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CITY OF CANTON, TEXAS ANNEXATION ORDINANCE NO. 2020-8

Parties: CANTON CITY OF  
to  
PUBLIC

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Susan Strickland, County Clerk  
Van Zandt County, Texas

10 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.

Susan Strickland, County Clerk

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Record and Return To:

CITY OF CANTON  
201 NORTH BUFFALO

CANTON, TX 75103



CITY OF CANTON, TEXAS  
ANNEXATION ORDINANCE NO. 2020-8

AN ORDINANCE ANNEXING A 1.75-ACRE TRACT SITUATED IN THE Q.C. NUGENT SURVEY, A-618, VAN ZANDT COUNTY, TEXAS, OWNED BY THE ESTATE OF BRENDA GRIFFIN WASHINGTON, AND ALL CONTIGUOUS ROADWAY INTO THE CITY OF CANTON, VAN ZANDT COUNTY, TEXAS; EXTENDING THE BOUNDARIES OF THE CITY OF CANTON TO INCLUDE THE ANNEXED PROPERTY AND ALL CONTIGUOUS ROADWAY WITHIN THE CITY LIMITS; GRANTING TO THE ANNEXED TERRITORY AND TO ALL FUTURE INHABITANTS OF THE ANNEXED TERRITORY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS; AND BINDING FUTURE INHABITANTS OF THE TERRITORY TO ALL OF THE ACTS AND ORDINANCES OF THE CITY OF CANTON

**WHEREAS**, a petition has been duly signed and acknowledged by every person or corporation having an interest in the territory proposed to be annexed; and

**WHEREAS**, the territory is contiguous to the City, is not more than ½-mile in width, and fewer than three qualified voters reside on the tract; and

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

**WHEREAS**, the City has published notice of and held a hearing on the annexation as required by state law; and

**WHEREAS**, after due consideration of the petition, the governing body has voted to annex the 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 consisting of 1.75 acres situated in the Q.C. Nugent, A-618, located at 348 Van Zandt County Road 2106, Canton, Texas, (R000004772), 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 the territory within the city limits of the City, and the territory and the future inhabitants of the territory shall 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 in Exhibit "B," which covers the annexed territory, is hereby adopted. The landowner agrees to extend water and wastewater utility services as needed at his expense.

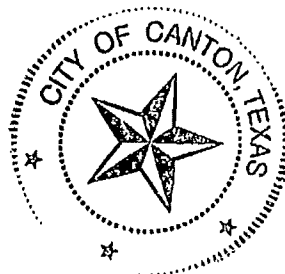
**Section 3.** That the City Secretary is hereby directed to file with the County Clerk and other appropriate officials and agencies, as required by state and federal law and city annexation procedures, certified copies of this ordinance.

PASSED by an affirmative vote of the Governing Body of the City of Canton, Texas, this the 17th day of March, 2020.

*Lou Ann Everett*  
\_\_\_\_\_  
Lou Ann Everett, Mayor  
City of Canton, Texas

ATTEST:

*Debra Johnson*  
\_\_\_\_\_  
Debra Johnson, City Secretary



THE STATE OF TEXAS     §  
COUNTY OF VAN ZANDT   §

BEFORE ME, the undersigned authority on this day personally appeared LOU ANN EVERETT, 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<sup>th</sup> day of March 2020.



*Debra Johnson*  
\_\_\_\_\_  
Notary Public, State of Texas

**EXHIBIT "A"**

All that certain lot, tract or parcel of land, lying and being situated in Van Zandt county, Texas, the same being a part of the Q.C. NUGENT SURVEY;

**BEGINNING** 116 vrs North 45 West from the South corner of the colored school lot and East corner of the W.C. 1 Gilmore tract P O bears South 62 East 19 vrs;

**THENCE:** North 45 West 23 vrs to corner R O brs South 81 East 3 vrs;

**THENCE:** North 39 ½ vrs East 133 to a B J corner tree with an X on the SW and SE side;

**THENCE:** North 61 East 109 vrs to corner in the Canton and Blair Road, a P O brs South 65 W 18 ½ vrs;

**THENCE:** South 17 West with said road 43 vrs to corner;

**THENCE:** South 76 ½ West with the North line of the Methodist Col. Church and School lot 141 vrs to the PLACE OF BEGINNING, containing 1-3/4 acres, more or less.

**BEING** the same land described in deed dated November 1, 1923, from E.A. Wynne et al to Rich Ross recorded in Volume 160, Page 332, of the Deed Records of Van Zandt County, Texas

**EXHIBIT "B"**

**SERVICE PLAN FOR ANNEXED AREA:** Estate of Brenda Griffin Washington

**DATE OF ANNEXATION ORDINANCE:** March 17, 2020

**ACREAGE ANNEXED:** approximately 1.75 acres, 348 Van Zandt County Road 2106, Canton, Texas

**PROPERTY DESCRIPTION:** See Exhibit A attached to the annexation ordinance.

Municipal Services to the acreage described above shall be furnished by or on behalf of the City of Canton, Texas ("City") at the following levels in accordance with the following schedule:

**I. FOR SERVICES EFFECTIVE IMMEDIATELY AFTER DATE OF ANNEXATION**

**1. FIRE AND EMERGENCY MEDICAL SERVICES; CODE ENFORCEMENT SERVICES**

*Existing Services:* Fire protection is currently provided to the annexed area by Canton Fire Department with mutual aid provided by South Van Zandt Fire Department. Emergency medical services are currently provided by Champion EMS. As city codes are not applicable, no code enforcement services are currently provided.

*Services Upon Annexation:* Fire protection, emergency, and suppression services, and emergency medical services, will be provided to the area upon annexation at a level of such services that is comparable or equal to the level of such services now being provided to other parts of the City with topography, land use, and population density similar to the annexed area.

Upon annexation, the City will provide code enforcement services at a level of such services that is comparable or equal to the level of such services now being provided to other parts of the City with topography, land use, and population density similar to the annexed area.

**2. POLICE**

*Existing Services:* Law enforcement services are currently provided by the Van Zandt County Sheriff's Office.

*Services Upon Annexation:* Upon annexation, the City will provide police protection to the annexed area at a level of such services that is comparable or equal to the level of such services now being provided to other parts of the City with topography, land use, and population density similar to the annexed area, including the extension of regular and routine patrols to the area.

3. BUILDING INSPECTION

*Existing Services:* The City of Canton has limited jurisdiction over new subdivisions, sexually-oriented businesses, Bed & Breakfast establishments, and signs. Other building inspection services are not currently available in the area.

*Services Upon Annexation:* The City will provide building inspection and enforcement services to the annexed area upon annexation at a level of such services that is comparable or equal to the level of such services now being provided to other parts of the City with topography, land use, and population density similar to the annexed area. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City.

4. PLANNING AND ZONING

*Existing Services:* The City of Canton has limited jurisdiction over new subdivisions, Bed & Breakfast establishments, and signs. Other building inspection services are not currently available in the area.

*Services Upon Annexation:* The City's will regulate development and land use through the administration of the City's zoning and development ordinances to the annexed area on the effective date of the annexation.

5. LIBRARY

*Existing Services:* Library services are currently provided by the Van Zandt County Library.

*Services Upon Annexation:* There will be no change in the available library services after annexation.

6. HEALTH DEPARTMENT- HEALTH CODE ENFORCEMENT SERVICE

*Existing Services:* Van Zandt County currently has a health department, and enforces generally applicable laws in the area.

*Services Upon Annexation:* Upon annexation, the City's health ordinances and regulations will be administered and applicable to the annexed area, including animal control services, at a level of such services that is comparable or equal to the level of such services now being provided to other parts of the City with topography, land use, and population density similar to the annexed area.

7. STREETS (INCLUDING STREET LIGHTING)

*Existing Services:* The street maintenance in the area is currently provided by Van Zandt County. There is no street lighting provided by the county.

*Services Upon Annexation:* Operation and maintenance of roads and streets, if any, dedicated to (and accepted by) the public or the City or owned by the City

will be provided to the annexed area by the City at a level of such services that is comparable or equal to the level of such services now being provided to other parts of the City with topography, land use, and population density similar to the annexed area. Road and street lighting will be provided by the applicable utility company providing lighting or electric services in the annexed area pursuant to laws, rules, regulations, and standards of such utility.

#### 8. STORM WATER FACILITIES

*Existing Services:* No storm water drainage services are currently provided in the area.

*Services Upon Annexation:* Storm water drainage services, to the extent located within property or facilities owned by or dedicated to (and accepted by) the City, will be provided to the annexed area at a level of such services that is comparable or equal to the level of such services now being provided to other parts of the City with topography, land use, and population density similar to the annexed area.

#### 9. WATER SERVICE

*Existing Services:* The area is currently in the service area of the City of Canton. Water is currently being provided by the City of Canton.

*Services Upon Annexation:* Water will be provided by the City of Canton.

#### 10. WASTEWATER SERVICE

*Existing Services:* The area is currently in the service area of the City of Canton. Sewer service is currently being provided by the City of Canton.

*Proposed Services:* Operation and maintenance of wastewater facilities in the annexed area that are not within the service area of another wastewater utility shall be provided in accordance with applicable City codes, ordinances, and departmental policy. Operation and maintenance of wastewater facilities in the annexed area that are within the service area of another utility will be the responsibility of that utility.

#### 11. SOLID WASTE SERVICES

*Existing Services:* Existing solid waste collection is provided by private waste collection under agreements with residents.

*Services Upon Annexation:* Solid waste collection provided under exclusive contract with Sanitation Solutions will be provided to the area annexed on the effective date of the annexation. The collection of refuse shall be made in accordance with the usual waste collection scheduling and shall be conducted at a level consistent with current methods and procedures provided to similar areas.

**12. OPERATION AND MAINTENANCE OF PARKS, PLAYGROUNDS, AND SWIMMING POOLS**

*Existing Services:* The City is not aware of any parks, playgrounds or swimming pools located within the annexed area.

*Services Upon Annexation:* The City is not aware of any parks, playgrounds or swimming pools located within the annexed area. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas in a manner and to a degree that is comparable or equal to parks, playgrounds, and swimming pools in other parts of the City with topography, land use, and population density similar to the annexed area.

**13. OTHER PUBLICLY OWNED FACILITY, BUILDING, OR SERVICE**

*Services Upon Annexation:* The City is not aware of the existence of any other publicly owned facility, building, or service within the annexed area. In the event any such other publicly owned facility, building, or service is determined to exist, the City will maintain the same in a manner and to a degree that is comparable or equal to other publicly owned facilities, building, or service in other parts of the City with topography, land use, and population density similar to the annexed area.

**II. CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS**

**1. POLICE PROTECTION, FIRE PROTECTION, EMERGENCY MEDICAL SERVICES, AND SOLID WASTE COLLECTION**

No capital improvements are necessary at this time to provide services.

**2. WATER AND WASTEWATER FACILITIES**

No capital improvements are necessary at this time to provide services.

**3. ROADS AND STREETS**

Maintenance of properly dedicated and accepted roads and streets will be consistent with the maintenance provided by the City to other roads and streets in areas of similar topography, land use, and subdivision of the annexed property and in accordance with the City's ordinances, rules, policies, and procedures. Future extensions of roads or streets and future installation of related facilities, such as traffic control devices, will be governed by the City's ordinances, rules, policies, and procedures.

**4. PARKS, PLAYGROUNDS, AND SWIMMING POOLS**

No capital improvements are necessary at this time to provide services.

**5. OTHER PUBLIC OWNED FACILITIES, BUILDINGS, OR SERVICES**



In general, other City functions and services can be provided for the annexed area by the use of existing capital facilities and improvements; additional capital improvements are not necessary to provide City services.

#### 6. CAPITAL IMPROVEMENTS

The City will initiate the construction of capital improvements necessary for providing municipal services for the annexation area as necessary, in accordance with applicable law and policies.

### III. SPECIFIC FINDINGS

The City Council of the City of Canton finds and determines that this proposed Service Plan will not provide any fewer services, and it will not provide a lower level of service in the area proposed to be annexed, than were in existence in the proposed area at the time immediately preceding the annexation process. Because of the differing characteristics of topography, land use and population density and notwithstanding the above and foregoing Parts I and II, the service levels which may ultimately be provided in the newly annexed area may differ from services provided other areas of the City. These differences are specifically dictated because of differing characteristics of the property and the City will undertake to perform consistent with this Service Plan so as to provide the newly annexed area with the same type, kind and quality of service presently enjoyed by the citizens of the City who reside in areas of similar topography, land utilization and population density.

The City reserves the right to amend this Service Plan, subject to any applicable law, rule, or regulation of a governmental authority with proper jurisdiction.

As used in this Service Plan, the provision or maintenance of services or facilities means having the same provided or maintained by any method or means by which the City provides or maintains services to other areas of the City, including causing or allowing private utilities, governmental entities, and other public service organizations to provide the same by contract or agreement, in whole or in part, and may also include separate agreements with associations or similar entities.

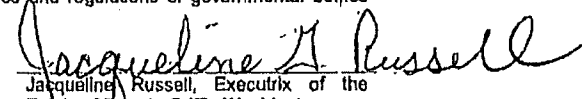
This Plan shall be in effect for a ten-year period commencing on the effective date of the annexation, unless otherwise stated in this Plan. Renewal of the Plan shall be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council which refers to this Plan and specifically renews this Plan for a stated period of time.

It is the intent of the City that services under this Plan shall provide full municipal services as required and defined by the Texas Local Government Code. The City reserves the right guaranteed to it by the Texas Local Government Code, to amend this Plan if the City Council determines that changed conditions or subsequent occurrence or any other legally sufficient circumstances exist under the Local Government Code, or other Texas laws to make this Plan unworkable or obsolete or unlawful.

This Plan is subject to and shall be interpreted in accordance with the Constitution and laws of the United States of America and the State of Texas, the Texas Local

Government Code, and the orders, rules and regulations of governmental bodies and officers having jurisdiction.

3/12/20  
Date

  
Jacqueline Russell, Executrix of the  
Estate of Branda Griffin Washington