

CITY OF CANTON TEXAS ANNEXATION ORDINANCE NO.2010-09

Parties: CITY OF CANTON
to
PUBLIC

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Charlotte Bledsoe, County Clerk
Van Zandt County, Texas

7 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.

Charlotte Bledsoe, County Clerk

Record and Return To:

CITY SECRETARY
CITY OF CANTON
PO BOX 245
CANTON, TX 75103



**CITY OF CANTON, TEXAS
ANNEXATION ORDINANCE NO. 2010-09**

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 Ross and Mary Maris consisting of 1.57 acres situated in the James Douthit Survey, A-198, located at 24780 Highway 64 East, 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 18th day of May, 2010.


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

ATTEST:

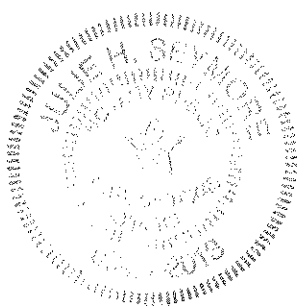

Julie H. Seymore, City Secretary



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 18 day of May, 2010.



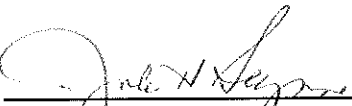

Notary Public, State of Texas

EXHIBIT A

FIELD NOTES

All that certain lot, tract, or parcel of land situated in the D. TOWNS SURVEY A-845, and in the JAMES DOUTHIT SURVEY A-198, Van Zandt County, Texas, same being all of a called 1.57 acre tract as found in Warranty Deed dated February 15, 2005 from Delbert Fields and wife, Dorothy Fields to Ross C. Maris, Jr. and Mary M. Maris as found recorded in Vol. 2008, page 33 of the Real Records of Van Zandt County, Texas, and being more fully described as follows:

BEGINNING at a 5/8" Iron Rod found at the most Northerly North corner of said 1.57 acre tract for the North corner of this;

THENCE: South 45 deg. 25 min. 28 sec. East 331.99 feet with a Northeast line of said 1.57 acre tract to an old Chain Link Post found for the East corner of said 1.57 acre tract;

THENCE: South 46 deg. 09 min. 33 sec. West 343.50 feet with a Southeast line of said 1.57 acre tract to a 5/8" Iron Rod found in the Northeast right-of-way line of State Hwy. 64 for the South corner of said 1.57 acre tract;

THENCE: North 44 deg. 10 min. 28 sec. West 152.49 feet with the Northeast right-of-way line of State Hwy. 64 to an Axle found for a West corner of said 1.57 acre tract;


THENCE: North 46 deg. 45 min. 24 sec. East 241.00 feet with a Northwest line of said 1.57 acre tract to a 5/8" Iron Rod found for an inner-ell corner of same;

THENCE: North 42 deg. 02 min. 48 sec. West 180.05 feet with a Southwest line of said 1.57 acre tract to a 1" Square Iron Stake found for a West corner of same;

THENCE: North 44 deg. 54 min. 32 sec. East 88.61 feet with a Northwest line of said 1.57 acre tract to the place of beginning containing 1.57 acres of land.

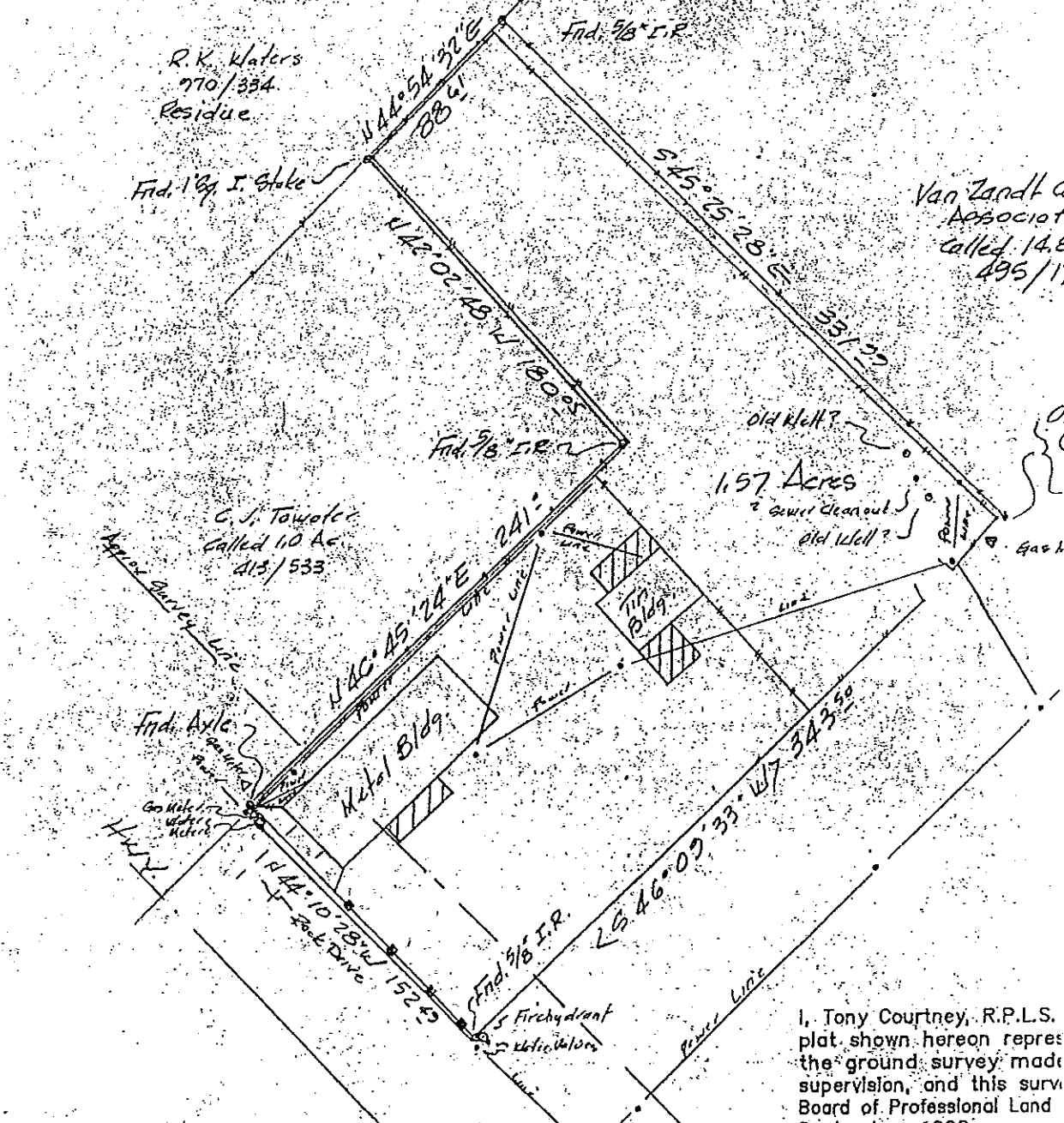
REFERENCE IS MADE TO THE PLAT OF SURVEY, MADE UNDER MY SEAL OF EVEN DATE, SHOWING ADJOINER REFERENCES.

I, TONY COURTNEY, do hereby certify that the above field notes are true and correct, and were prepared from an actual on the ground survey and deed description.


TONY COURTNEY
Registered Professional Land Surveyor #1911
July 09, 2009

FN-071-01.09

DAVID TOWNS SURVEY
A-845



R.K. Waters
770/334
Residue

Fnd. 1/8 J. Stake

Van Zandt &
Associat.
Called 148
495/11

C. J. Towler
Called 10 Ac
213/533

1.57 Acres

JAMES DOUTHIT
SURVEY A-198

I, Tony Courtney, R.P.L.S.
plat shown hereon represents
the ground survey made
under my supervision, and this survey
was approved by the
Board of Professional Land
Surveyors, September, 1992.

Tony Courtney
TONY COURTNEY
Registered Professional Land
Surveyor
July 9, 2009

SURVEY Plat for ROSS C. MARIS, JR. & MARY H. MARIS

Plot showing improvement survey of all
of a called 1.57 acre tract as found in
Warranty Deed dated February 15, 2005
from Delbert Fields and wife Dorothy

- Note: Bearings shown h boundary calls o of the Real Record the line used for
- Note: Reference is made made under my s
- Note: *According to the l Community Panel

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.