

Document No. 2009-002317

CITY OF CANTON, TEXAS ANNEXATION ORDINANCE NO. 2009-09

Parties: CITY OF CANTON

to

THE PUBLIC

FILED AND RECORDED
REAL RECORDS

On: 03/26/2009 at 09:41 AM

Document Number: 2009-002317

Receipt No.: 200914753

Amount: \$ 36.00

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

7 Pages

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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. 2009-09**

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, the City of Canton purchased a 4.0-acre tract of land situated in the D. Towns Survey, Abstract No. 845, ideally structured for renovation for city facilities, including administrative offices, municipal court, a police station and outdoor services; and

WHEREAS, the City of Canton desires to annex said property into the incorporated city limits; and

WHEREAS, Section 43.026 of the Texas Local Government Code authorizes a Type A General Law city to annex by ordinance an area that it owns;

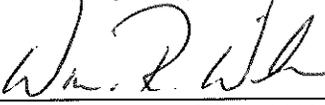
NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CANTON, TEXAS:

Section 1. That all of that territory owned by the City of Canton consisting of 4.0 acres situated in the D. Towns Survey, A-845, located at 24980 Highway 64 East, 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.

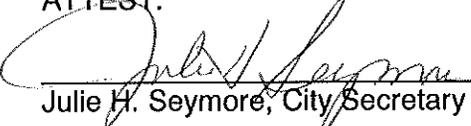
Section 2. That the municipal service plan for the herein annexed territory provided for in Exhibit "B" attached hereto.

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 17th day of March, 2009.



WILLIAM R. WILSON, MAYOR
The City of Canton, Texas

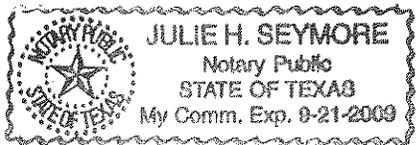
ATTEST:


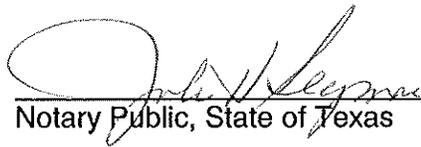
Julie H. Seymore, City Secretary

THE STATE OF TEXAS §
COUNTY OF VAN ZANDT §

BEFORE ME, the undersigned authority on this day personally appeared WILLIAM R. WILSON, 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 17 day of March, 2009.





Notary Public, State of Texas

EXHIBIT A

**PROPERTY DESCRIPTION
4.00 ACRES**

BEING a tract of land situated in the JAMES TOWN SURVEY, ABSTRACT NO. 845, City of Canton, Van Zandt County, Texas, being all of that certain tract of land conveyed by deed to the Texas Department of Transportation (TxDOT), as recorded in Volume 387, Page 143, of the Deed Records of Van Zandt County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found at the southeast corner of said TxDOT tract and at the southwest corner of the Ken and Linda Crisler tract as evidenced by the deed recorded in Volume 1592, Page 597 of said Deed Records, and from which bears a 6 inch steel post at S 45° 33' 58" W - 0.45 feet and a concrete monument found bears S38° 05' 00" E - 20.45 feet, said point also being on the northern right-of-way line of SH 64, a 120 foot wide right-of-way;

THENCE N 38° 43' 00" W, along said northern right-of-way line, a distance of 431.20 feet to a point for the southwest corner of said TxDOT tract and the southeast corner of the Virgil A. Pierce tract, as evidenced by the deed recorded in Volume 1413, Page 763 of said Deed Records, and from which bears an "X"-cut in concrete found at N 45° 00' 00" E - 1.08 feet;

THENCE N 45° 00' 00" E, along the common line between said TxDOT tract and said Pierce tract, a distance of 406.50 feet to an "I"-beam found at the northwest corner of said TxDOT tract and on the easterly line of the First United Pentacostal Church tract, as evidenced by the deed recorded in Volume 1512, Page 26 of said Deed Records and at the southwest corner of the Joseph and Sherry VanKirk tract as evidenced by the deed recorded in Volume 1748, Page 445 of said Deed Records;

THENCE S 38° 43' 00" E, along the common line between said TxDOT tract and said VanKirk tract, a distance of 431.20 feet to an "I"-beam found at the northeast corner of said TxDOT tract and at the northwest corner of the Danny W. and Kathy A. Casey tract, as evidenced by the deed recorded in Volume 1322, Page 878 of said Deed Records;

THENCE S 45° 43' 00" W, along the common line between said TxDOT tract and said Casey tract, a distance of 431.20 feet to the POINT OF BEGINNING and containing an area of 174,230 square feet or 4.00 acres of land, more or less.

I DO HEREBY CERTIFY THAT THE ABOVE DESCRIPTION CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE ON THE GROUND.

Brian C. Wright 5/26/05

Brian C. Wright
Registered Professional Land Surveyor
License No. 4560, State of Texas



JANUARY STREET

DAVID TOWNS SURVEY
ABSTRACT No. 845

JOSEPH & SHERRY YORK
VOL. 174B, PG. 445
D.R.V.Z.C.T.

TEXAS DEPARTMENT
OF TRANSPORTATION
VOL. 387, PG. 143
D.R.V.Z.C.T.

N45° 00' 00" E
1.08'

HIGHWAY 64 (120' WIDE ROW)

- TREE
- ⊙ GAS MH
- ⊙ GAS METER
- # GAS VALVE
- ⊙ WATER METER
- ⊥ SPIGOT
- ⊕ FIRE HYDRANT
- ⊙ LIGHT POLE
- IRRIGATION VALVE
- STORM DRAIN
- ⊕ STORM MH
- ⊕ WATER VALVE
- ⊙ LANDSCAPE LIGHT
- ← ODWM GUY
- ⊙ JUNCTION BOX
- ⊙ SAN MH
- GUARD RAIL

POINT OF BEGINNING

NOTE: BEARINGS ARE BASED ON THE NORTH LINE OF SH 64 PER VOLUME 387, PAGE 143

After recording, return to:
City Secretary
City of Canton
P.O. Box 245
Canton, TX 75103

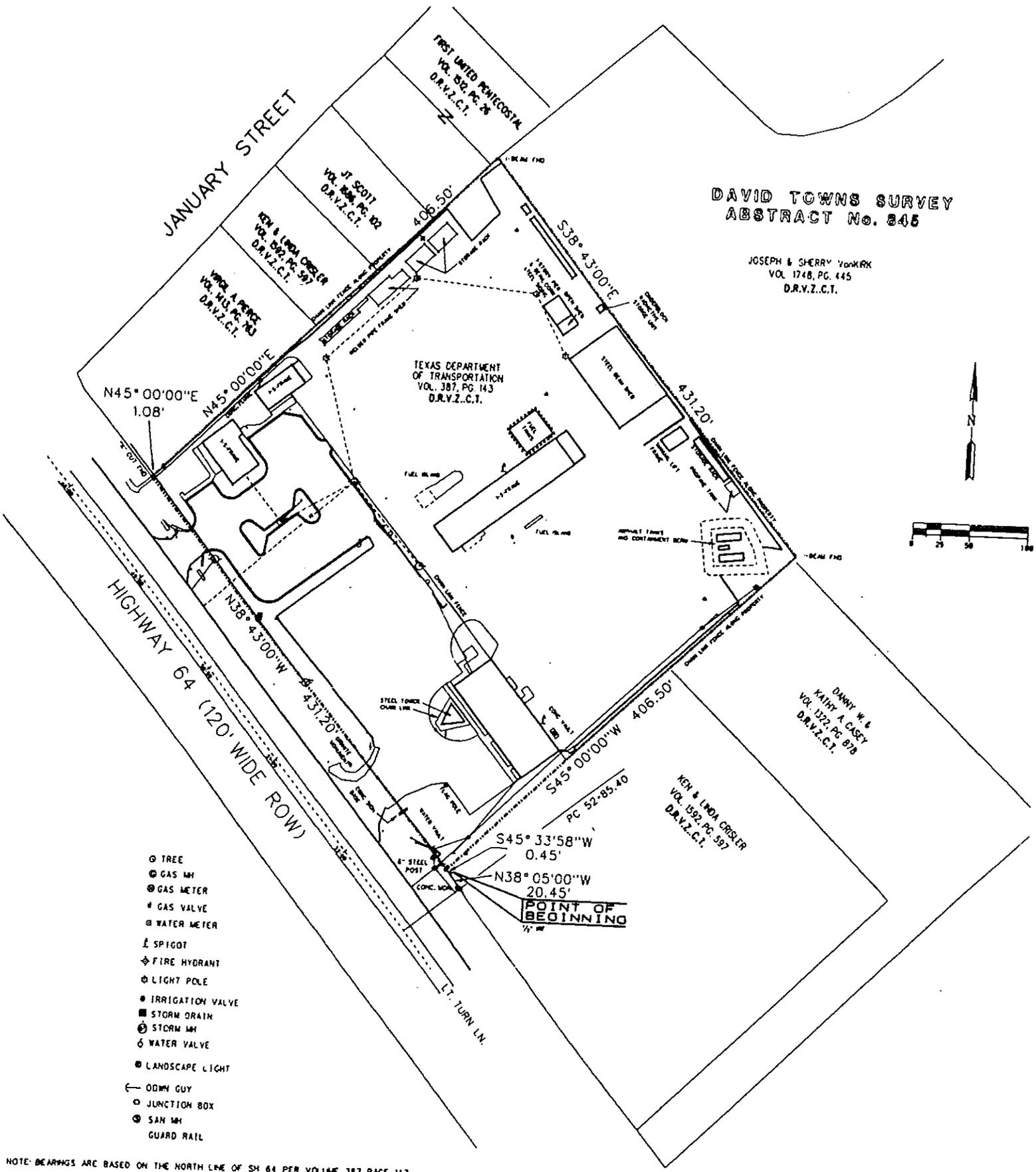
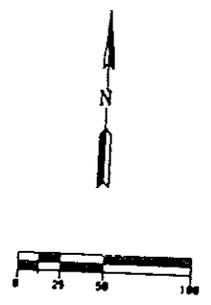


EXHIBIT "B"

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