

CITY OF CANTON, TEXAS

ANNEXATION ORDINANCE NO. 2005 - 08

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 "B" 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:

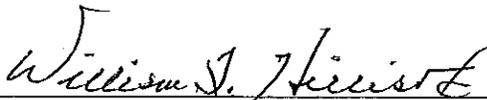
Section 1. All of that territory consisting of 10 acres situated in the James Douthit Survey, A-198 located on State Highway 19 South, more particularly described in "Exhibit A" attached hereto and made a part hereof is hereby annexed into the City, and the boundary limits of the City of Canton are hereby 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.

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

Section 3. That the property owner's agreement to incur all costs associated with the provision of water and sewer service lines to this voluntarily-annexed property provided for in Exhibit "C" attached hereto is hereby adopted.

Section 4. 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 15th day of March, 2005.



WILLIAM F. HILLIARD, MAYOR
The City of Canton, Texas

ATTEST:



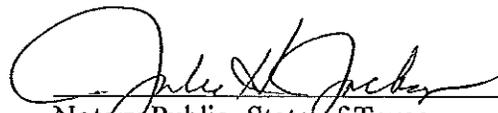
Julie H. Jackson, City Secretary



THE STATE OF TEXAS }
COUNTY OF VAN ZANDT }

BEFORE ME, the undersigned authority on this day personally appeared WILLIAM F. HILLIARD, 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 16 day of March, 2005.



Notary Public, State of Texas

FIELD NOTES

All that certain lot, tract, or parcel of land situated in the JAMES DOUTHIT SURVEY A-198, Van Zandt County, Texas, same being part of a called 32.9198 acre tract known as "Tract Six" as found in Partition Deed dated June 25, 1973 from Ira Nell Skillman et al, to Susan Burnett Smith as found recorded in Vol. 804, Page 630 of the Real Records of Van Zandt County, Texas, and being more fully described as follows:

BEGINNING at a point in the East Right of Way line of State Highway 19 for the Northwest corner of a called 3.50 acre tract now owned by Jack Mewbourn et ux, Kathie Mewbourn as found recorded in Vol. 1355, Page 493, Real Records of Van Zandt County, Texas, from which an occupied chain link corner post bears for reference South 26 deg. 26 min. 06 sec. East 0.39 feet;

THENCE: North 01 deg. 31 min. 52 sec. West 315.00 feet with said Right of Way to a 1/2" Iron Rod set for the Northwest corner of this;

THENCE: North 78 deg. 04 min. 56 sec. East 1074.92 feet to a 1/2" Iron Rod set in the East line of said 32.9198 acre tract for the Northeast corner of this;

THENCE: South 34 deg. 18 min. 55 sec. West 962.56 feet to a 3/8" Iron Rod found for the Northeast corner of said Mewbourn tract;

THENCE: North 62 deg. 43 min. 28 sec. West 563.33 feet to the place of beginning containing 10.00 acres of land.

REFERENCE IS MADE TO THE PLAT OF SURVEY, MADE UNDER MY SEAL OF EVEN DATE, SHOWING ADJOINER REFERENCES.

I, TONY COURTNEY, do hereby certify that the above field notes are true and correct, and were prepared from an actual on the ground survey and deed description.


TONY COURTNEY

Registered Professional Land Surveyor #1911
March 3, 1998

FN-041-01.98

FIELD NOTES

All that certain lot, tract, or parcel of land situated in the JAMES DOUTHIT SURVEY A-198, Van Zandt County, Texas, same being part of a called 10.0 acre tract as found in Warranty Deed dated March 16, 1998 from Susan Burnett Smith and Larry Smith to Jack Mewbourn and Kathie Mewbourn as found recorded in Vol. 1458, Page 242 of the Real Records of Van Zandt County, Texas, and being more fully described as follows:

BEGINNING at a 3/8" Iron Rod found for the South corner of said 10.0 acre tract, same being the East corner of a called 3.50 acre tract now or formerly owned by Jack and Kathie Mewbourn as found recorded in Vol. 1355, Page 493, Real Records;

THENCE: North 62 deg. 43 min. 28 sec. West 370.31 feet with the Northeast line of said 3.50 acre tract, and with the Southwest line of said 10.0 acre tract to a 1/2" Iron Rod set for the Northwest corner of this;

THENCE: South 82 deg. 43 min. 55 sec. East 412.65 feet to a point in the Southeast line of said 10.0 acre tract for the Northeast corner of this, from which a 1/2" Iron Rod set for reference bears South 82 deg. 43 min. 55 sec. East 1.46 feet;

THENCE: South 34 deg. 18 min. 55 sec. West 142.26 feet with the Southeast line of said 10.0 acre tract to the place of beginning containing 0.60 of an acre of land.

REFERENCE IS MADE TO THE PLAT OF SURVEY, MADE UNDER MY SEAL OF EVEN DATE, SHOWING ADJOINER REFERENCES.

I, TONY COURTNEY, do hereby certify that the above field notes are true and correct, and were prepared from an actual on the ground survey and deed description.

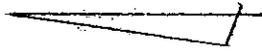


TONY COURTNEY

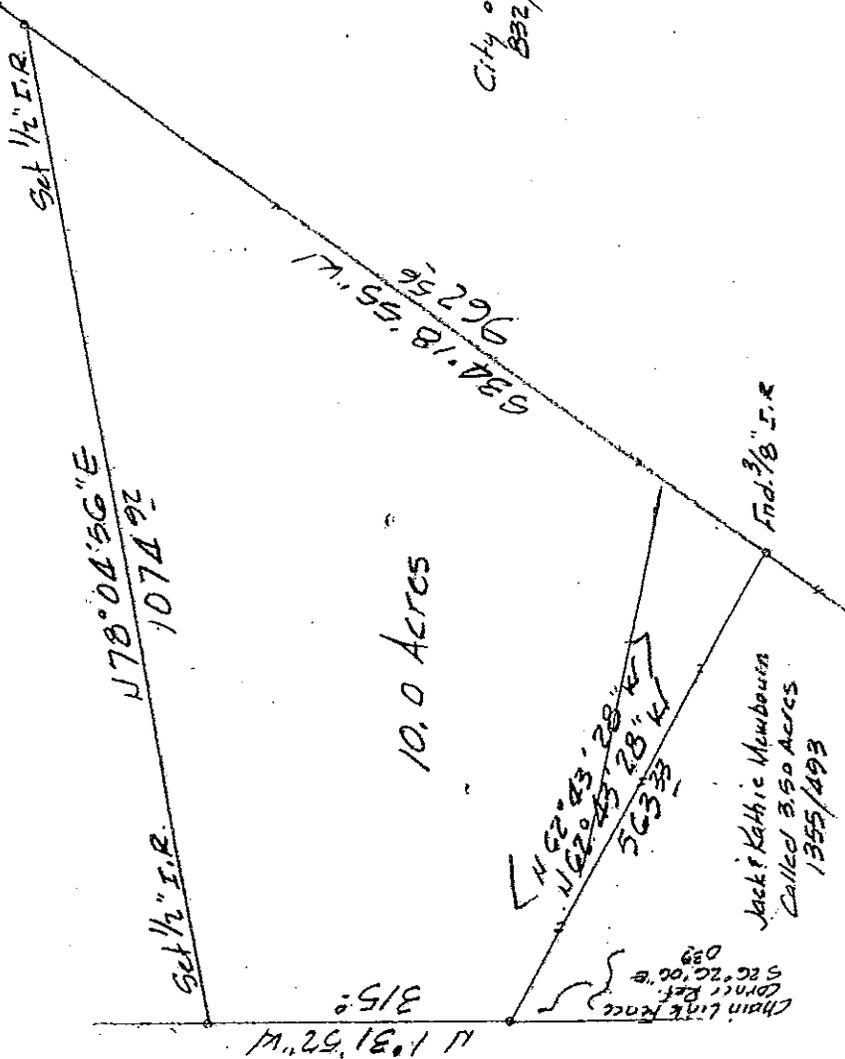
Registered Professional Land Surveyor #1911
July 28, 1998

FN-188-01.98

JAMES DOUTHIT SURVEY
A-198



Scale 1" = 200'



City of Canton
B32/1846

19

Hill

JAMES DOWDNEY SURVEY
A-198

Scale 1" = 100'

Called 10.0 Acres
1458/242

Set 1/2" I.R. for Ref.
S 82° 45' 55" E 145'

Set 1/2" I.R.

S 82° 43' 55" E

412.55'

0.60 Acre

N 62° 43' 28" W

370.31'

Jack & Kathie Newbourn
Called 2.50 Acres
1355/493

City of Canton
832/840

Find. 3/8" I.R.

594.18' 55" W

172.27'

594.18'

EXHIBIT "B"

**CITY OF CANTON, TEXAS
ANNEXATION SERVICE PLAN**

AREA ANNEXED

All of that territory more particularly described in "Exhibit A" attached hereto and made a part hereof.

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.

AFTER RECORDING, RETURN TO:

City Secretary
City of Canton
P.O. Box 245
Canton, TX 75103

Doc 00038899 BK Vol 2182 Pg 346
OR

FILED AND RECORDED

REAL RECORDS

On: Oct 27, 2006 at 01:03P

Document Number: 00038899

Amount 43.00

By
Dachelle Furr
Elizabeth Everitt, County Clerk
Van Zandt County

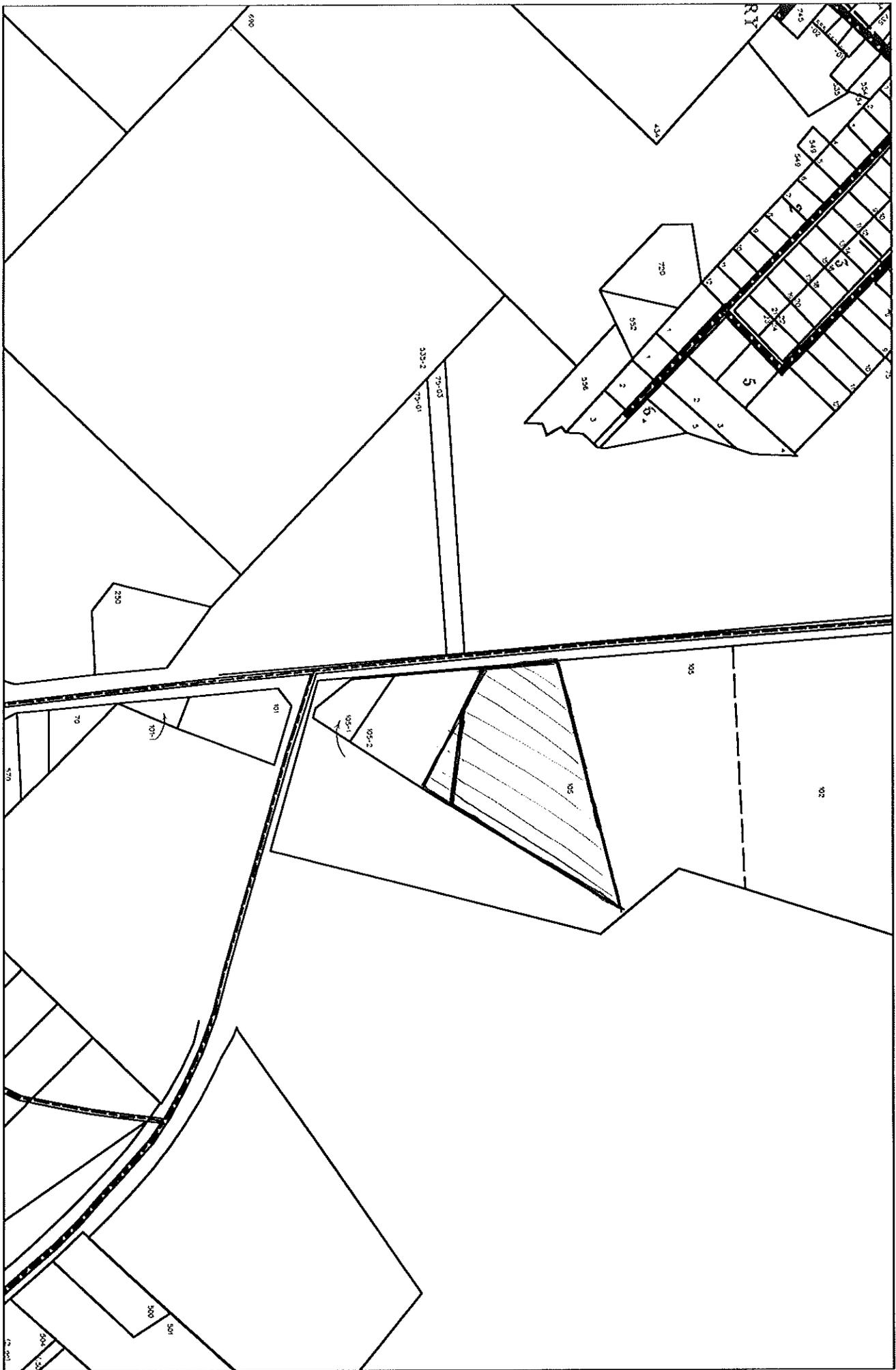
STATE OF TEXAS

COUNTY OF VAN ZANDT

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded in the volume and page of the named records of: Van Zandt County as stamped hereon by me.

Oct 27, 2006

Elizabeth Everitt, County Clerk
Van Zandt County



Hwy 19