

CITY OF CANTON, TEXAS

ANNEXATION ORDINANCE NO. 2005 - 13

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:

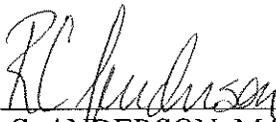
Section 1. All of that territory owned by Canton Economic Development Corporation consisting of 21 acres situated in the William Sherman Survey, A-761, located on Interstate 20 North Service Road west of FM 859, more particularly described in "Exhibit A" attached hereto and made a part hereof is hereby 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 17th day of May, 2005.

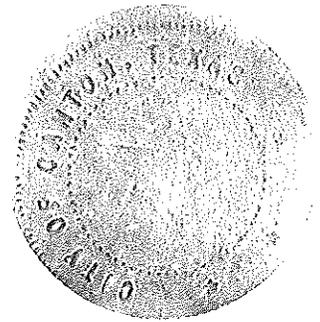


R.C. ANDERSON, MAYOR
The City of Canton, Texas

ATTEST:



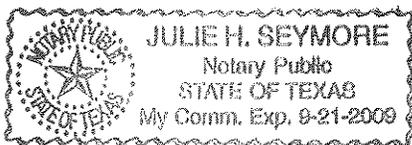
Julie H. Seymore, City Secretary

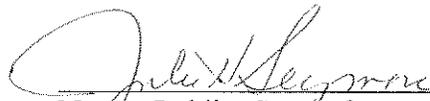


THE STATE OF TEXAS §
COUNTY OF VAN ZANDT §

BEFORE ME, the undersigned authority on this day personally appeared R.C. ANDERSON, 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 17th day of May, 2005.





Notary Public, State of Texas

SSC

STANGER SURVEYING COMPANY

100 WEST DALLAS STREET
CANTON, TEXAS 75103

PH: 903-567-5680

FAX: 903-567-6861

**WILLIAM SHERMAN SURVEY, ABSTRACT NO. 761
VAN ZANDT COUNTY, TEXAS**

METES AND BOUNDS DESCRIPTION FOR 20.94 ACRES OF LAND

BEING 20.94 acres of land situated in the William Sherman Survey, Abstract No. 761, Van Zandt County, Texas, and being all of that certain called 21.0 acre tract described in a Warranty Deed, dated November 10, 1973, from Farbie Johnson, et al, to Cone Johnson, recorded in Volume 807, Page 56 of the Deed Records of Van Zandt County, Texas. Said 20.94 acres of land being more particularly described as follows:

BEGINNING at 1/2 inch iron rod (set) for corner at the South corner of the above referenced 21.0 acre tract, at the West corner of that certain called 14.00 acre tract described in a Warranty Deed with Vendor's Lien from Merline Morrison to Henry Lewis, recorded in Volume 1409, Page 394 of the Real Records of Van Zandt County, Texas, and being located in the Northeast right-of-way line of Interstate Highway No. 20 (Vol. 498, Pg. 538, D.R.V.Z.C.T.);

THENCE: North 64 deg. 05 min. 50 sec. West, with the Southwest line of said 21.0 acre tract and with the Northeast right-of-way line of Interstate Highway No. 20, a distance of 1310.89 feet to a 1/2 inch iron rod (found) for corner at the West corner of said 21.0 acre tract;

THENCE: North 44 deg. 55 min. 29 sec. East, with the Northwest line of said 21.0 acre tract, a distance of 819.65 feet to a 1/2 inch iron rod (found) for corner at the North corner of same and at the West corner of that certain "Tract One", called 6.31 acres, described in a Warranty Deed with Vendor's Lien from Judith C. Johnson to Judith M. Darnell, recorded in Volume 1717, Page 574 of the Real Records of Van Zandt County, Texas;

THENCE: South 64 deg. 05 min. 52 sec. East, with the Northeast line of said 21.0 acre tract, a distance of 1043.75 feet to a 1/2 inch iron rod (found) for corner at the East corner of same, at the Northwest corner of the above mentioned 14.00 acre tract, and in

the Southwest line of that certain called 4.6878 acre tract described in a General Warranty Deed from Wanda J. Reynolds to Cecil Dale Johnson and wife, Betty J. Johnson, recorded in Volume 1699, Page 225 of the Real Records of Van Zandt County, Texas;

THENCE: South 25 deg. 54 min. 10 sec. West, with the Southeast line of said 21.0 acre tract and with the Northwest line of said 14.00 acre tract, a distance of 774.91 feet back to the **PLACE OF BEGINNING** and containing 20.94 acres of land.

Note: A red plastic cap stamped "Stanger" was placed on the above described 1/2 inch iron rod (set).

Note: Bearings are based on the record bearing of "S 64° 06' 00" E" along the monumented Northeast line of a called 4.6878 acre tract described in Vol. 1699, Pg. 225, R.R.V.Z.C.T.

Note: See Plat of Survey prepared even date.

I, Mark D. Bryant, Sr., Registered Professional Land Surveyor, do hereby certify that the above description was prepared from an actual survey made on the ground under my supervision during the month of April, 2003

GIVEN UNDER MY HAND AND SEAL, this the 24th day of April, 2003.


Mark D. Bryant, Sr.
Registered Professional Land Surveyor
State of Texas No. 4360

J.N. C03087

Survey Completed: 04-23-2003



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 00038902 BK V01 P9
OR 2182 366

FILED AND RECORDED
REAL RECORDS

On: Oct 27, 2006 at 01:03P

Document Number: 00038902

Amount: 35.00

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

