

CITY OF CANTON, TEXAS

ANNEXATION ORDINANCE NO. 2001-04

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 lot, tract, or parcel of land, located in the W. B. Farmer Survey, Abstract 277, Van Zandt County, Texas, being part of that certain Second Tract, called 42.96 acres, conveyed to Travis D. Deen by Billy Jack Deen and Linda Carol Hatfield on July 8, 1996 by an instrument recorded in Volume 1389, Page 543, of the Deed Records of Van Zandt County, Texas, and being more completely described as follows;

BEGINNING at a 60 penny nail in the base of a 12" black jack tree found for corner at the most southerly southeast corner of the above mentioned Second Tract and being in the north line of Interstate Highway 20.

THENCE N 87 degrees 26 minutes 46 seconds W, with the north line of Interstate Highway 20 and the most southerly south line of said Second Tract, a distance of 109.15 feet to a 1/2" iron rod set for corner in same.

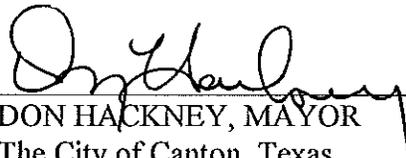
THENCE N 02 degrees 33 minutes 14 seconds E, a distance of 97.29 feet to a 1/2" iron rod set for corner in the most southerly northeast line of said Second Tract.

THENCE S 45 degrees 44 minutes 08 seconds E, with the most southerly northeast line of said Second Tract, a distance of 146.21 feet to the place of beginning, containing 0.122 of an acre of land.

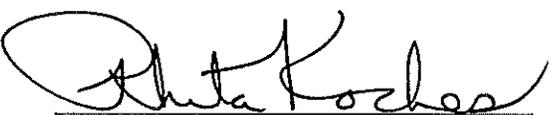
Section 2: That the municipal service plan for the herein annexed territory provided for in Exhibit "A" attached hereto is hereby adopted.

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 24th day of April, 2001.


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 25th day of April, 2001.



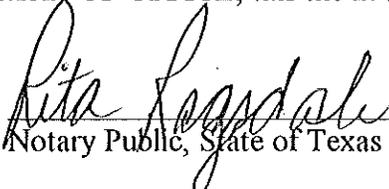

Rita Ragsdale
Notary Public, State of Texas

EXHIBIT "A"

CITY OF CANTON, TEXAS

ANNEXATION SERVICE PLAN

AREA ANNEXED

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THENCE S 45 degrees 44 minutes 08 seconds E, with the most southerly northeast line of said Second Tract, a distance of 146.21 feet to the place of beginning, containing 0.122 of an acre of land.

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:

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

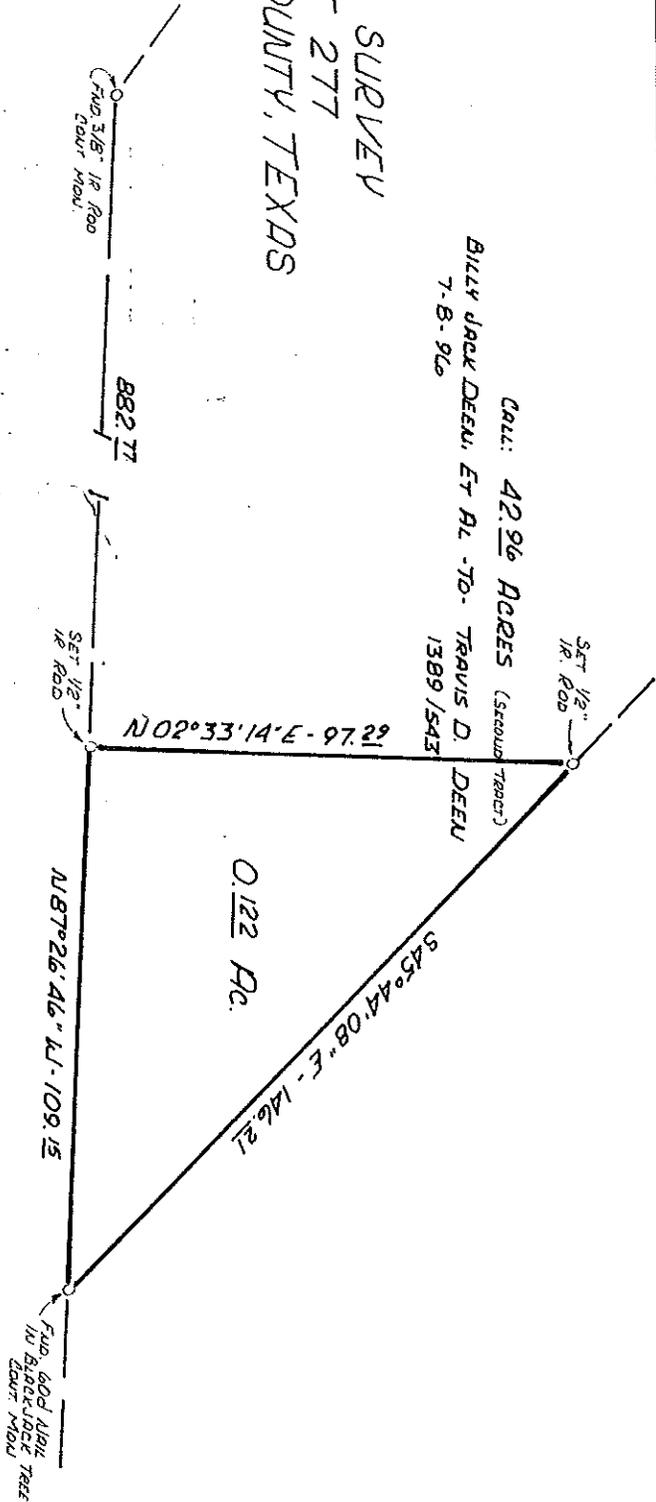
This service plan shall be valid for a term of ten (10) years.

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.

W. B. FARMER SURVEY
 ABSTRACT 277
 VAN ZANDT COUNTY, TEXAS

CALL: 42.96 ACRES
 BILLY JACK DEEU, ET AL - TO - TRAVIS D. DEEU
 T.B. 96
 1389/543



INTERSTATE HIGHWAY 20
 SERVICE ROAD (TWO-WAY TRAFFIC)

I, HEURY UMPHRESS, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2013,
 DO HEREBY CERTIFY THAT THE PLAT HEREON WAS PREPARED FROM AN
 ACTUAL SURVEY MADE ON THE GROUND, UNDER MY SUPERVISION, DURING
 THE MONTH OF NOVEMBER, 2000.
 GIVEN UNDER MY HAND AND SEAL THIS THE 21ST DAY OF NOVEMBER, 2000.

Heury Umphress
 HEURY UMPHRESS
 R.P.L.S. NO. 2013

WRITTEN DESCRIPTION ACCORDANCE
 THIS PLAT.
 BOUNDARIES REFERENCED TO THE
 SOUTH LINE OF 1389/543.

PREPARED BY
 UMPHRESS LAND SURVEYING
 1294 FM ROAD 3226 ARP, TEXAS 75750
 (903) 566-8922 FAX (903) 566-6546