

Document No. 2009-002684

CITY OF CANTON ANNEXATION ORDINANCE NO. 2006-04

Parties: CITY OF CANTON  
to  
PUBLIC

FILED AND RECORDED  
REAL RECORDS

On: 04/08/2009 at 12:18 PM

Document Number: 2009-002684

Receipt No.: 200915110

Amount: \$ 36.00

By: sjarrard  
Charlotte Bledsoe, County Clerk  
Van Zandt County, Texas

7 Pages

\*\*\*DO NOT REMOVE THIS PAGE - IT IS A PART OF THIS INSTRUMENT\*\*\*



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 under the Document Number stamped hereon of the Official Public Records of Van Zandt County.

Charlotte Bledsoe, County Clerk

Record and Return To:

CITY SECRETARY  
CITY OF CANTON  
PO BOX 245  
CANTON, TX 75103



**CITY OF CANTON, TEXAS**

**ANNEXATION ORDINANCE NO. 2006 - 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 "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 J.W. Barnett Family Trust consisting of 28 acres situated in the J. Douthit Survey, A-198, located on State Highway 19 South, more particularly described in "Exhibit A" attached hereto and made a part hereof, plus all contiguous State Highway 19 roadway, 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 21<sup>st</sup> day of March, 2006.

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

ATTEST:

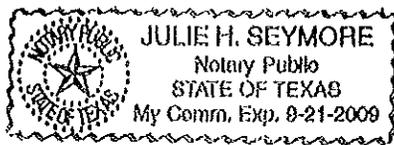
  
\_\_\_\_\_  
Julie H. Seymore, City Secretary



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 21<sup>st</sup> day of March, 2006.



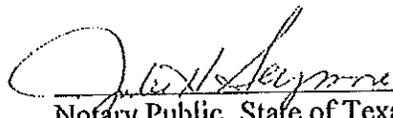
  
\_\_\_\_\_  
Notary Public, State of Texas

Exhibit "A"

lot, tract or parcel of land, a part of the James Douthit Survey, Abstract No. 198, Van Zandt County, Texas, and being a part of the land described in deed dated June 25, 1973, from Neil Skillman et al. to G. G. Burnett et ux and J. W. Burnett et ux known as Tract No. Five (5) of the Ira Burnett Estate Partition, as found in Volume 804, page 630, Deed Records of Van Zandt County, Texas, and this portion thereof described as follows:

BEGINNING at a 1/2" iron rod "found" at the Northwest corner of said Tract No. Five (5) and being in the East right of way line of Hwy. No. 19;  
THENCE South 1 deg. 29 min. 29 sec. East along said right of way line 757.19 feet to a 3/8" iron rod set for corner in same;  
THENCE South 87 deg. 22 min. 08 sec. East 1439.89 feet to a 3/8" iron rod set for corner in the East line of said Tract No. 5;  
THENCE North 23 deg. 46 min. East along the East line of same 632 feet to a 1/2" iron rod "found" at the Northeast corner of same;  
THENCE North 87 deg. 22 min. 08 sec. West along the North line of Tract No. 5, 1788.40 feet to the point of beginning, containing 28 acres of land.

Pag 00019252 Bk 1655 Vol 524 Pg

FILED AND RECEIVED  
OFFICIAL PUBLIC RECORDS  
Date: Sep 17, 2001 at 02:44p

Document Number: 00019252

Amount 13.00

BY  
Shannon Myers  
Elizabeth Everitt, County Clerk  
Van Zandt County

STATE OF TEXAS  
I hereby certify that this instrument was filed on  
the date and time stamped herein by me and was duly  
recorded in the office and page of the said records as  
stamped herein by me.  
Van Zandt County

Sep 17, 2001

Elizabeth Everitt, County Clerk  
Van Zandt County

## **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.

Return to:

City Secretary  
City of Canton  
P O Box 245  
Canton Tx 75103

