



BAY CITY

MINUTES • FEBRUARY 15, 2018

Council Chambers

Special Meeting

7:00 PM

1901 5TH STREET
BAY CITY, TX 77414

1. CALL TO ORDER & CERTIFICATION OF QUORUM

Mayor Pro Tem, Bill Cornman, qualified a quorum was present.

Attendee Name	Title	Status	Arrived
Becca Sitz	Councilwoman	Present	
Jason Childers	Councilman	Present	
Mark A. Bricker	Mayor	Present	
Chrystal Folse	Councilwoman	Present	
William Cornman	Mayor Pro-Tem	Present	
Julie Estlinbaum	Councilwoman	Excused	

2. INVOCATION & PLEDGE OF ALLEGIANCE - COUNCILMAN JASON CHILDERS

Texas State Flag Pledge:

"Honor The Texas Flag; I Pledge Allegiance To Thee, Texas, One State Under God, One And Indivisible."

3. PUBLIC COMMENTS

State Law prohibits any deliberation of or decisions regarding items presented in public comments. City Council may only make a statement of specific factual information given in response to the inquiry; recite an existing policy; or request staff places the item on an agenda for a subsequent meeting.

None

4. REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL:

1. Presentation

~ SECOND PUBLIC HEARING ON THE PROPOSED ANNEXATION OF PROPERTY IN THE W. J. MAYNARD ABSTRACT 356, 8585 7th STREET (New Dollar General Store), MATAGORDA COUNTY, TEXAS.

Assistant Public Works Director, Marla Jasek

Assistant Public Works Director, Marla Jasek discussed the voluntary annexation of Dollar General on HWY. 35 near Van Vleck. The hearing opened at 7:07PM. No community comments. The hearing closed at 7:08PM.

2. Appointment

~ DISCUSS, CONSIDER, AND/OR APPROVE A RESOLUTION CONSENTING TO THE MAYOR'S APPOINTMENT / RE-APPOINTMENT OF MEMBERS TO THE BOARD OF DIRECTORS FOR REINVESTMENT ZONES NUMBER ONE AND TWO OF THE CITY OF BAY CITY, TEXAS.

Mayor, Mark A. Bricker

Council members unanimously approved by motion the new appointees to TIRZ 1 and TIRZ 2 boards. Councilwoman, Chrystal Folse made the motion and it was seconded by Councilwoman Becca Sitz.

3. Presentation

~ DISCUSS, AND CONSIDER A BUSINESS PLAN CONCERNING THE FUTURE OF RIVERSIDE PARK.

Mayor Pro Tem, Bill Cornman

Councilman presented this agenda item briefly. Parks Director, Shawn Blackburn is working on a plan to present to Council on March 8, 2018.

4. Presentation

~ DISCUSS, CONSIDER, AND OR APPROVE A FUTURE PLAN FOR A STRATEGIC PLANNING UPDATE SESSION FOR THE CITY OF BAY CITY.

Councilman, Jason Childers

Councilman, Jason Childers presented this agenda item. Strategic planning needs to occur at least twice a year. He feels the city directors should be involved with Mayor and Council. All other Council members concurred. Plans are being made with Consultant Ron Cox. Councilman Cornman suggested the possibility of using a local, retired consultant.

5. ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Folse - Open ceremonies - Little League opening ceremonies and cake auction, Saturday, February 17, 2018.

6. ADJOURNMENT

AGENDA NOTICES:

Action by Council Authorized:

The City Council may vote and/or act upon any item within this Agenda. The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

Attendance By Other Elected or Appointed Officials:

It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

Executive Sessions Authorized:

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

This is to certify that the above notice of a Workshop Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on Friday, June 21, 2013 before 6:00 p.m. Any questions concerning the above items, please contact Mayor Mark A. Bricker at (979) 245-2137.

David Holubec

City Secretary



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 02/15/18 07:00 PM
Department: City Secretary
Category: Presentation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3005

AGENDA ITEM (ID # 3005)

**~ SECOND PUBLIC HEARING ON THE PROPOSED
ANNEXATION OF PROPERTY IN THE W. J. MAYNARD
ABSTRACT 356, 8585 7th STREET (New Dollar General
Store), MATAGORDA COUNTY, TEXAS.**

The City of Bay City, Texas proposes to institute annexation proceedings to enlarge and extend the boundary limits of the city. This is the first public hearing to receive public testimony concerning the proposed voluntary annexation of property in the W. J. Maynard Abstract 356, Matagorda County, Texas; that is more particularly described as follows:

1.959 acres of land recorded as the Bay City DG Addition Development Plat, Matagorda Plat File Number 571A (Exhibit B)

This is the property where the new Dollar General is being constructed. The property was previously owned by Ms. Sarah Wiggins and proposed for annexation in 2014. At that time, Ms. Wiggins entered into a development agreement (Attachment C) which allowed the property to stay in the extra territorial jurisdiction until the property was developed or changed uses. With the sale of the property and development of the Dollar General store, the owners have requested voluntary annexation (Exhibit A) as required by the development agreement.

The second required public hearing will be held at a special called meeting on February 15, 2018 at 7:00 p.m. The ordinance for annexation will be scheduled for consideration and/or approval at the regular meeting on March 8, 2018.

COMMENTS - Current Meeting:

Assistant Public Works Director, Marla Jasek discussed the voluntary annexation of Dollar General on HWY. 35 near Van Vleck. The hearing opened at 7:07PM. No community comments. The hearing closed at 7:08PM.

CITY OF BAY CITY NON-ANNEXATION DEVELOPMENT AGREEMENT

This DEVELOPMENT AGREEMENT ("Agreement"), dated effective as of April 17, 2014 (~~July 28~~) ("Effective Date"), made by and between the CITY OF BAY CITY, TEXAS, a home rule municipality located in Matagorda County, Texas ("City"), and Sarah Triggins ("Landowner");

WHEREAS, Landowner owns certain real property located in Matagorda County, Texas, and such real property being more particularly depicted in Exhibit A attached hereto and incorporated into this Agreement (the "Property");

WHEREAS, in recognition of the mutual benefits to be derived from the controlled development of the Property and its guaranteed continued extra territorial status for a certain time, Landowner and City desire to enter into this Agreement, pursuant to §212.172 of the Local Government Code of the State of Texas, to evidence their agreements with respect to guaranteeing the continuation of the extraterritorial status of the land and its immunity from annexation by the City for a period years, extending the municipality's regulatory authority over the land by providing for all regulations and planning authority of the City that do not interfere with the use of the area for its currently appraised purpose, authorizing enforcement by the City of certain regulations in the same manner the regulations are enforced within the City's boundaries and authorizing enforcement by the City of certain agreed upon land use and development regulations; and

WHEREAS, the City Council authorized and approved this Agreement at a regularly scheduled council meeting subject to the Open Meetings Act in compliance with the laws of the State of Texas and the ordinances and Charter of the City of Bay City on Aug 28 April 2014;

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained or referred to herein, the receipt and sufficiency of which is hereby acknowledged by the City and the Landowner, the parties hereto agree as follows:

1. The Landowner covenants and agrees not to file a development document, master plan or for plat approval or a permit, not to include permits for uses existing on the date of this Agreement ("Existing Uses"), on their respective property until such property has been annexed into the City and zoned pursuant to all applicable laws of the State of Texas and ordinances of the City of Bay City, said zoning to be at the sole discretion of the City.
2. Land Use. The Landowner further covenants and agrees not to use the Property for any use other than the Existing Uses, without the prior written consent of the City, said Existing Uses specifically being Uses as of the Effective Date of this Agreement as listed in **Exhibit B** attached hereto.

3. Municipal Regulations. In accordance with Texas Local Government Code Section 43.035(b)(1)(2), the City of Bay City shall be authorized to enforce all municipal regulations and planning authority that does not interfere with the use of the Property for agriculture, wildlife management, or timber.
4. Permits and Vested Rights. Pursuant to Texas Local Government Code Section 43.035 this Agreement is not a permit for purposes of Chapter 245 of the Texas Government Code. The Landowner and all Landowner's heirs, successors and assigns hereby waive any and all vested rights including rights and claims that they may have under common law, federal case law related to uses, anticipated uses or potential uses of the Property, other than the Existing Uses.
5. Municipal Services. The City shall not be obligated to provide the landowner with any municipal services (such as police protection, fire protection, drainage and street construction, or maintenance), with respect to the Property for the duration of this Agreement.
6. Extraterritorial Status. The City hereby guarantees the extraterritorial status of the Property and that it shall not annex the Property for the duration of this Agreement. Except that, regardless of how the area is then currently appraised for ad valorem tax purposes, should the Landowner or the Landowner's heirs, successors or assigns file for any type of development document, master plan, plat approval or permit for the area with a governmental entity that has jurisdiction over the area, or change the existing use to a use not allowed hereunder then this provision of the Agreement shall be void. Plat is defined as any plat authorized by Chapters 212 or 232 of the Texas Local Government Code, or their successor statutes. Permit is defined the same as in Local Government Code Chapter 245.
7. Voluntary Annexation. Should the Landowner, heirs, successors or assigns file for any type of development document, master plan, plat approval or permit for the area with a governmental entity that has jurisdiction over the area, or change the existing use to a use not allowed hereunder this provision then said action shall be deemed a request for voluntary annexation by the City with this Agreement serving as the required petition and the Property shall, at the discretion of the City, be annexed into the City. The Landowner and Landowner's heirs, successors and assigns covenant and agree that such annexation is voluntarily made and shall be considered to be by voluntary petition of the owners of the Property at the time of such annexation.
8. Amendments. Neither this Agreement nor any term hereof may be changed, waived, discharged or terminated except by an agreement in writing signed by all parties hereto.
9. Law Governing. This Agreement shall be deemed to be a contract under the laws of the State of Texas which is performable in Matagorda, County, Texas, and for all purposes shall be construed and enforced in accordance with and governed by the laws of the State of Texas.

10. Assignment; Binding Effect. The parties may not assign this Agreement to any other person or entity without the prior written consent of the other; provided, however, that no such assignment shall operate to release the assigning party from its obligations hereunder. This Agreement and all of its terms and provisions shall be binding upon and inure to the benefit of the City and the Landowner and their respective successors and assigns, including all future owners of the Property.
11. Duration; Expiration. This Agreement shall be in effect for ten years from the date signed by the parties. Prior to expiration this Agreement may be extended by the mutual consent of the Parties.
12. Counterparts. To facilitate execution, this Agreement may be executed in any number of counterparts as may be convenient or necessary, and it shall not be necessary that the signatures of all parties hereto be contained on any one counterpart hereof. A facsimile transmission shall be deemed to be an original signature.

EXECUTED by the parties hereto to be effective as of the date first set forth above.

CITY OF BAY CITY, TEXAS, A Home Rule
Municipality in Matagorda County, Texas

By: _____

Mark A. Bricker, Mayor

ATTEST:

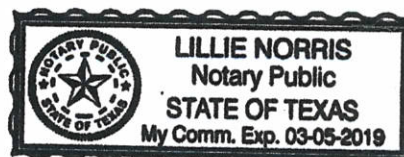
Rhonda Clegg
Rhonda Clegg, City Secretary

THE STATE OF TEXAS §

COUNTY OF MATAGORDA §

This instrument was acknowledged before me on the 07 day of April, 2018, by
MARK A. BRICKER, in his capacity as Mayor of the City of Bay City, Texas.

Lillie Norris
NOTARY PUBLIC, STATE OF TEXAS



LANDOWNER

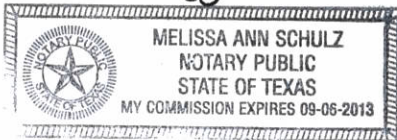
By: Sarah Wiggins
 Printed Name: Sarah Wiggins
 Address: P.O. Box 729
 City: Vanderhook
 State/Zip: TX 77482

LANDOWNER

By: _____
 Printed Name: _____
 Address: _____
 City: _____
 State/Zip: _____

THE STATE OF TEXAS §
 COUNTY OF MATAGORDA §

This instrument was acknowledged before me on the 28 day of August, 2013,
 by Sarah Wiggins.



Melissa Ann Schulz
 NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS §
 COUNTY OF MATAGORDA §

This instrument was acknowledged before me on the ____ day of _____, 2013,
 by _____.

 NOTARY PUBLIC, STATE OF TEXAS

C-206-QUIT CLAIM DEED

MARTIN Stationery Co., Dallas

THE STATE OF TEXAS,
COUNTY OF MATAGORDA 38833

KNOW ALL MEN BY THESE PRESENTS:

DEED

BOOK 586 PAGE 199

That I, Elmer P. Bittner,

of the County of Matagorda and State of Texas, for and in consideration of
the sum of Ten and no/100-----

-----DOLLARS,

to me in hand paid by Sarah ^{A JGM} Bittner, also known as Sarah Bittner,
of the County of Matagorda and State of Texas, the receipt of which
is hereby acknowledged, do, by these presents, BARGAIN, SELL, RELEASE, AND FOREVER
QUIT CLAIM unto the said Saran ^{A JGM} Bittner,

her heirs and assigns, all my right title and interest in and to that certain tract or par-
cel of land lying in the County of Matagorda and State of Texas, described as follows,
to-wit:

TRACT NUMBER ONE:

Lots Nos. Five (5) and Six (6), in Block No. Thirty-five (35), of the Town of
Van Vleck, according to the Map or Plat of said Townsite, recorded in Volume
7, on Page 299, of the Deed Records of said Matagorda County, Texas;

TRACT NUMBER TWO:

Two (2) acres of land out of the W. J. Maynard Survey, Abstract No. 356, in
Matagorda County, Texas, and is a portion of Lot 9 of the Highbarger Subdi-
vision, plat of which is recorded in Vol. 1, on page 37 of the Map records of
Matagorda County, Texas, said 2-acre tract of land being more particularly de-
scribed as follows:

BEGINNING at the intersection of the Northwest right-of-way line of State High-
way No. 35 with the Northeast line of Lot 9 of the above mentioned Highbarger
Subdivision, same being the Southwest right-of-way line of Eighth Street in the
town of Van Vleck;

THENCE North 44 deg. 36 min. West 260 feet along the above mentioned lot line
and right-of-way line of Eighth Street to a stake for corner;

THENCE South 45 deg. 24 min. West 335 feet to a stake set for corner;

THENCE South 44 deg. 36 min. East 260 feet to a stake set in the Northwest
right-of-way line of State Highway No. 35 for corner;

THENCE North 45 deg. 24 min. East 335 feet along the above mentioned State
Highway right-of-way line to the place of beginning, containing 2 acres of land,
more or less.

TO HAVE AND TO HOLD the said premises, together with all and singular the rights, privi-
leges and appurtenances thereto in any manner belonging unto the said Sarah ^{A JGM} Bittner,

her heirs and assigns, forever, so that neither I, the said
Elmer P. Bittner
nor my heirs, nor any person or persons claiming under me shall, at any time hereafter,
have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part there-
of.

WITNESS my hand at

this 13 - AUGUST

13 day of August 77

A. D. 19 77

Witnesses at Request of Grantor:

Elmer P. Bittner
Elmer P. Bittner

THE STATE OF TEXAS,

COUNTY OF HARRISin and for said County, Texas, on this day personally appeared Elmer P. Bittner,

SINGLE ACKNOWLEDGMENT

BOOK 586 PAGE 200

BEFORE ME, the undersigned authority,

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 13 day of August, A.D. 19 77

Notary Public, C.R. Craig Harris County, Texas
My Commission Expires June 1, 19 78

THE STATE OF TEXAS,

COUNTY OF

in and for said County, Texas, on this day personally appeared

SINGLE ACKNOWLEDGMENT

BEFORE ME, the undersigned authority,

known to me to be the person whose name subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This _____ day of _____, A.D. 19 _____

(L.S.)

Notary Public, _____ County, Texas
My Commission Expires June 1, 19 _____

THE STATE OF TEXAS,

COUNTY OF

in and for said County, Texas, on this day personally appeared

CORPORATION ACKNOWLEDGMENT

BEFORE ME, the undersigned authority,

whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This _____ day of _____, A.D. 19 _____

(L.S.)

Notary Public, _____ County, Texas
My Commission Expires June 1, 19 _____

THE STATE OF TEXAS,

COUNTY OF

Clerk of the County Court of said County, do hereby certify that the foregoing instrument of writing dated on the _____ day of _____, A. D. 19 _____, with its Certificate of Authentication, was filed for record in my office on the _____ day of _____, A. D. 19 _____, at _____ o'clock _____ M., and duly recorded this _____ day of _____, A. D. 19 _____, at _____ o'clock _____ M., in the _____ Records of said County, in Volume _____, on pages _____.

WITNESS MY HAND AND SEAL OF THE COUNTY COURT of said County, at office in _____, the day and year last above written.

FILED FOR RECORD

AT 10:00 O'CLOCK A M. County Clerk _____ County, Texas.
(L.S.) By _____, Deputy.

AUG 26 1977

HILMA S. HUITT,

Clerk County Court, Matagorda Co., Tex.

By Mary Louise Martinez DEPUTY

CLAIM DEED

FROM
MER P. BITTNERTO
RAH P. BITTNERLED FOR RECORD
y of _____

ck _____ M.

Co., Texas

, Deputy.

RECORDED

A. D. 19 _____

County Records,

Page _____

County Clerk.

Deputy.

ing Fee \$ _____

should be filed immediately with
or record.

N Stationery Co., Dallas

Filed for record the 26th day of August, A. D. 1977.

Duly recorded this the 26th day of August, A. D. 1977 at 4:00 o'clock P.M.

Hilma S. Huitt, County Clerk
Matagorda County, Texas

By Mary Louise Martinez Deputy

The OVERLAND GROUP

DILIGENCE & COMMITMENT EVERYDAY

June 19, 2017

Ms. Marla Jasek
Public Works
City of Bay City
1217 Avenue J
Bay City, TX 77414

RE: Proposed Dollar General Store
Highway 35 & 8th Street

Dear Ms. Jasek:

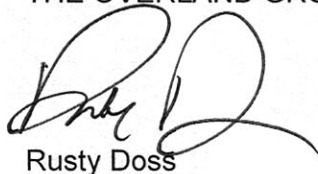
As you are aware, The Overland Group, LLC, is under contract to purchase property at the corner of Highway 35 and 8th Street, near Van Vleck. We plan to develop the property as a 9,100 s.f. Dollar General retail store.

I am writing to request that the City begin proceedings for voluntary annexation of the property. The owner of the property is aware of the annexation conditions contained within the development agreement.

Please let me know if you have any questions or comments.

Sincerely,

THE OVERLAND GROUP, LLC



Rusty Doss

ALABAMA OFFICE:
194 NARROWS DRIVE, SUITE 1
BIRMINGHAM, AL 35242
205.995.2990

SID AULTMAN

BRUCE GRISHAM

ROD HAMBY

R.B. GRISHAM

WWW.THEOVERLANDGROUP.COM

MISSOURI OFFICE:
1598 IMPERIAL CENTER, STE. 2001 | PO BOX 885
WEST PLAINS, MO 65775
417.256.4790

DGOGVanleckt LLC, owner of the 1.595 acre tract described in the above and foregoing map of BAY CITY DG ADDITION, *(do hereby state that there are no lien holders of the certain tract of land)*, and do hereby make and establish said subdivision and development plat of said property according to all lines, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind myself, my heirs and assigns to warrant and forever defend the title to the land so dedicated.

WITNESS my (or our) hand, this 10th day of August, 2017.

Jacob Stauffer, EVP
DGOGVanleckt LLC

SUBSCRIBED AND SWORN TO BEFORE ME, A NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS, THIS THE 10th DAY OF August, 2017.

Phil W. Cornett
NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS. MISSOURI

I, PHILIP W. CORNETT, Registered Professional Land Surveyor No. 5515, do hereby certify that the plat shown hereon was prepared from an actual survey made on the ground under my direction and supervision.

Phil W. Cornett
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5515

On behalf of the City of Bay City, Texas, I hereby certify that this plat and subdivision of BAY CITY DG ADDITION was approved in conformance with the laws of the State of Texas and the ordinances of the City of Bay City as shown hereon; and that the dedications on this plat are hereby accepted by the City of Bay City; and authorize the recording of this plat this 12th day of October, 2017 provided however, this approval shall be invalid, null and void unless this plat is filed with the County Clerk of Matagorda County within six (6) months.

Mark Bricker
MARK BRICKER, MAYOR

Theresa E. Bricker
CITY SECRETARY

This is to certify that the Director of Public Works of the City of Bay City, Texas has approved this (amended/re)plat subdivision/development plat of BAY CITY DG ADDITION in conformance with the laws of the State of Texas and the ordinances of the City of Bay City as shown hereon and authorizes the recording of this plat this 12th day of October, 2017.

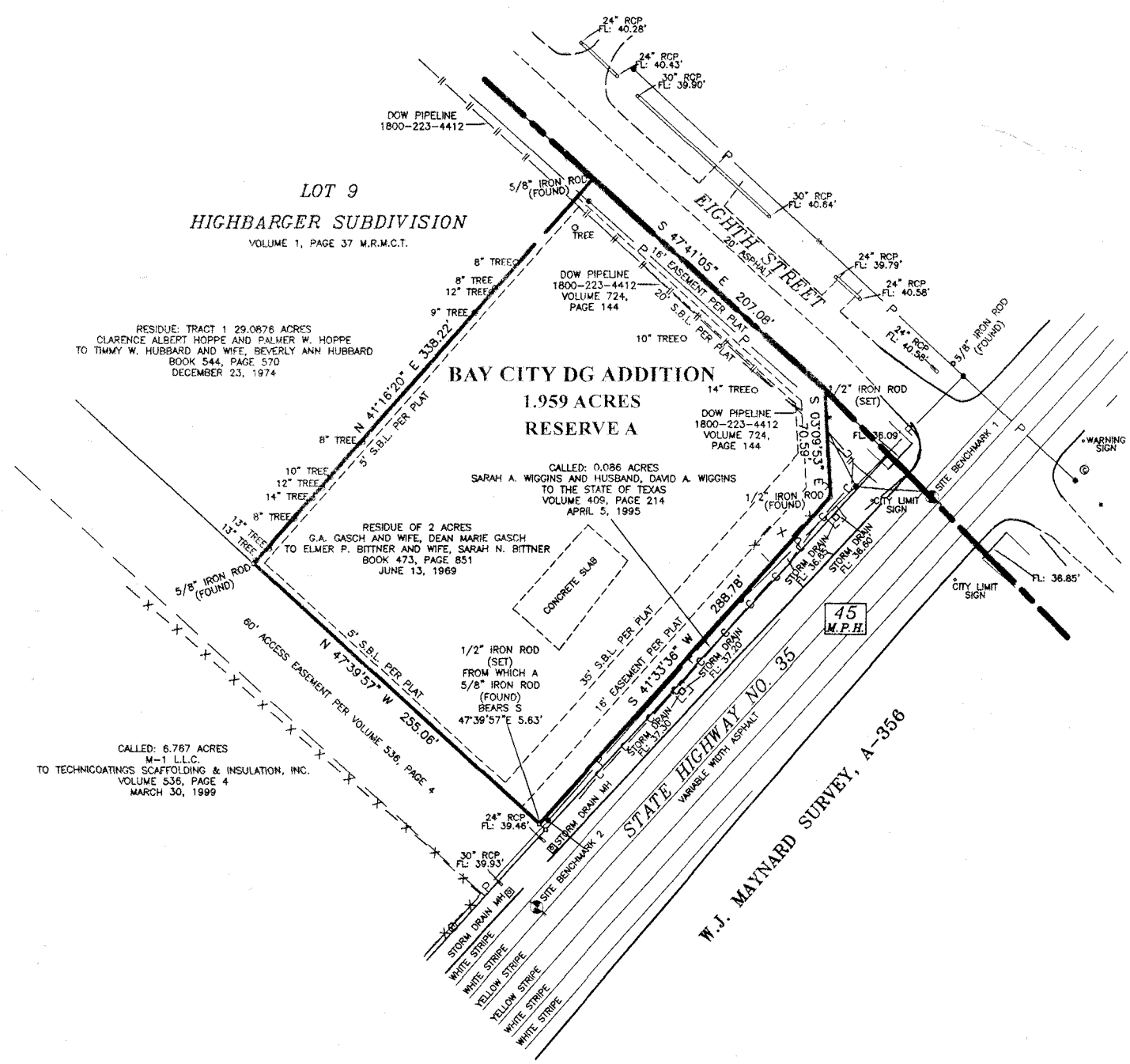
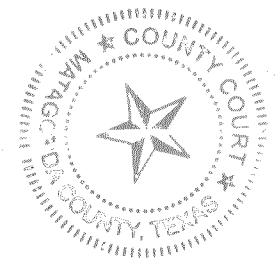
Barry Calhoun
BARRY CALHOUN, DIRECTOR OF PUBLIC WORKS

The undersigned, Chairman of the Matagorda County Drainage District No. 1, does hereby certify that at its regular meeting held on the 22nd day of August, 2017, the Board of Directors of said District approved this subdivision plat for easement location and dedication only. It shall be understood that the City of Bay City shall not issue a building permit for any construction in this subdivision without the construction plans for the drainage improvements being first reviewed and approved by Matagorda County Drainage District No. 1.

Barrett Franz
BARRETT FRANZ, CHAIRMAN

I, Janet Hickl, Clerk of the County of Matagorda County, Texas, do hereby certify that the foregoing Plat was filed for record in my office on the 13th day of October, 2017, at 2:13 o'clock p.m., in Plat File Number 571A of the Plat Records of Matagorda County, Texas.

Janet Hickl
COUNTY CLERK



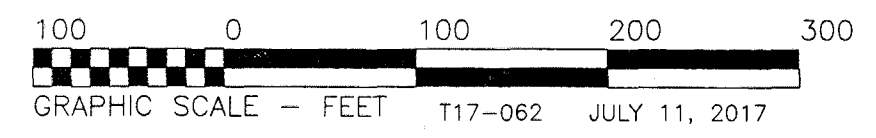
OWNER: DGOGVanleckt LLC
OVERLAND ENGINEERING, LLC
1598 IMPERIAL CENTER, SUITE 200
WEST PLAINS, MO 65775
417-256-4150 41790

ENGINEER: OVERLAND ENGINEERING, LLC
1598 IMPERIAL CENTER, SUITE 200
WEST PLAINS, MO 65775
417-256-8150

LEGEND OF SYMBOLS & ABBREVIATIONS

- | | | | |
|------|------------------|------|---------------------|
| ⊕ | WATER VALVE | × | LIGHT POLE |
| —SS— | SANITARY SEWER | * | GUY ANCHOR |
| □ | PEDESTAL BOX | ○ | MANHOLE |
| —X— | FENCE | ⬢ | FIRE HYDRANT |
| —P— | POWER LINE | ♿ | HANDICAPPED PARKING |
| ⊞ | WATER METER | □ | PROPERTY CORNER |
| • | POWER POLE | ⊞ | ELECTRIC BOX |
| —W— | WATER LINE | — — | GAS PIPELINE |
| —T— | TELEPHONE LINE | ⊕ | GAS VALVE |
| —FO— | FIBER OPTIC LINE | —C— | UNDERGROUND CABLE |
| ⊙ | CABLE BOX | | |

DEVELOPMENT PLAT SHOWING
BAY CITY DG ADDITION
BEING PART OF THE
W.J. MAYNARD SURVEY, A-356
MATAGORDA COUNTY, TEXAS



AS SURVEYED LEGAL DESCRIPTION

All that certain lot, tract, or parcel of land, being part of the W. J. Maynard Survey, Abstract No. 356, Matagorda County, Texas, as shown by plat of same recorded in Volume 1, Page 37 of the Map Records of Matagorda County, Texas, part of that certain called 2 acres described in a deed from G. A. Gasch and wife, Dean Marie Gasch to Elmer P. Bittner and wife, Sarah N. Bittner on June 13, 1969, recorded in Volume 473, Page 851 of the Deed Records of Matagorda County, Texas, being more completely described as follows, to-wit:

BEGINNING at a 1/2" iron rod (set) for corner, in the Southwest line of the above mentioned 2 acre tract, the Northeast line of the Technicoatings Scaffolding & Insulation, Inc. 6.767 acre tract described in Volume 536, Page 4, from which a 5/8" iron rod (found) for the East corner of same bears South 47 deg. 39 min. 57 sec. East - 5.63 ft.;

THENCE North 47 deg. 39 min. 57 sec. West with the Northeast line of the 6.767 acre tract, the Southwest line of the 2 acre tract, a distance of 255.06 ft. to a 5/8" iron rod (found) for the West corner of same, an ell corner of the Timmy W. Hubbard 29.0876 acre tract described in Book 544, Page 570;

THENCE North 41 deg. 16 min. 20 sec. East with a Southeast line of the 29.0876 acre tract, the Northwest line of the 2 acre tract, a distance of 338.22 ft. to a 5/8" iron rod (found) for the North corner of same, an East corner of the 29.0876 acre tract, in the Southwest right of way of Eighth Street;

THENCE South 47 deg. 41 min. 05 sec. East with the Northeast line of the 2 acre tract, the Southwest right of way of Eighth Street, a distance of 207.08 ft. to a 1/2" iron rod (set) for corner at the intersection of same with the Northwest right of way of State Highway No. 35;

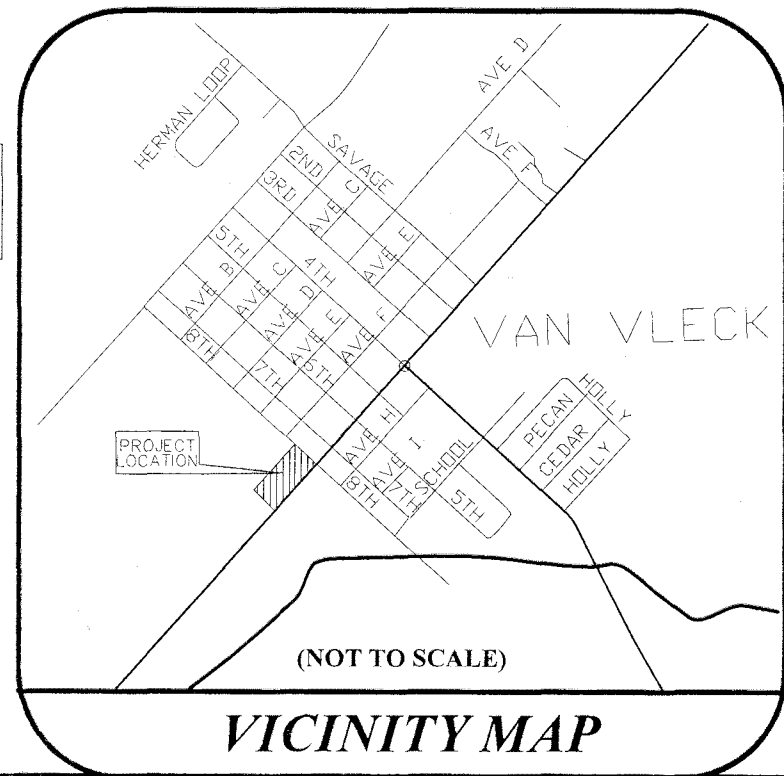
THENCE Southerly with the Northwest right of way of State Highway No. 35, South 03 deg. 09 min. 53 sec. East - 70.59 ft. to a 1/2" iron rod (found) for corner and South 41 deg. 33 min. 36 sec. West - 288.78 ft. to the place of beginning, containing 1.959 acres of land.

PLAT NOTES

- This plat lies within the City of Bay City ETJ.
- No improvements including but not limited to buildings, fences, or landscaping shall be allowed in a drainage easement.
- The property owner shall provide access to drainage and utility easements as may be necessary and shall not prohibit access for inspection, operation, and maintenance.
- All drainage easements on private property shall be maintained by the property owner or his/her assigns.
- Reason for replat: TO CREATE ONE COMMERCIAL USE RESERVE

FLOOD NOTE

THE SUBJECT TRACT LIES IN ZONE "C", AREAS OF MINIMAL FLOODING PER FIRM (FLOOD INSURANCE RATE MAP) MAP NO. 4854890120C EFFECTIVE DATE OF MARCH 18, 1985.



JOHN COWAN & ASSOCIATES, INC.
2012 ANTHONY DRIVE, TYLER, TEXAS 75701
PH: (903) 581-2238 WWW.TXSURVEYS.COM
FIRM REGISTRATION CERTIFICATION NO. 10025500



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 02/15/18 07:00 PM
Department: City Secretary
Category: Appointment
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3008

AGENDA ITEM (ID # 3008)

**~ DISCUSS, CONSIDER, AND/OR APPROVE A RESOLUTION
CONSENTING TO THE MAYOR'S APPOINTMENT / RE-
APPOINTMENT OF MEMBERS TO THE BOARD OF
DIRECTORS FOR REINVESTMENT ZONES NUMBER ONE
AND TWO OF THE CITY OF BAY CITY, TEXAS.**

COMMENTS - Current Meeting:

Council members unanimously approved by motion the new appointees to TIRZ 1 and TIRZ 2 boards. Councilwoman, Chrystal Folse made the motion and it was seconded by Councilwoman Becca Sitz.



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 02/15/18 07:00 PM
Department: City Secretary
Category: Presentation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3006

DISCUSSION ITEM (ID # 3006)

**~ DISCUSS, AND CONSIDER A BUSINESS PLAN
CONCERNING THE FUTURE OF RIVERSIDE PARK.**

COMMENTS - Current Meeting:

Councilman presented this agenda item briefly. Parks Director, Shawn Blackburn is working on a plan to present to Council on March 8, 2018.



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

AGENDA ITEM (ID # 3007)

Meeting: 02/15/18 07:00 PM
Department: City Secretary
Category: Presentation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3007

**~ DISCUSS, CONSIDER, AND OR APPROVE A FUTURE PLAN
FOR A STRATEGIC PLANNING UPDATE SESSION FOR THE
CITY OF BAY CITY.**

COMMENTS - Current Meeting:

Councilman, Jason Childers presented this agenda item. Strategic planning needs to occur at least twice a year. He feels the city directors should be involved with Mayor and Council. All other Council members concurred. Plans are being made with Consultant Ron Cox. Councilman Cornman suggested the possibility of using a local, retired consultant.