secretary

**PETITION FOR EXPANSION OF
EXTRATERRITORIAL JURISDICTION**


To the Honorable Mayor
and City Council of the City of Wallis (the "City")

Under the provisions of Section 42.022(b) Local Government Code, ("Section 42.022(b)") as amended, the undersigned, Reliant Energy, Incorporated ("Reliant Energy") being the owner of a parcel of land containing a total of 6,537 acres, and described in the field notes attached to petition and request, Petition represents and affirms that:

1. That parcel of land described in Exhibit "A" consist of completely of territory contiguous to the now-existing jurisdiction of City of Wallis;
2. The Petitioner is the owner of the parcel of land, and
3. No part of such land has within the corporate limits or the extraterritorial jurisdiction of any municipality in the State of Texas.

Reliant Energy petitions and requests that the City, pursuant to the terms of Section 42.022(b) and the Industrial Development Agreement between Reliant Energy and the City approved December 9, 1999, extend the extraterritorial jurisdiction to include the parcel of land described in Exhibit "A."

RELIANT ENERGY, INCORPORATED,
a Texas Corporation

By: 
Name: David M. McClanahan
Title: President & Chief Operating Officer
Reliant Energy Delivery Group

WALLIS ETJ EXHIBIT

A bounds description depicting the lines dividing the extraterritorial jurisdiction of the City of Wallis from the extraterritorial jurisdiction of the City of Sealy, crossing and including the property owned by Reliant Energy (formerly Houston Lighting & Power Co.) being in the A. Kuykendall Survey A-247, Miles N. Allen League A-3, A. Mancha Survey A-69, R. M. Williamson League A-105, John Little League A-66, S. Richardson Survey A-81, Milburn & Davis League A-71, C.C.D. Co. Survey A-325, George Sealy Survey A-386, George Sealy Survey A-387, and J. Stevens League A-93, Austin County, Texas is hereby described as follows:

Entering said property at the intersection of the Union Pacific Railroad (formerly G. C. & S. F. RR.) and the southwesterly corner of a 98.500 Ac. tract granted to Reliant Energy by Leonard Kolodziejczyk in Vol. 355 Pg. 937 A.C.D.R., being the **POINT OF BEGINNING**;

Thence northeasterly along the southeasterly line of the tracts granted by Leonard Kolodziejczyk in Vol. 355 Pg. 937 A.C.D.R. (98.500 Ac.) and Conrad Kolodziejczyk Vol. 355 Pg. 934 A.C.D.R. (198.000 Ac.) to the southeasterly corner of the latter tract;

Thence southeasterly along the southwesterly line of a tract granted by W. S. Roberts, Trustee in Vol. 353 Pg. 297 A.C.D.R. (128.194 Ac.) to it's southwesterly corner;

Thence northeasterly along the southeasterly line of tracts granted by W. S. Roberts, Trustee in Vol. 353 Pg. 297 A.C.D.R. (128.194 Ac.) and Josephine Stavinoha in Vol. 346 Pg. 254 A.C.D.R. (59.806 Ac.) to the latter tract's southeasterly corner;

Thence southeasterly along the southwesterly line of tracts granted by W. S. Roberts, Trustee in Vol. 353 Pg. 297 A.C.D.R. (812.00 Ac.), Adolph Dujka, et ux. in Vol. 355 Pg. 117 A.C.D.R. (103.560 Ac.), and W. R. Hancock, et ux. in Vol. 353 Pg. 874 A.C.D.R. (56.000Ac.) to the latter tract's southeasterly corner;

Thence northerly along the southeasterly line of tracts granted by W. R. Hancock, et ux. in Vol. 353 Pg. 874 A.C.D.R. (56.000 Ac.), J. W. Bransom, Sr., et ux. in Vol. 353 Pg. 872 A.C.D.R. (56.00 Ac.), and Walton S. Roberts, Trustee in Vol. 353 Pg. 297 A.C.D.R. (24.377 Ac.) to the latter tract's northeasterly corner;

Thence continuing northerly along the projected tract lines mentioned previously across a tract granted by Walton S. Roberts, Trustee in Vol. 353 Pg. 297 A.C.D.R. (144.549 Ac.) to a point for angle in a tract granted by W. S. Chadwick, Trustee in Vol. 373 Pg. 369 A.C.D.R. (45.000 Ac.);

Thence northeasterly along a projected line, being the southeasterly tract lines of the tracts in the following course, across the tract granted by W. S. Chadwick, Trustee in Vol. 373 Pg. 369 A.C.D.R. (45.000Ac.) and a tract granted by George Gallis, et ux. in Vol. 346 Pg. 112 A.C.D.R. (58.616 Ac.);

Thence northeasterly along the southeasterly line of tracts granted by Richard H. Eppright, et ux. in Vol. 353 Pg. 867 (99.00 Ac.), Owen E. Lay, et ux. in Vol. 354 Pg. 900 (45.000 Ac.), Zapalac Estate in Vol. 370 Pg. 418 (20.000 Ac.), and C. B. Ames, et ux. in Vol. 353 Pg. 861 (111.76 Ac.) continuing to the northeasterly property line of the latter tract, being the most northerly corner of this tract;

Thence southeasterly along the northeast line of the tract granted by Jerry K. Kelly, et ux. in Vol. 351 Pg. 360 A.C.D.R. (342.160 Ac.) to a point of curvature to the right;

Thence in a southerly direction along the curve, being the northeasterly line of the above mentioned tract, to the southeast corner of this tract;

Thence easterly along the northerly line of a tract granted by E. L. Johnson in Vol. 349 Pg. 141 A.C.D.R. (14.00 Ac.) to the northeast corner of this tract, being in the northerly right-of-way line of F. M. 1458;

Thence southwesterly along the easterly line of the above mentioned tract and the right-of-way line of F. M. 1458 to a point for corner in a tract granted by Howard Sander Plank in Vol. 355 Pg. 50 A.C.D.R. (57.706 Ac.);

Thence southeasterly along the northerly line of a tract granted by Howard Sander Plank in Vol. 355 Pg. 50 A.C.D.R. (57.706 Ac.) crossing F. M. 1458 to the northeast corner of this tract;

Thence southerly along the easterly line of the above mentioned tract to it's southeast corner;

Thence northwesterly along the southerly line of this tract crossing F. M. 1458 to it's northerly right-of-way and the northeasterly corner of a tract granted by William J. Ihlanfeldt in Vol. 358 Pg. 549 A.C.D.R. (7.445 Ac.);

Thence southwesterly along the northerly right-of-way line of F. M. 1458 and the southerly line of the tracts granted by William J. Ihlanfeldt in Vol. 358 Pg. 549 A.C.D.R. (7.445 Ac.) and Henry Stern, et ux. in Vol. 355 Pg. 883 A.C.D.R. (85.67 Ac.) to a point for corner, being opposite the most northerly corner of a tract granted by John B. Kirk, et al. in Vol. 358 Pg. 265 A.C.D.R. (42.087 Ac.);

Thence crossing F. M. 1458 and along the northeasterly line of a tract granted by John B. Kirk, et al. in Vol. 358 Pg. 265 A.C.D.R. (42.087 Ac.) to the Brazos River;

Thence southwesterly and then curving back southeasterly along the Brazos River to a point of intersection with the southerly line of the tract granted by Elroy C. Heiman in Vol. 359 Pg. 72 A.C.D.R. (88.123 Ac.);



Thence southwesterly along the southerly line of the above mentioned tract crossing old F. M. 1458 to the westerly right-of-way line of old F. M. 1458 and the most northerly corner of a tract granted by Justina Drymalla Pustka, et vir. in Vol. 347 Pg. 397 A.C.D.R. (72.968 Ac.);

Thence southeasterly along the old westerly right-of-way of F. M. 1458 and the easterly line of the tracts granted by Justina Drymalla Pustka, et vir. in Vol. 347 Pg. 397 A.C.D.R. (72.968 Ac.) and Hilda Drymalla Schneider, et vir. in Vol. 347 Pg. 488 A.C.D.R. (47.000 Ac.) to a point;

Thence northeasterly from said point crossing old F. M. 1458 along the northerly line of the tracts granted by Hilda Drymalla Schneider, et vir. in Vol. 347 Pg. 488 A.C.D.R. (47.000 Ac.) and Agnes Drymalla Eder, et vir. in Vol. 363 Pg. 316 A.C.D.R. (22.549 Ac.) to the Brazos River;

Thence southeasterly along the Brazos River to the southeast corner of the above mentioned latter tract;

Thence southwesterly along the previously mentioned tracts crossing old F. M. 1458 to a point on it's westerly right-of-way and the easterly line of the tract granted by Hilda Drymalla Schneider, et vir. in Vol. 347 Pg. 488 A.C.D.R. (47.000 Ac.);

Thence southeasterly along the westerly right-of-way line of old F. M. 1458 to it's intersection with the easterly right-of-way of the new F. M. 1458, and crossing the new F. M. 1458 to a point in the existing F. M. 1458 right-of-way and being the easterly line of the tracts granted by Hilda Drymalla Schneider, et vir. in Vol. 347 Pg. 488 A.C.D.R. (47.000 Ac.), Agnes Drymalla Eder, et vir. in Vol. 363 Pg. 316 A.C.D.R. (7.595 Ac.), and Ben Roshton, et ux. in Vol. 348 Pg. 90 A.C.D.R. (383.774 Ac.) to the southeast corner of the latter tract;

Thence southwesterly along the southerly line of the tract granted by Ben Roshton, et ux. in Vol. 348 Pg. 90 A.C.D.R. (383.774 Ac.) to the northeast corner of the tract granted by Robert E. Tesch in Vol. 363 Pg. 112 A.C.D.R. (0.999 Ac.);

Thence southeasterly along the northeasterly line of the tract granted by Robert E. Tesch in Vol. 363 Pg. 112 A.C.D.R. (0.999 Ac.) to it's southeast corner;

Thence southwesterly along the southerly line of the previously mentioned tract to a point of intersection in the tract granted by Robert E. Tesch in Vol. 433 Pg. 755 A.C.D.R. (12.9662 Ac.);

Thence southeasterly along the northeasterly line of the above mentioned tract to it's southeast corner;



Thence southwesterly along the southerly line of the previously mentioned tract to it's intersection with the existing Wallis ETJ line;

Thence in a generally northerly, westerly and then southwesterly direction along the existing Wallis ETJ line crossing the tracts granted by Robert E. Tesch in Vol. 433 Pg. 755 A.C.D.R. (12.9662 Ac.), Ben Roshton, et ux. in Vol. 348 Pg. 90 A.C.D.R. (383.774 Ac.), F. L. Marek, et ux. in Vol. 351 Pg. 71 A.C.D.R. (49.294 Ac.), Alvin Marek, et ux. in Vol. 351 Pg. 288 A.C.D.R. (82.655 Ac.), Walton S. Roberts, Trustee in Vol. 346 Pg. 259 A.C.D.R. (330.860 Ac.), Agnes Hand, et al. in Vol. 356 Pg. 345 A.C.D.R. (351.781 Ac.), Lidge Hranicky, et ux. in Vol. 350 Pg. 313 A.C.D.R. (118.670 Ac.), and John C. Lipscomb, et ux. in Vol. 358 Pg. 659 A.C.D.R. (115.067 Ac.) to it's intersection with the westerly line of the latter tract;

Thence westerly, northerly and then northwesterly along the line of the tracts granted by John C. Lipscomb, et ux. in Vol. 358 Pg. 695 A.C.D.R. (115.067 Ac.), Vencil H. Prazak, et ux. in Vol. 351 Pg. 145 A.C.D.R. (25.777 Ac.) and Vinc Gallia, Jr., et ux. in Vol. 348 Pg. 241 A.C.D.R. (148.659 Ac.) to a point for corner;

Thence westerly, southwesterly and then southerly along the southwesterly line of the tract granted by Vinc Gallia, Jr., et ux. in Vol. 348 Pg. 241 A.C.D.R. (148.659 Ac.) to the southerly corner of this tract being in the easterly right-of-way line of the Union Pacific Railroad (formerly G.C.&S.F. RR.);

Thence northwesterly along the easterly right-of-way of Union Pacific Railroad (formerly G.C.&S.F. RR.) same bing the westerly line of the tracts granted by Vinc Gallia, Jr., et ux. in Vol. 348 Pg. 241 A.C.D.R. (148.659 Ac.), Peter Holub, et ux. in Vol. 350 Pg. 345 A.C.D.R. (161.410 Ac.), Charles Roy Kaechele, et al. in Vol. 355 Pg. 1121 A.C.D.R. (987.380 Ac.), Lebon Agnello, et al. in Vol. 354 Pg. 198 A.C.D.R. (90.190 Ac.), Annie Laurie Walger, et al. in Vol. 353 Pg. 915 A.C.D.R. (19.454 Ac.), Clinton H. Hendricks, II in Vol. 363 Pg. 917 A.C.D.R. (15.760 Ac.), and Ernest A. Witte, et ux. in Vol. 347 Pg. 476 A.C.D.R. (162.137 Ac.) to the point of beginning, and containing 6,537 acres of land more or less.


CERTIFICATE

**THE STATE OF TEXAS
COUNTY OF AUSTIN
CITY OF WALLIS**

I, Barbara Grigar, City Secretary of the City of Wallis, Texas, do hereby certify that I am the custodian of the records of the City of Wallis, Texas, and that the attached is a true and correct copy of Ordinance 142-99, which was approved at the regular meeting of the City Council of the City of Wallis, Texas at which meeting a quorum was present, on December 9, 1999.

WITNESS MY HAND and official Seal of the City of Wallis, Texas this 13th day of January, 2000.

SEAL

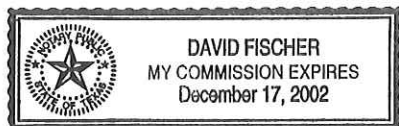


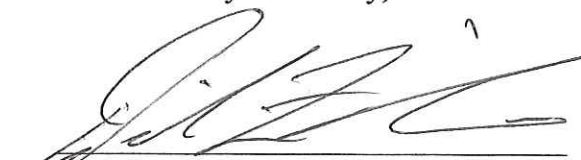
Barbara Grigar, City Secretary
City of Wallis, Texas

**THE STATE OF TEXAS
COUNTY OF AUSTIN**

Before me, the undersigned authority, on this day personally appeared Barbara Grigar, City Secretary of the City of Wallis, Texas, known to me to be the person whose name is subscribed to the foregoing instrument,, and acknowledged to me that she executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this the 13th day of January, 2000.





**NOTARY PUBLIC IN AND FOR
AUSTIN COUNTY, TEXAS**

STATE OF TEXAS

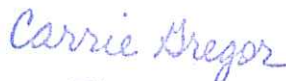
COUNTY OF AUSTIN

RETURN TO:

→ ROSS, BANKS, MAY, CRON & CAVIN, P.C.
Attn: Steven L. Weathered
2 Riverway, Suite 700
Houston, Texas 77056

FILED

00 JAN 18 PM 12:18



COUNTY CLERK
AUSTIN COUNTY, TEXAS

I certify that this instrument was filed on the date and time stamped by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS OF AUSTIN COUNTY, TEXAS.





Carrie Gregor, County Clerk
Austin County, Texas

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