

#2213

CITY OF CANTON, TEXAS

ANNEXATION ORDINANCE NO. 97-12

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.

ALL THAT CERTAIN tract or parcel of land situated within the James Douthit Survey, Abstract No. 198 in Van Zandt County Texas, and being part of a called 48.07 acre tract as described by Deed from Nan Skidmore to Lake Meadow Joint Venture, dated February 24, 1997 and recorded in Volume 1410, Page 947, in the Deed Records of Van Zandt County Texas, and being more completely described as follows.

BEGINNING at a cross-tie fence corner post (found) for the east corner of the above referenced 48.07 acre tract, same being the north corner of a called 17.90 acre tract described in a deed to Kathy Sue Baugh dated June 19, 1990, recorded in Volume 1204, Page 471 in said Deed Records, same being in the southwest line of a called 70.4 acre tract described in a deed to C. D. Douthit, Jr., dated September 19, 1994, recorded in Volume 1324, Page 23, in said Deed Records.

THENCE South 44 deg. 57 min. 14 sec. West with the southeast line of said the 48.07 acre tract and the northwest line of the said 17.90 acre tract, generally along a fence, a distance of 1,369.39 feet to a 1/2 inch iron rod (set) in the northeast right of way line of F.M. Highway No. 2909, from which a 3/8 inch iron rod (found) for reference, bears North 44 deg. 57 min. 14 sec. East, a distance of 0.63 feet;

THENCE North 51 deg. 39 min. 09 sec. West with the northeast right of way line of F.M. Highway No. 2909, a distance of 499.91 feet to a 1/2 inch iron rod (set) in same, and being the beginning of a curve to the right;

THENCE continuing with the northeast right of way line of F.M. Highway No. 2909 and along said curve to the right, said curve having a Delta of 06 deg. 10 min. 00 sec., a Radius of 2,814.85 feet, a Tangent of 151.63 feet, a Chord Bearing of North 48 deg. 34 min. 09 sec. West, a Chord distance of 302.81 feet, and an Arc length of 302.96 feet to wooden right of way marker (found) at the end of said curve;

THENCE North 45 deg. 29 min. 09 sec. West, continuing with said right of way line, a distance of 86.48 feet to a 3/8 inch iron rod (found) in same, for the South corner of a called 4.25 acre tract described in a deed to Larry L. Thompson et ux dated September 16, 1993, recorded in Volume 1292, Page 782, in said Deed Record, same being on an interior line of said 48.07 acre tract;

THENCE North 29 deg. 31 min. 04 sec. East with the said line of the 48.07 acre tract and the southeast line of the 4.25 acre tract, a distance of 580.39 feet to a 3/8 inch iron rod (found) for an inner ell corner of the 48.07 acre tract and the east corner of the 4.25 acre tract;

THENCE North 40 deg. 20 min. 57 sec. West with a common line of said 48.07 acre tract and the 4.25 acre tract, a distance of 245.74 feet to a 3/8 inch iron rod (found) for an ell corner of said 48.07 acre tract and the north corner of said 4.25 acre tract;

THENCE South 58 deg. 10 min. 40 sec. West with the northwest line of said 4.25 acre tract and an interior line of said 48.07 acre tract, a distance of 390.48 feet to a 3/8 inch iron rod (found) for the west corner of the 4.25 acre tract and a westerly corner of the 48.07 acre tract, same being the east corner of a called 2.00 acre tract described in a deed to Billy Threadgill dated January 17, 1978, recorded in Volume 887, Page 740, in the aforementioned Deed Records;

THENCE North 13 deg. 29 min. 47 sec. West with the northeast line of said 2.00 acre tract and northernmost west line of said 48.07 acre tract, a distance of 351.29 feet to a 1/2 inch iron rod (set) for the northernmost west corner of said 48.07 acre tract, same being in the southern most southeast line of a called 156.19 acre tract described in a deed to the City of Canton dated January 22, 1971, recorded in Volume 755, Page 712, in said Deed Records, from which a galvanized fence corner post (found) bears North 52 deg. 31 min. 00 sec. West, a distance of 3.00 feet;

THENCE North 44 deg. 26 min. 55 sec. East with a northwest line of said 48.07 acre tract and the aforementioned southeast line of the 156.19 acre tract, a distance of 823.40 feet to a 1/2 inch iron rod (set) for the westernmost north corner of said 48.07 acre tract, from which a galvanized fence corner post (found) bears North 49 deg. 21 min. 55 sec. West a distance of 3.01 feet;

THENCE South 49 deg. 21 min. 55 sec. East with an interior line of said 48.07 acre tract and a southwest line of said 156.19 acre tract, a distance of 290.51 feet to a 3/8 inch iron rod (found) for a common ell corner of said tracts;

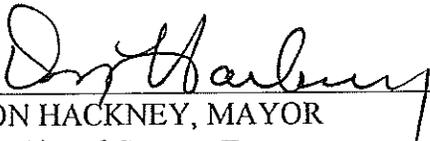
THENCE North 44 deg. 33 min. 41 sec. East with an interior line of said 48.07 acre tract and a southeast line of said 156.19 acre tract, a distance of 229.56 feet to a cross-tie fence corner post (found) for the eastern most north corner of said 48.07 acre tract, same being the west corner of the aforementioned 70.4 acre tract;

THENCE South 44 deg. 33 min. 27 sec. East with the northeast line of said 48.07 acre tract and the southwest line of the 70.4 acre tract, generally along a fence, a distance of 1,392.58 feet to the PLACE OF BEGINNING and containing 46.744 acre of land.

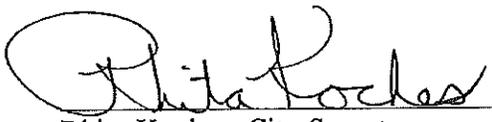
Section 2: That the municipal service plan for the herein annexed territory provided for in Exhibit "A" attached hereto is hereby adopted.

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 14th day of October, 1997.


DON HACKNEY, MAYOR
The City of Canton, Texas

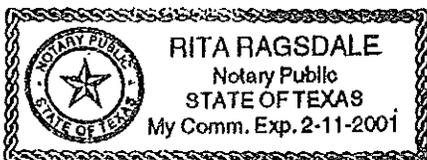
ATTEST:


Rhita Koches, City Secretary

THE STATE OF TEXAS }
COUNTY OF VAN ZANDT }

BEFORE ME, the undersigned authority on this day personally appeared DON HACKNEY, 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 14th day of October, 1997.



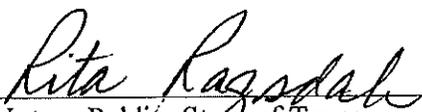

Notary Public, State of Texas

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.

9X *OK* DEP.
98 MAR 17 PM 1:56
BOSTON SV2
CITY OF CIVILIAN
12103

CANTON TX.

F M 17

F M 1255

STATE HWY 198

STATE HWY 243

STATE HWY 64

STATE HWY 19

LAKE CANTON

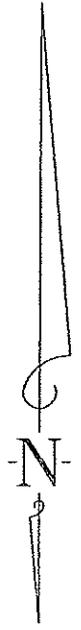
C R 4201

F M 2909

46.74 Ac.
SUBJECT PROPERTY

C R 2205

C R 4203



SCALE: 1" = 2000'