

CITY OF CANTON, TEXAS
ANNEXATION ORDINANCE NO. 2009-19

AN ORDINANCE ANNEXING ALL STREETS, HIGHWAYS, AND RIGHTS-OF-WAY WITHIN OR PARALLEL AND CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF CANTON, VAN ZANDT COUNTY, TEXAS, AND EXTENDING THE BOUNDARIES OF SAID CITY SO AS TO INCLUDE SAID TERRITORY WITHIN THE CITY LIMITS AND GRANTING ALL CITIZENS IN SAID TERRITORY THE RIGHTS AND PRIVILEGES OF OTHER CANTON CITIZENS AND BINDING SAID CITIZENS BY ALL ACTS AND ORDINANCES OF THE CITY

WHEREAS, the City Council of the City of Canton desires to annex all streets, highways, and rights-of-way within and adjoining the city limits into the incorporated city limits; and

WHEREAS, Section 43.103 of the Texas Local Government Code authorizes a Type A General Law city to annex by ordinance and without the consent of any person, the part of a street, highway, alley, or other public or private way, that is adjacent and runs parallel to the boundaries of the municipality;

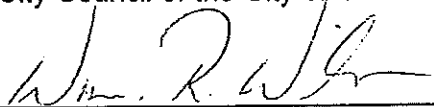
NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CANTON, TEXAS:

Section 1. That all sections of any street, highway, alley, or other public or private way, that is fully within the boundaries of the City of Canton or is adjacent and runs parallel to the boundaries of the City of Canton city limits are 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 "A" attached hereto is hereby adopted.

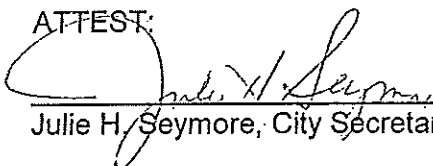
Section 3. That the City Secretary is hereby directed to file with the County Clerk and other appropriate officials and agencies, as required by state and federal law and city annexation procedures, certified copies of this ordinance.

PASSED by an affirmative vote of the City Council of the City of Canton, Texas, this the 16th day of June, 2009.



William R. Wilson, Mayor
The City of Canton, Texas

ATTEST:

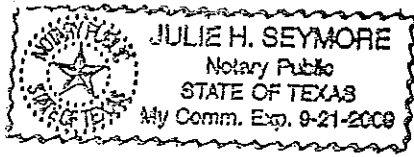


Julie H. Seymore, City Secretary

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 16 day of June, 2009.





Notary Public, State of Texas

EXHIBIT "A"

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