

CITY OF CANTON, TEXAS

ANNEXATION ORDINANCE NO. 2007 - 05

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 AND ALL CONTIGUOUS ROADWAY 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:

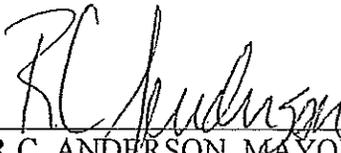
**Section 1.** All of that territory owned by B.J. Sentinel, d.b.a. Cottage Investors of Canton, LLC, consisting of a 58.14-acre tract and a 22.82-acre tract situated in the Q.C. Nugent Survey, A-618, located on Highway 19 North, more particularly described in "Exhibit A" attached hereto and made a part hereof, along with all contiguous 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.

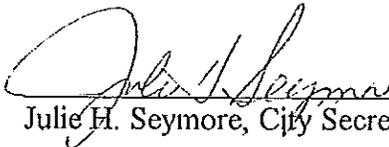
Section 3. That the property owner's agreement to incur all costs associated with the provision of water and sewer service lines to this voluntarily-annexed property provided for in Exhibit "C" attached hereto is hereby adopted.

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 20<sup>th</sup> day of March, 2007.

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

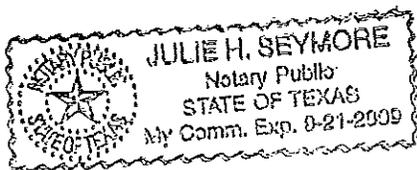
ATTEST:

  
\_\_\_\_\_  
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 20 day of March, 2007.



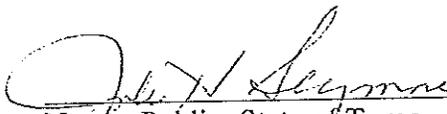
  
\_\_\_\_\_  
Notary Public, State of Texas

EXHIBIT "A"

4. Legal description of the land:  
TRACT 1:

All that certain lot, tract or parcel of land situated in Van Zandt County, Texas and being part of the Q. C. Nugent Survey, Abstract No. 618, and being all of a called 58.14 acre tract described in a deed from Hardy N. Sides, and wife Elsie Sides to Carl T. Cook and wife Thelma J. Cook as recorded in Volume 1173, Page 915, Van Zandt County Deed Records, and being more particularly described as follows;

**BEGINNING** at a 1/2 inch iron rod set on the east line of State Highway No. 19 at the northwest corner, of said 58.14 acre tract for a corner;

**THENCE** along the north line of said 58.14 acre tract and along a fence the following courses: S 82°30'21" E a distance of 145.98 feet to a tree, S 88°11'03" E a distance of 211.73 feet to a tree, N 86°06'39" E a distance of 268.33 feet to a tree, S 84°27'44" E a distance of 220.39 feet to a tree, S 66°42'35" E a distance of 234.88 feet to a tree, and S 68°46'30" E a distance of 763.82 feet to a 1/2 inch iron pipe found at a fence corner post at an inside corner of said 58.14 acre tract for a corner;

**THENCE** N 27°29'18" E along a fence a distance of 832.42 feet to a 1 1/2 inch iron pipe found on the south line of Interstate Highway No. 20 at the most northerly northwest corner of said 58.14 acre tract for a corner;

## Continuation of Schedule A

THENCE S 60°21'05" E along the south line of Interstate Highway No. 20 a distance of 299.96 feet to a point in the centerline of Mill Creek at the northeast corner of said 58.14 acre tract for a corner;

THENCE along the east line of said 58.14 acre tract and along the centerline of Mill Creek the following courses: S 10°54'42" W a distance of 216.32 feet, S 32°20'00" W a distance of 98.00 feet, S 69°52'00" E a distance of 269.00 feet, S 31°57'00" W a distance of 106.58 feet, S 72°49'00" W a distance of 93.27 feet, S 14°31'00" W a distance of 148.23 feet, N 77°11'00" E a distance of 162.98 feet, S 19°02'00" W a distance of 64.56 feet, S 28°12'00" E a distance of 149.80 feet, S 22°13'00" N a distance of 218.21 feet, S 04°22'00" W a distance of 208.69 feet, S 24°30'00" W a distance of 230.50 feet, S 17°50'00" E a distance of 138.35 feet, S 69°56'00" W a distance of 44.73 feet, N 21°59'51" W a distance of 158.27 feet, S 61°07'00" W a distance of 212.98 feet, S 02°20'00" W a distance of 122.30 feet, S 58°19'00" W a distance of 120.21 feet, S 66°58'00" W a distance of 269.51 feet, S 34°20'00" W a distance of 68.81 feet, S 51°30'00" E a distance of 83.56 feet, and S 65°31'00" W a distance of 84.17 feet to a point for a corner at the southeast corner of said 58.14 acre tract for a corner;

THENCE N 52°30'09" W along a fence and along the south line of said 58.14 acre tract a distance of 1056.36 feet to a 1/2 inch iron rod set for a corner;

THENCE N 52°08'32" W along the south line of said 58.14 acre tract a distance of 633.40 feet to 1/2 inch iron rod found at the most southerly southeast corner of said 58.14 acre tract for a corner;

THENCE N 12°48'54" E along a fence a distance of 728.18 feet to 1/2 inch iron rod set at a fence corner post at an inside corner of said 58.14. acre tract for a corner;

THENCE S 85°51'07" W along a fence a distance of 224.76 feet 1/2 inch iron rod found for a corner;

THENCE N 87°40'08" W along a fence a distance of 212.95 feet to a point for a corner;

THENCE N 83°10'13" W a distance of 148.14 feet to a 1/2 inch iron rod found on the west line of State Highway No. 19 at the most westerly southwest corner of said 58.14 acre tract for a corner;

THENCE N 11°42'56" E along the east line of State Highway No 19 a distance of 20.47 feet to the Point of Beginning and containing 58.328 acres of land.

Being the same land in Warranty Deed dated February 7, 1994, from Carl T. Cook and wife, Thelma J. Cook to Homer Dean Mohn and wife, Diane C. Mohn, recorded in Volume 1304, Page 625, Real Records of Van Zandt County, Texas.

## TRACT 2:

All that certain lot, tract, or parcel of land situated in the Q. C. NUGENT SURVEY A-618, Van Zandt County, Texas, same being part of a called 45.88 acre tract as found in Warranty Deed dated December 14, 1984 from Wallace A. Knox, Individually and as Independent Executor of the Estate of Flossie V. Knox, deceased, joined by my wife Della Grace Knox to Elvin Blackwell as found recorded in Vol. 1042, Page 594 of the Real Records of Van Zandt County, Texas, and being more fully described as follows:

BEGINNING at a 1/2" Iron Rod set on the Southwest line of said 45.88 acre tract and on the Northeast line of a tract of land now or formerly owned by Henry Lewis (Vol. 1349, page 563 Real Records) for the West corner of this, same being South 42 deg. 18 min. 08 sec. East 1832.45 feet from a 3/8" Iron Rod found on the East right-of-way line of State Highway 19 for the Southwest corner of said 45.88 acre tract;

THENCE: North 16 deg. 35 min. 25 sec. East 945.35 feet to a 16" Pin Oak Tree found on the Southwest line of a called 58.328 acre tract now or formerly owned by Homer Mohn et ux (Vol. 1304, page 625 Real Records) for the North corner of this;

THENCE: South 52 deg. 48 min. 33 sec. East 558.68 feet with the Southwest line of said 58.328 acre tract to a point in the center of Mill Creek for the Southeast corner of same, and being the East corner of said 45.88 acre tract, a 1/2" Iron Rod found for a reference bears North 52 deg. 48 min. 33 sec. West 40.00 feet;

THENCE: Along the meanders of Mill Creek as follows:

South 35 deg. 38 min. 23 sec. West 99.81 feet;  
South 67 deg. 24 min. 21 sec. East 180.46 feet;  
South 41 deg. 08 min. 14 sec. West 121.15 feet;  
South 24 deg. 53 min. 15 sec. West 56.45 feet;  
South 49 deg. 50 min. 28 sec. East 153.95 feet;  
South 59 deg. 24 min. 23 sec. West 205.16 feet;  
South 11 deg. 42 min. 03 sec. East 71.65 feet;  
North 77 deg. 08 min. 38 sec. East 251.32 feet;  
South 56 deg. 32 min. 17 sec. East 21.66 feet;  
South 39 deg. 28 min. 52 sec. East 382.57 feet;  
South 71 deg. 53 min. 45 sec. West 38.75 feet;  
South 55 deg. 28 min. 34 sec. West 40.17 feet;  
South 25 deg. 02 min. 17 sec. West 168.57 feet;  
North 76 deg. 37 min. 09 sec. West 58.84 feet;  
South 08 deg. 31 min. 59 sec. West 137.03 feet;  
South 84 deg. 41 min. 46 sec. West 125.63 feet;  
South 04 deg. 43 min. 11 sec. West 59.09 feet;  
South 19 deg. 08 min. 18 sec. East 57.07 feet;  
South 67 deg. 55 min. 51 sec. East 110.93 feet;  
South 17 deg. 27 min. 35 sec. East 60.25 feet;  
South 31 deg. 31 min. 23 sec. West 48.18 feet;  
North 69 deg. 08 min. West 99.44 feet, and;

South 21 deg. 43 min. 53 sec. West 112.80 feet to a Point for the Southeast corner of said 45.88 acre tract, a 1/2" Iron Rod reference was set North 42 deg. 18 min. 08 sec. West 10.00 feet;

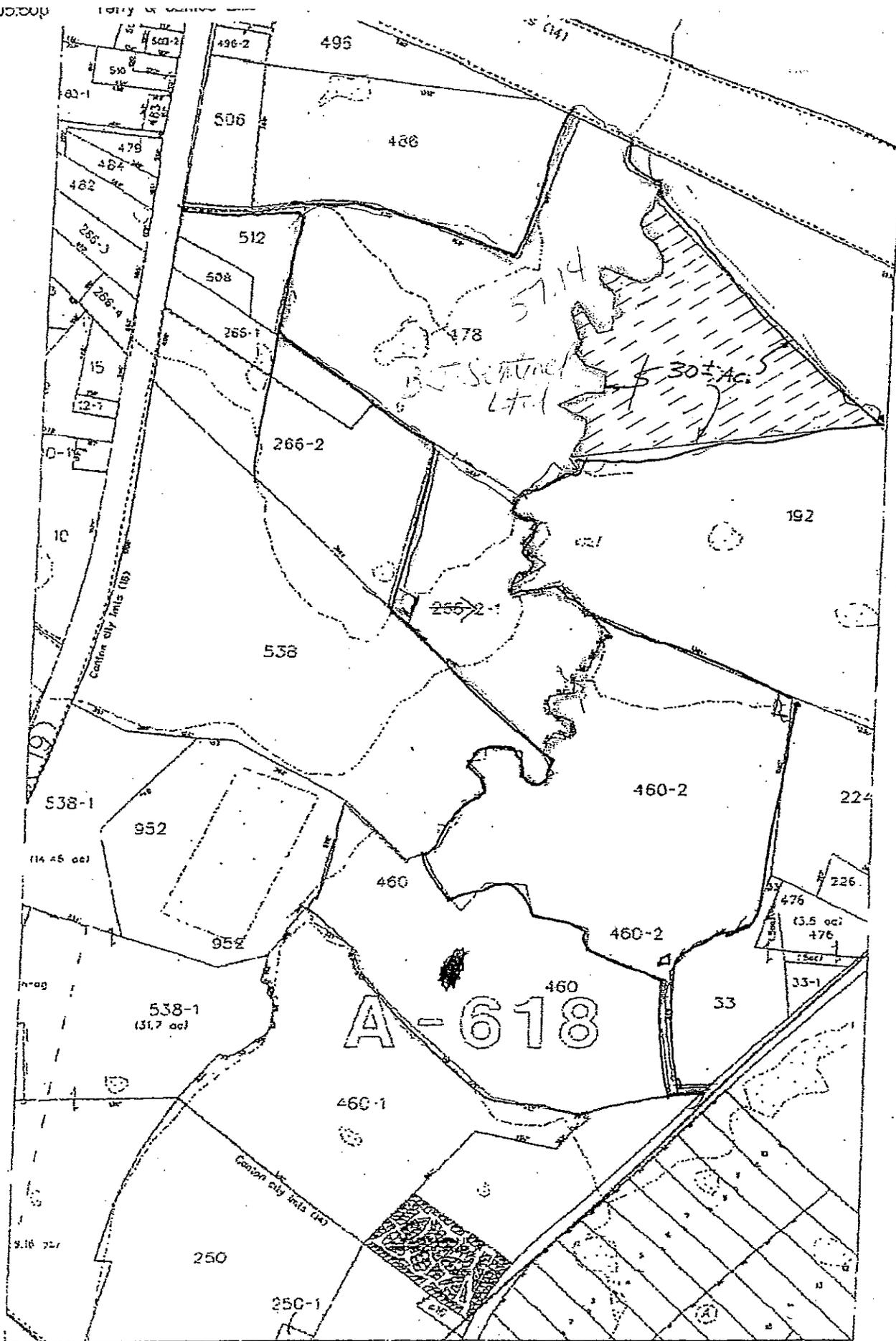
THENCE: North 42 deg. 18 min. 08 sec. West 1207.68 feet with the Southwest line of said 45.88 acre tract, and with the Northeast line of said Lewis' tract to the place of beginning containing 22.82 acres of land.

Continuation of Schedule A

G.F. No. 060464

Being the same land in Warranty Deed dated May 21, 1999, from Stella Catherine Blackwell, a single woman to Homer D. Mohn and wife, Diane Mohn, recorded in Volume 1512, Page 720, Real Records of Van Zandt County, Texas.

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51.4± Ac. 30± Ac.  
NORTH

A-618

(14.45 ac)

(31.7 ac)

(3.5 ac)

9.16 ac