

CITY OF CANTON, TEXAS

ANNEXATION ORDINANCE NO. 98-04

AN ORDINANCE ANNEXING A 1.03 ACRE TRACT AND A 4.0 ACRE TRACT LOCATED ON FM 859 OWNED BY TIM COX, MICHAEL AND DEBORAH MCGREGER AND MICHAEL COX, TO THE CITY OF CANTON, VAN ZANDT COUNTY, TEXAS AND EXTENDING THE BOUNDARIES OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY 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 "A" 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: That the territory more particularly described in Exhibit "A" attached hereto and made a part hereof 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.

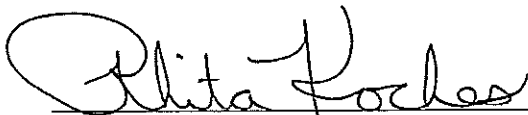
Section 3: That the City Secretary is hereby directed to file with the County Clerk and other appropriate officials and agencies, as required by state and federal law and city annexation procedures, certified copies of this ordinance.

PASSED by an affirmative vote of the Governing Body of the City of Canton, Texas, this the 18th day of August, 1998.



DON HACKNEY, MAYOR
The City of Canton, Texas

ATTEST:

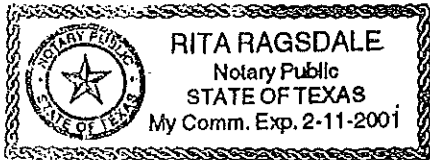


Rhita Koches, City Secretary

THE STATE OF TEXAS }
COUNTY OF VAN ZANDT }

BEFORE ME, the undersigned authority on this day personally appeared DON HACKNEY, 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 18th day of August, 1998.





Notary Public, State of Texas

EXHIBIT "A"

All that certain tract or parcel of land, situated in Van Zandt County, Texas, in the State of Texas, a part of the JESSE STOCKWELL SURVEY, Abstract Number 760, described as follows:

BEGINNING at the S. W. corner of a 3.1 acre tract of land heretofore on April 19th, 1926, conveyed by H. F. Blackwell Sr., to J. N. Burrows by deed recorded in Volume 169 Page 540 of the Deed Records of said County;

THENCE South 87 1/2 East with said Burrow's South line 157 vrs to corner of said Burrows land;

THENCE North 47 East with Burrows line at 36 vrs to his East corner on a fence line known as the line between the H. F. Blackwell Sr., and W. C. Gilmore property;

THENCE with said fence line as follows: S 65 E 55 vrs S 50 E at 76 vrs to stake for corner on said fence line;

THENCE South about 73 West at 289 vrs to stake for corner on East Bank of the water ditch on East side of said road, being the Canton and Edgewood road;

THENCE North 5 West with East line of said road at 123 varas to the place of beginning, containing four (4) acres of land.

Being the same land conveyed by Mrs. Ruby Clara Maynard to Harry K. Smith by deed dated July 1st, 1943, recorded in Volume 312 Page 79, Deed Records, Van Zandt County, Texas.

All that certain lot, tract or parcel of land situated in the JESSE STOCKWELL SURVEY, Abstract No. 760, Van Zandt County, Texas, and being a part of that certain tract of land described by deed from Robert Burner et ux, Alma Ruth to Jeff Boshear dated October 8, 1966, and recorded in Volume 640, Page 295, of the Deed Records of Van Zandt County, Texas, and being more particularly described as follows:

FIRST TRACT: BEGINNING at the SW corner of a 4 acre tract of land heretofore conveyed to H. F. Blackwell, Sr., to Jack Emerson on East Bank of Farm to Market Road Nol. 859;

THENCE: S 5 E with said East bank of said road at 42 vrs. to iron stake for corner on E bank of said road;

THENCE: N 73 E 189-3/4 vrs. to stake for corner;

THENCE: N 5 W 42 vrs. to a stake for corner on a S line of said Jack Emerson 4 acre tract;

THENCE: S 73 W with Emerson's S line at 189-3/4 vrs. to the place of beginning, containing 1-1/2 acres of land, more or less.

SECOND TRACT: BEGINNING at the SE corner of a 1-1/2 acre tract heretofore conveyed by H. F. Blackwell, Sr., to E. L. Hays;

THENCE: N 5 W with the E line of the 1-1/2 acre tract aforesaid at 42 vrs. to its NE corner on the S line of the Jack Emerson tract, a stake for corner;

THENCE: N 73 E with Emerson's S line 99-1/4 vrs. to Emerson's E corner on the NE line of the H. F. Blackwell, Sr. land and SW line of what is known as the Gilmore land;

THENCE: S 45 E with old fence line between Gilmore and Blackwell land at 46 vrs. corner on said fence line (this point being S 45 W 49 vrs. and N 45 W 445 vrs. from N corner of the Corporate Limits of the City of Canton as they were situated October 8, 1966);

THENCE: S 73 W 129-1/4 vrs. to the place of beginning, containing 3/4 acres of land, more or less.

SAVE AND EXCEPT the portion of the above described two tract which was conveyed by Bill J. Cooper and Jeff Boshear to Glen Wallace by Warranty Deed pursuant to a contract of sale dated December 2, 1987 and more fully described as follows:

BEGINNING at a concrete monument found at the East corner of the above described Boshear Tract at the North corner of Glen Lakes Addition;

THENCE: South 75 deg. 11 min 03 sec. West, with the Southeast line of said Boshear Tract and the Northwest line of said Glen Lakes Addition, 500.70 feet to a 1/2 inch iron rod set, for corner;

THENCE: North 14 deg. 48 min. 57 sec. West, 114.18 feet to a 1/2 inch iron rod set on the Northwest line of said Boshear Tract, for corner;

THENCE: North 75 deg. 11 min. 03 sec. East with the Northwest line of said Boshear Tract, 436.82 feet to a 1/2 inch iron rod found at the North corner of same, for corner;

THENCE: South 44 deg. 02 min. 32 sec. East, with the Northeast line of said Boshear Tract, 130.84 feet to the Place of Beginning and containing 1.23 acres of land.

LAND CONVEYED by this instrument contains approximately 1.03 acres, more or less together with all buildings, improvements and structures found on said land.

EXHIBIT "B"

CITY OF CANTON, TEXAS ANNEXATION SERVICE PLAN

AREA ANNEXED

All that certain lot, tract, or parcel of land more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

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

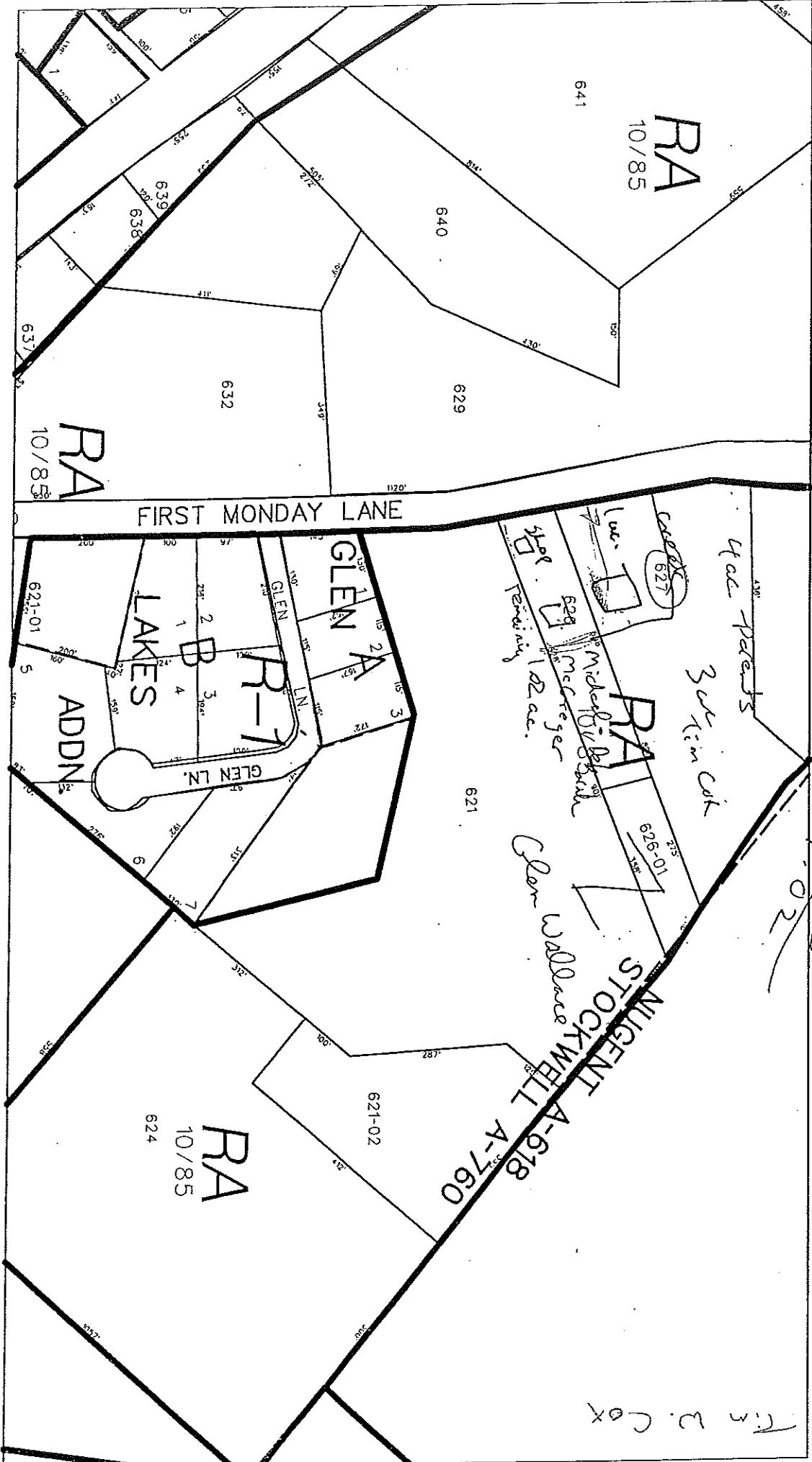
Nothing in this plan shall require the city to provide a uniform level of full municipal services to each area of the city, including the annexed area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

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.



RA
10/85

RA
10/85

FIRST MONDAY LANE

GLEN A

LAKES

ADDN

RA
10/85

NUGENT A-618
STOCKWELL A-760

F. W. Cox

4 ac parcels
3 ac tin cks

M. J. McCreger
Glen Wallace

1.25
1.25
2.50
1.02