

**CITY OF CANTON, TEXAS
ANNEXATION ORDINANCE NO. 2011-06**

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; and

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; and

WHEREAS, the tract of land is contiguous to the City and is not more than one-half (1/2) mile in width, and on which fewer than three (3) qualified voters reside; and

WHEREAS, the City has prepared a service plan for said tract which is attached as Exhibit "B" to this ordinance; and

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 has 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 the Zanbaca USA LLC consisting of 9.26 acres situated in the C. Beckett Survey, A-093, located at 21620 Interstate 20, 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 3. That the municipal service plan for the herein annexed territory provided for in Exhibit "B" attached hereto is hereby adopted.

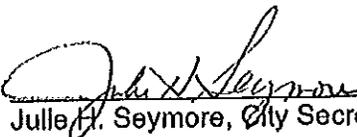
Section 4. That the City Secretary is hereby directed to file with the County Clerk and other appropriate officials and agencies, as required by state and federal law and city annexation procedures, certified copies of this ordinance.

PASSED by an affirmative vote of the Governing Body of the City of Canton, Texas, this the 17th day of May, 2011.



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

ATTEST:



Julie A. 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 17th day of May, 2011.





Notary Public, State of Texas

EXHIBIT A

Date: October 6, 2010

Property Description: All that certain lot, tract or parcel of land situated in the C. Beckett Survey, Abstract No. 093, Van Zandt County, Texas, and being part of the remainder of that certain called 47.391 acre tract of land conveyed from LKP Residuary Tract Holdings, LTD to Billy Jack Deen, by Special Warranty Deed, as recorded in Volume 1628, Page 554, Official Records, Van Zandt County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found at a Northeast corner of the remainder of said 47.391 acre tract, and the Southeast corner of a called 5.00 acre tract conveyed to Coyote Creek I, LTD, by Warranty Deed, as recorded in File No. 2008009668, Official Records, Van Zandt County, Texas, said point being in the West line of a tract of land conveyed to Travis Deen, by deed as recorded in Volume 496, Page 267, Deed Records, Van Zandt County, Texas;

THENCE, South 03 Degrees 15 Minutes 25 Seconds West, with an East line of the remainder of said 47.391 acre tract, and the West line of said Travis Deen tract, a distance of 246.63 feet to a flatbar found at an ell corner of the remainder of said 47.391 acre tract, and the Southwest corner of said Travis Deen tract;

THENCE, South 87 Degrees 01 Minutes 57 Seconds East, with a North line of the remainder of said 47.391 acre tract, and the South line of said Travis Deen tract, a distance of 160.93 feet to a 1/2 inch iron rod found;

THENCE, South 03 Degrees 03 Minutes 29 Seconds West, with a division line, a distance of 432.97 feet to a 1/2 inch iron rod found;

THENCE, North 86 Degrees 48 Minutes 16 Seconds West, with a division line, a distance of 50.08 feet to a 1/2 inch iron rod found;

THENCE, South 03 Degrees 03 Minutes 34 Seconds West, with a division line, a distance of 100.19 feet to a 60d nail found in the South line of the remainder of said 47.391 acre tract, and the North line of Interstate Highway No. 20 (Variable Width R.O.W.);

THENCE, North 86 Degrees 57 Minutes 25 Seconds West, with the South line of the remainder of said 47.391 acre tract, and the North line of said Interstate Highway No. 20, a distance of 110.85 feet to a 1/2 inch iron rod found at a Southwest corner of the remainder of said 47.391 acre tract, and an angle point in the North line of said Interstate Highway No. 20;

THENCE, North 51 Degrees 59 Minutes 22 Seconds West, with the Southwest line of the remainder of said 47.391 acre tract, and a North line of said Interstate Highway No. 20, a distance of 760.16 feet to a concrete monument found at an angle point in the West line of the remainder of said 47.391 acre tract, said point being in the Northeast line of State Highway No. 64, (Variable Width R.O.W.);

THENCE North 42 Degrees 00 Minutes 56 Seconds West, with the Southwest line of the remainder of said 47.391 acre tract, and the Northeast line of said State Highway No. 64, a distance of 233.59 feet to a 1/2 inch iron rod found at a Northwest corner of the remainder of said 47.391 acre tract, and the Southwest corner of said 5.00 acre tract;

THENCE North 80 Degrees 16 Minutes 53 Seconds East, (Reference Bearing), with a North line of the remainder of said 47.391 acre tract, and the South line of said 5.00 acre tract, a distance of 809.34 feet to the POINT OF BEGINNING and CONTAINING 403,431 square feet or 9.26 acres of land.

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 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 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.

NOT A LEGAL DOCUMENT
FOR TAX PURPOSE ONLY

