

339 Etheridge
229 Etheridge

CITY OF CANTON, TEXAS

ANNEXATION ORDINANCE NO. 94-07

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF CANTON, VAN ZANDT COUNTY, TEXAS AND EXTENDING THE BOUNDARIES OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY.

WHEREAS, a petition has been duly signed and acknowledged by each and every person or corporation having an interest in the territory proposed to be annexed;

WHEREAS, said petition was presented to the governing body and approved such petition not less than five (5) days and not more than thirty (30) days;

WHEREAS, the tract of land is contiguous to the City and is not more than one-half (1/2) miles in width, and on which fewer than three (3) qualified voters reside;

WHEREAS, the City has prepared a service plan for said tract which is attached as Exhibit "A" to this ordinance;

WHEREAS, the City has published notice of hearings on said annexation and held hearings as required by state law; and

WHEREAS, after hearing such petition and the arguments for and against the same, the governing body as voted to grant such petition and to annex said territory into the city.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CANTON, TEXAS:

Section 1: That the following described territory is hereby annexed into the City, and the boundary limits of the City of Canton are hereby extended to include said territory within the city limits of the City, and said land and the future inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City and shall be bound by the acts and ordinances of said City.

TRACT I

BEING a 2.667 acre tract of land situated in the J. STOCKWELL SURVEY A-760 of Van Zandt County, Texas and being a part of a called 9.26 acre tract described in deed to Herman C. Etheridge and wife Letha Etheridge as recorded in Volume 660 Page 395, and a part of a called 2.65 acre tract described in deed to H.C. Etheridge as recorded in Volume 929 Page 500 of the Van Zandt County, Deed Records, said 2.667 acre tract being further described as follows:

BEGINNING at a fence corner found at the South corner of said 2.65 acre tract;

THENCE North 44 deg. 00 min. 18 sec. West 188.48 feet to a 1/2" iron rod set for a corner;

THENCE North 52 deg. 16 min. 58 sec. East 777.38 feet to a 1/2" iron rod set on the Southwest line of Etheridge Lane;

THENCE South 43 deg. 42 min. 31 sec. East along the Southwest line of Etheridge Lane 112.26 feet to a fence corner found on the Southeast line of said 2.65 acre tract;

THENCE South 46 deg. 39 min. 24 sec. West along a fence 772.18 feet to the point of beginning and containing 2.667 acres of land, more or less.

TRACT II

All that certain lot, tract or parcel of land situated in the JESSE STOCKWELL SURVEY, Abstract No. 760, same being a part of a called 9.26 acre tract of land as found in deed filed February 8, 1971, from John Franklin Hair to Opal L. Etheridge Hair recorded in Volume 756, page 609, Deed Records of Van Zandt County, Texas, and being more fully described as follows:

BEGINNING at a 5/8" iron rod set for the East corner of this, same being South 49 deg. 26 min. 12 sec. West 489.80 feet from the East corner of said 9.26 acre tract;

THENCE: South 49 deg. 26 min. 12 sec. West 297.30 feet with the East line of said 9.26 acre tract to a plastake found for the South corner of this;

THENCE: North 41 deg. 09 min. 02 sec. West 146.53 feet with a fence to a plastake found for the West corner of this;

THENCE: North 49 deg. 26 min. 12 sec. East 297.30 feet with a fence to a 5/8" iron rod set for the North corner of this;

THENCE: South 41 deg. 09 min. 02 sec. East 146.53 feet to the place of beginning, containing 1.0 acre of land.

Section 2: That the municipal service plan for the herein annexed territory provided for in Exhibit "A" attached hereto is hereby adopted.

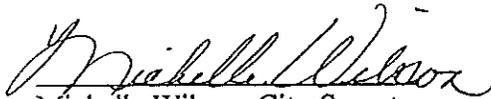
Section 3: That the city secretary is hereby directed to file with the county clerk and other appropriate officials and agencies, as required by state and federal law and city annexation procedures, certified copies of this ordinance.

PASSED by an affirmative vote of the Governing Body of the City of Canton, Texas, this the 19th day of July, 1994.



RICHARD W. LAWRENCE, MAYOR
The City of Canton, Texas

ATTEST:



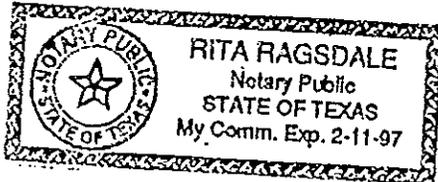
Michelle Wilson, City Secretary

THE STATE OF TEXAS)(

COUNTY OF VAN ZANDT)(

BEFORE ME, the undersigned authority on this day personally appeared RICHARD W. LAWRENCE, MAYOR OF THE CITY OF CANTON, TEXAS, 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, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 19th day of July, 1994.



Rita Ragsdale

Notary Public, State of Texas

EXHIBIT "A"

CITY OF CANTON, TEXAS

ANNEXATION SERVICE PLAN

AREA ANNEXED

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INTRODUCTION

This service plan has been prepared in accordance with V.T.C.A., Local Government Code, Section 43.056. Municipal facilities and services to the annexed area described above will be provided or made available on behalf of the city at the following levels and in accordance with the following schedule:

POLICE PROTECTION

Patrolling, responses to calls, and other police services will be provided within sixty (60) days after the effective date of the annexation at the same level as provided throughout the city.

FIRE PROTECTION AND FIRE PREVENTION

Fire protection and fire prevention services will be provided within sixty (60) days after the effective date of the annexation at the same level as provided throughout the city.

EMERGENCY MEDICAL SERVICES

Emergency medical services will be provided within sixty (60) days after the effective date of the annexation on the same basis and at the same level as provided throughout the city.

SOLID WASTE COLLECTION AND DISPOSAL

Solid waste collection and disposal services will be provided with sixty (60) days after the effective date of the annexation on the same basis and at the same level as provided throughout the city.

MAINTENANCE OF WATER AND WASTEWATER FACILITIES THAT ARE NOT WITHIN THE SERVICE AREA OF ANOTHER WATER OR WASTEWATER UTILITY

Maintenance of water and wastewater facilities that are not within the service area of another water or wastewater utility will be provided within sixty (60) days after the effective date of the annexation on the same basis and at the same level as provided throughout the city.

MAINTENANCE OF ROADS AND STREETS AND DRAINAGE

Maintenance of roads and streets and drainage will be provided within sixty (60) days after the effective date of the annexation on the same basis and at the same level as provided throughout the city.

STREET LIGHTING

Street lighting will be made available within sixty (60) days after the effective date of the annexation on the same basis and at the same level as provided throughout the city.

MAINTENANCE OF CITY PARK AND RECREATION FACILITIES

If any city park and recreation facilities are located within the annexed area, they will be maintained within sixty (60) days after the effective date of the annexation on the same basis and at the same level as similar facilities are maintained throughout the city.

OTHER SERVICES

Other services that may be provided by the city such as planning, code enforcement, animal control, library, park and recreation, court, and general administration will be made available within sixty (60) days after the effective date of the annexation on the same basis and at the same level as provided throughout the city.

CAPITAL IMPROVEMENTS

Construction of water, sewer, street, and drainage facilities will begin within two (2) years after submission of written request by landowners and payment of any development fees and construction costs required by the city in accordance with subdivision regulations and water and sewer extension policies. Construction will be completed within four and one-half (4-1/2) years after request unless the construction process is interrupted by circumstances beyond the control of the city. No impact fees will be charged to any developer or landowner within the annexed area except in conformity with V.T.C.A., Local Government Code, ch. 395. Construction of other capital improvements shall be considered by the city in the future as the needs dictate on the same basis as such capital improvements are considered throughout the city.

UNIFORM LEVEL OF SERVICES MAY NOT BE REQUIRED

Nothing in this plan shall require the city to provide a uniform level of full municipal services to each area of the city, including the annexed area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

TERM

This service plan shall be valid for a term of ten (10) years.

AMENDMENTS

The plan shall not be amended unless public hearings are held in accordance with V.T.C.A., Local Government Code, Section 43.052.