

**CITY OF CANTON, TEXAS  
ANNEXATION ORDINANCE NO. 2012 - 03**

**AN ORDINANCE ANNEXING A 1.254-ACRE TRACT SITUATED IN THE JAMES DOUTHIT SURVEY, A-198, VAN ZANDT COUNTY, TEXAS, OWNED BY SYLVIA JOSEPHINE BARBEE ET AL AND ALL CONTIGUOUS ROADWAY INTO THE CITY OF CANTON, VAN ZANDT COUNTY, TEXAS; EXTENDING THE BOUNDARIES OF THE CITY OF CANTON SO AS TO INCLUDE SAID PROPERTY AND ALL CONTIGUOUS ROADWAY WITHIN THE CITY LIMITS; 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 CITY OF CANTON**

**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;

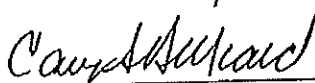
**NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CANTON, TEXAS:**

**Section 1.** All of that territory owned by Sylvia Josephine Barbee et al consisting of 1.254 acres situated in the James Douthit Survey, A-198, located on South Trade Days Blvd., 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.

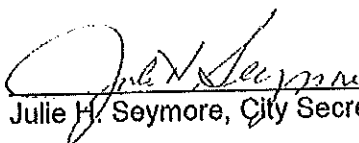
**Section 3.** That the municipal service plan for the herein annexed territory provided for in Exhibit "B" attached hereto is hereby adopted.

**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 21<sup>st</sup> day of February, 2012.

  
\_\_\_\_\_  
CARY S. HILLIARD, MAYOR  
The City of Canton, Texas

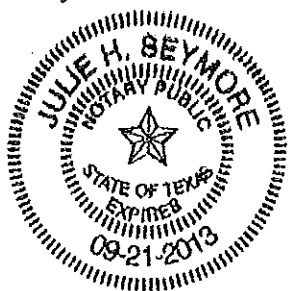
ATTEST:

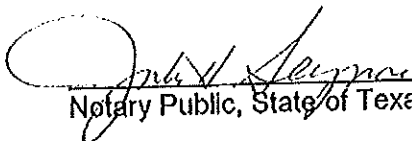
  
\_\_\_\_\_  
Julie H. Seymore, City Secretary

THE STATE OF TEXAS     §  
COUNTY OF VAN ZANDT   §

BEFORE ME, the undersigned authority on this day personally appeared CARY S. HILLIARD, 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 day of February, 2012.



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

**SSC**

**STANGER SURVEYING CANTON LLC**

581 S. TRADE DAYS BLVD.  
CANTON, TEXAS 75103

PH: 903-567-5680

FAX: 903-567-6861

**EXHIBIT "A-2"**

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**PROPOSED ANNEXATION OF 1.254 ACRES OF LAND**

**JAMES DOUTHIT SURVEY, ABSTRACT NO. 198  
VAN ZANDT COUNTY, TEXAS**

BEING 1.254 acres of land situated within the corporate limits of the City of Canton, Van Zandt County, Texas, part of the JAMES DOUTHIT SURVEY, ABSTRACT NO. 198, and being a part of that certain called 43.9907 acre tract described in a Special Warranty Deed, dated March 8, 2010, from Sylvia Josephine Barbee, et al, Co-Trustees, to Sylvia Josephine Barbee, et al, recorded in Document No. 2010-002138 of the Real Records of Van Zandt County, Texas. Said 1.254 acres of land being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod capped "Stanger" (found) for corner within the bounds of the above referenced 43.9907 acre tract, at the Northeast corner of that certain called 17.967 acre tract previously annexed into the City of Canton and described in Annexation Ordinance No. 2009-38, recorded in Document No. 2009-010792 of the Real Records of Van Zandt County, Texas, being located in the West right-of-way line of State Highway No. 19, and being located North 01 deg. 18 min. 51 sec. West, a distance of 368.92 feet from a 1/2 inch iron rod (set) at the Northeast corner of that certain called 4.860 acre tract described in a General Warranty Deed from Sylvia Josephine Barbee, et al, to Canton Healthcare Realty, L.L.C., recorded in Document No. 2010-004235 of the Real Records of Van Zandt County, Texas,

THENCE: North 80 deg. 03 min. 23 sec. West, with the North line of said 17.967 acre tract, a distance of 305.89 feet to a point for corner in same, from which a 1/2 inch iron rod (set) and used for reference bears South 01 deg. 18 min. 51 sec. East, a distance of 138.23 feet;

EXHIBIT "A-2"

PAGE 2 OF 2

THENCE: North 01 deg. 18 min. 51 sec. West, a distance of 152.17 feet to a 1/2 inch iron rod (set) for corner;

THENCE: North 88 deg. 41 min. 09 sec. East, a distance of 300.00 feet to a 1/2 inch iron rod (set) for corner in the West right-of-way line of State Highway No. 19;

THENCE: South 01 deg. 18 min. 51 sec. East, with the West right-of-way line of State Highway No. 19, a distance of 211.88 feet back to the PLACE OF BEGINNING and containing 1.254 acres of land.

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 direction and supervision during the month of November, 2011.

Bearings are based on the record bearing of "N 88°41'09" E" between a 1/2 inch iron rod capped "Stanger" (found) at the Northwest corner and a 1/2 inch iron rod capped "Stanger" (set) at the Northeast corner of the above mentioned 4.860 acre tract, per Doc. No. 2010-004235, R.R.V.Z.C.T.

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

Reference made to Plat of Survey prepared even date (C110151).

GIVEN UNDER MY HAND AND SEAL, this the 8th day of November, 2011.



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

Job No.: C110151 (Annexation - 1.254 Ac.)

Survey Completed: 11-07-2011



# EXHIBIT "A-1"

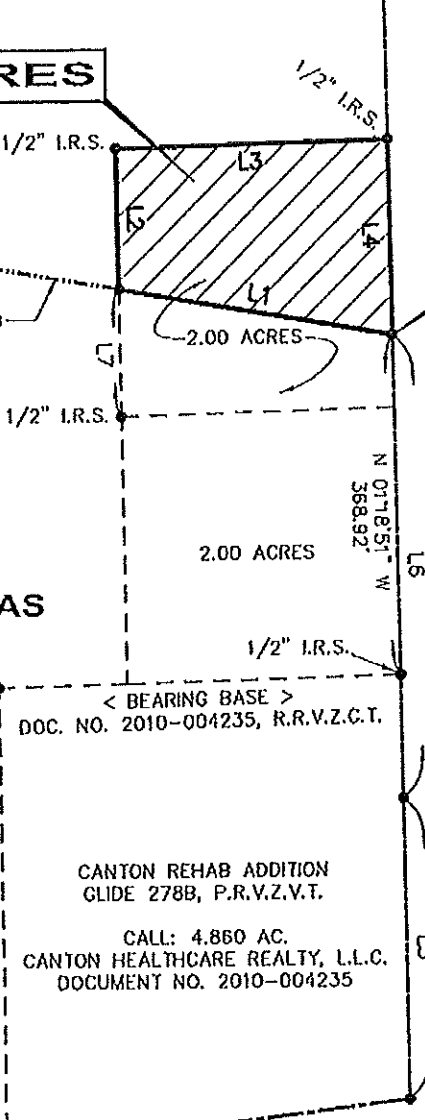
**1.254 ACRES**

(UNINCORPORATED)

CURRENT CORPORATE LIMITS  
BY ANNEXATION ORDINANCE NO. 2009-3B  
CALL: 17.967 AC.  
DOC. NO. 2009-010792, R.R.V.Z.C.T.

43.9907 AC.  
SYLVIA JOSEPHINE BARBEE, ET AL  
DOC. NO. 2010-002138

**JAMES DOUTHIT SURVEY**  
ABSTRACT NO. 198  
**VAN ZANDT COUNTY, TEXAS**



1/2" I.R.F. (CAPPED)  
PLACE OF BEGINNING

STATE HIGHWAY NO. 19

1/2" I.R.F. (CAPPED) < BEARING BASE >  
DOC. NO. 2010-004235, R.R.V.Z.C.T.

CANTON REHAB ADDITION  
GLIDE 278B, P.R.V.Z.V.T.  
CALL: 4.860 AC.  
CANTON HEALTHCARE REALTY, L.L.C.  
DOCUMENT NO. 2010-004235

CALL: 1.229 AC.  
CITY OF CANTON  
DOC. NO. 2009-010793, R.R.V.Z.C.T.

LINE TABLE (1.254 ACRES)

LINE	BEARING	DISTANCE
L1	N 80°03'23" W	305.89'
L2	N 01°18'51" W	182.17'
L3	N 88°41'09" E	300.00'
L4	S 01°18'51" E	211.88'

LINE TABLE (TIES)

LINE	BEARING	DISTANCE
L5	N 01°18'06" W	326.31'
L6	N 01°18'51" W	502.61'
L7	N 01°18'51" W	138.23'

I.R.F. (CAPPED) = DENOTES IRON ROD (FOUND) WITH RED PLASTIC CAP STAMPED "STANGER".  
I.R.S. = DENOTES IRON ROD (SET) WITH RED PLASTIC CAP STAMPED "STANGER".  
BEARING BASE: SHOWN HEREON

I, MARK D. BRYANT, SR., REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS EXHIBIT PLAT AND ATTACHED METES AND BOUNDS DESCRIPTION WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND DURING THE MONTH OF NOVEMBER, 2011.

*Mark D. Bryant, Sr.*

MARK D. BRYANT, SR.  
REGISTERED PROFESSIONAL LAND SURVEYOR  
STATE OF TEXAS NO. 4360  
NOVEMBER 8, 2011



**1.254 ACRES**

SEE EXHIBIT "A-2" ATTACHED HERETO.

**1.254 ACRES  
PROPOSED ANNEXATION  
CITY OF CANTON, TEXAS**

PREPARED BY:  
STANGER SURVEYING CANTON LLC  
581 S. TRADE DAYS BLVD.  
CANTON, TEXAS 75103  
(903) 567-5680

DFT. BY: M.D.B.	SCALE: 1" = 200'
CHK. BY: M.D.B.	FB./PG.: 246/55
DATE: 11/08/2011	JOB NO.: C110151
FILE: ANNEX	

## 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.