

ANNEXATION ORDINANCE OF THE TOWN OF ANNETTA, TEXAS

ORDINANCE NO. 27

AN ORDINANCE OF THE TOWN OF ANNETTA, TEXAS, ANNEXING THE HEREINAFTER DESCRIBED TERRITORY INTO THE TOWN OF ANNETTA, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF THE TOWN TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE TOWN LIMITS AND GRANTING TO ALL INHABITANTS AND OWNERS OF SAID PROPERTY, ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING ALL INHABITANTS BY ALL THE ORDINANCES, ACTS, RESOLUTIONS AND REGULATIONS OF THE CITY; PROVIDING A SEVERALIBILITY CLAUSE; AND PROVIDING THE EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Annetta, Texas, finds that the hereinafter described territory is contiguous and adjacent to the corporate limits of the Town of Annetta, Texas, and does not exceed one-half mile in width; and

WHEREAS, said petition, desiring and requesting the annexation of said territory to said town has been presented to the Board of Aldermen;

WHEREAS, said petition has been signed by a majority of the landowners of said territory requesting annexation;

WHEREAS, after notice was duly given, public hearings on the proposed annexation were held by the Town Council all in compliance with Article 970-A, Vernon's Annotated Civil Statutes of the State of Texas; and

WHEREAS, the Town Council has concluded that such area should be annexed into and made a part of the Town of Annetta, Texas:

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ANNETTA, TEXAS:

SECTION 1. That the following described territory be, and the same is hereby, annexed into and made a part of the corporate limits of the Town of Annetta, Texas, and the same shall hereafter be included within the territorial limits of said Town, and the inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the Town, and shall be bound by the ordinances, acts, resolutions and regulations of the Town of Annetta, Texas.

Said territory hereby annexed being described as follows:

(See field notes attached and made a part of this ordinance.)

SECTION 2. It is the intention of the Town to annex only that territory which is legally subject to being annexed by the Town and should any portion of the above described territory be not subject to legal annexation by the Town of Annetta, Texas, such fact shall not prevent the Town from annexing such portion of said territory which is subject to legal annexation by the Town of Annetta, Texas. Therefore, if

any provision or portion of the territory herein described is held to be invalid by a court of competent jurisdiction, such provision or portion of land shall be deemed separate, distinct and independent and such holding shall not affect the validity of the remaining provisions of this ordinance or portions of land annexed by this ordinance.

SECTION 3. This ordinance shall take effect from and after its passage as the law in such cases provides.

DULY PASSED by the Town Council of the Town of Annetta, Texas, this the 12th day of April, 1988.

APPROVED:


MAYOR

ATTEST:


CITY SECRETARY

CIVIL ENGINEERING SERVICE COMPANY

INTERSTATE HIGHWAY 20 WEST, FORT WORTH, TEXAS

E. M. PARTEN & ASSOCIATES

8 February 1988

MAILING ADDRESS:
ROUTE #1, BOX 250, ALEDO, TEXAS 76008
4009 Linkwood Drive

TELEPHONE:
A/C 817 244-0716

FIELD NOTES

COMBINED PROPERTIES PROPOSED FOR ANNEXATION TO THE CITY OF ANNETTA, PARKER COUNTY TEXAS

Being all of that certain tract of land situated within the Extra Territorial Jurisdiction of said Annetta, Texas, being out of the following surveys:

J. Carroll Survey, A-293;

J. B. A. Evans Survey, A-2384;

J. R. Evans Survey, A-445;

I. & G. N. R.R. Co. Survey, A-1809 and I. & G. N. R.R. Co. Survey, A-1814

and being more specifically described as follows, to wit:

Beginning at the most southern northwest corner of Block I, Deer Creek Plantation Addition, first filing, to Annetta, Parker County, Texas; said point being $S0^{\circ}28'33''E$, and 530.0 ft. from the N-W Corner of Parcel "A" in the south R.O.W. line of Annetta-Aledo Road;

THENCE, $N88^{\circ}18'47''E$, 657.0 ft. to the P.C. of a curve to left; said curve having a delta of $73^{\circ}02'47''$; length of 267.10 ft; whose radius is 209.50 ft. and has a long chord of 249.37', bearing $N51^{\circ}47'23''E$;

THENCE, 267.10 ft. along said curve to its P.T.;

THENCE, $N15^{\circ}16'E$, 374.65 ft. to a point in the south R.O.W. line of the said Annetta-Aledo Road; said point being the most northern northwest corner of the said Deer Creek Plantation Addition, first filing;

THENCE, $N89^{\circ}34'25''E$, along said R.O.W. line, 1367.81 ft;

THENCE, $S68^{\circ}31'04''E$, 258.59 ft. to the northeast corner of Deer Creek Addition, Phase 3;

THENCE, $S00^{\circ}10'04''E$, 602.77 ft. to a 5" pipe post for corner;

THENCE, $N85^{\circ}31'14''E$, 259.79 ft. to a 5" pipe post at the most easterly northeast corner of the said Deer Creek Addition, Phase 3;

THENCE, $S04^{\circ}35'20''E$, 2299.77 ft. to a fence corner;

THENCE, $S87^{\circ}33'39''E$, 510.68 ft. to a 5" pipe post for corner;

THENCE, S00°18'33"W, 1245.0 ft. to a 6" cedar post for corner; said corner being at the point of intersection of the south and east lines of the 88.076 Acre Canyon Oaks Venture, Volume 1315, Page 244, P.C.R.;

THENCE, N89°41'27"W, 230.0 ft.;

THENCE, S00°18'33"W, 132.56 ft.;

THENCE, S89°14'41"W, 1460.30 ft. to a point in the south E.T.J. line of Annetta;

THENCE, N89°56'24"W, 3285.46 ft. to a point in the west line of Lot 6, Block 5, Deer Creek Addition, Phase I-A;

THENCE, N14°49'45"W, 171.32 ft.;

THENCE, N76°38'04"E, 175.00 ft.;

THENCE, N13°05'31"W, 169.16 ft.;

THENCE, N36°24'20"W, 65.33 ft.;

THENCE, N14°00'00"W, 180.75 ft.;

THENCE, N86°00'00"E, 30.00 ft.;

THENCE, N18°00'00"W, 195.00 ft.;

THENCE, N74°00'00"E, 140.00 ft.;

THENCE, N16°00'00"W, 132.82 ft.;

THENCE, N00°01'43"W, 191.87 ft.;

THENCE, N10°52'58"W, 61.09 ft.;

THENCE, N00°01'43"W, 170.00 ft.;

THENCE, N89°58'17"E, 1002.00 ft. to the northwest corner of Lot 20, Block 2, Deer Creek Addition, Phase I; said point being also in the east line of Briarwood Road;

Thence, N01°34'14"W, 1039.20 ft. along the said east line of Briarwood Road;

THENCE, S77°24'31"E, 150.81 ft.;

THENCE, N77°04'41"E, 57.17 ft.;

THENCE, N68°40'02"E, 191.65 ft.;

THENCE, N17°56'36"E, 200.36 ft. to the most northerly northwest corner of said Deer Creek Addition, Phase I;

Field Notes, Combined Properties
proposed for Annexation to the
City of Annetta, Parker Cty, Tex

-3-

E. M. Parten, P. E.
8 Feb 88

THENCE, N00°28'33"W, 1164.98 ft. to the point of beginning, and containing 348.66
Acres of land, more or less.



E. M. PARTEN, P.E., R.P.S.



2-8-88



ORDINANCE # 27-B

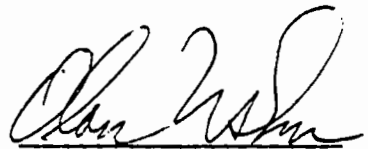
AN AMENDMENT TO ORDINANCE #27 FOR THE ANNEXATION OF DEER CREEK PHASE 1, 1A, 3, 4, DELETING AN AREA ERRONEOUSLY INCLUDED IN THE DESCRIPTION OF THE PROPERTIES TO BE ANNEXED.

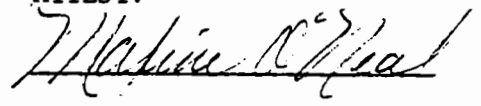
WHEREAS the surveyor in prescribing the metes and bounds for said annexation in Ordinance #27 inadvertantly included portions of that plat called Deer Creek Plantation, original filing

WHEREAS the Town of Annetta could not legally include this portion as described in Exhibit A attached because the Town of Annetta did not meet the criteria of having 51 % of the owners permission, this portion as described in Exhibit "A" attached

BE IT THEREFORE ORDAINED the Town Council of the Town of Annetta, Texas, does hereby exclude that portion of the plat called Deer Creek Plantation (see Exhibit A) that was included in Ordinance 27 by error.

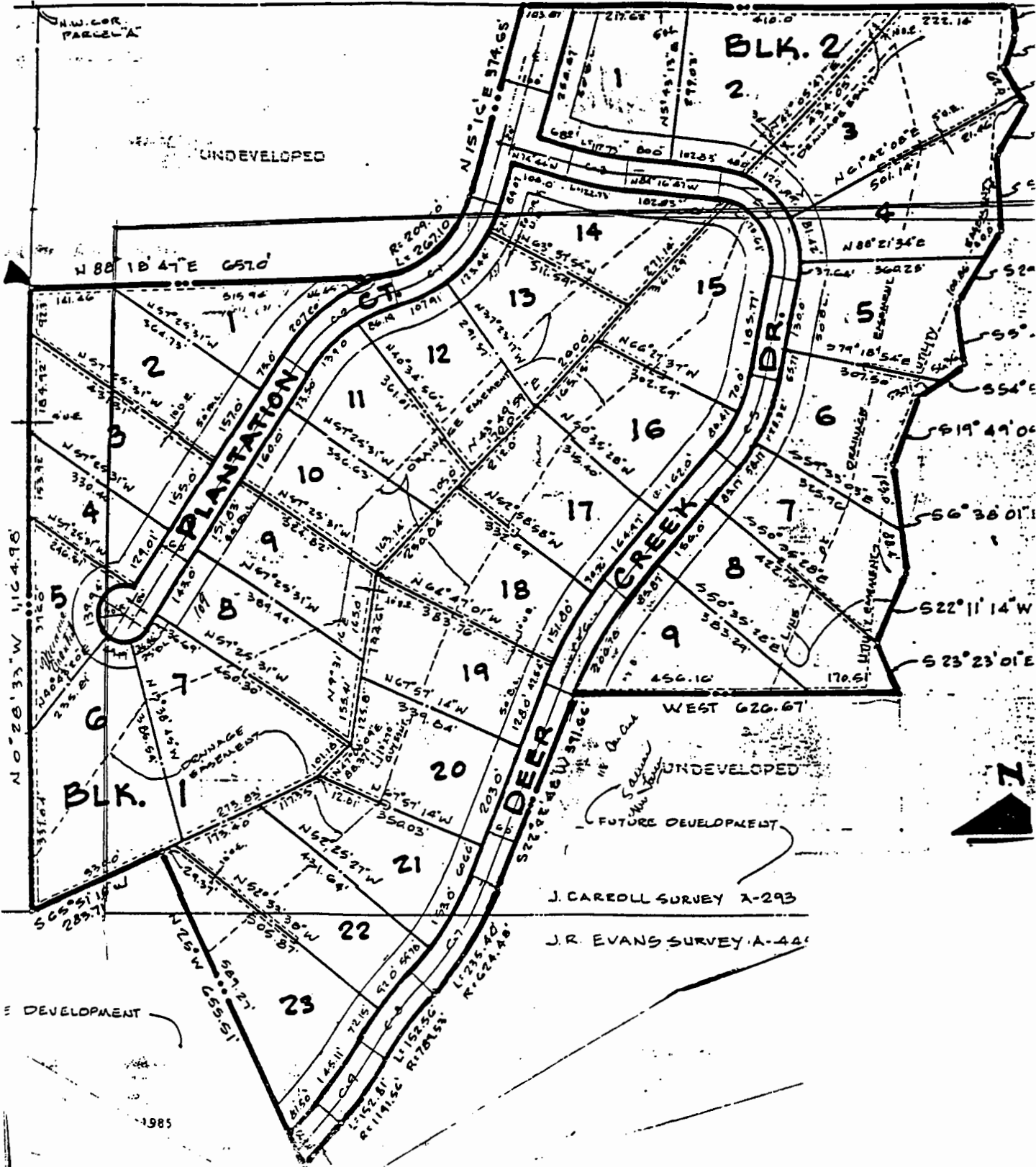
PASSED THIS THE 14th DAY OF March,
1989.


Mayor

ATTEST:


ANNETTA - ALEDO ROAD

N 89° 34' 25" E 953.63'



DEVELOPMENT

1985

Deer Creek Plantation

ORDINANCE NO. 27C

WHEREAS, the City of Annetta is a general law municipality operating pursuant to the laws of the State of Texas; and

WHEREAS, Ordinance No. 27 annexed property as therein described on April 12, 1988, contained certain areas that the City of Annetta was without authority to annex and did not intend to annex; and

WHEREAS, on March 14, 1989, Ordinance No. 27B, in compliance with the Local Government Code, Section 43.144, deannexed that portion of Deer Creek Plantation that was annexed by Ordinance 27; and

WHEREAS, the State of Texas cured any procedure deficiencies by V.A.T.C.S. Article 974d-39, or other legislation relating to annexations; and,

WHEREAS, on May 24, 1994, Ordinance No. 55 attempted to annexed the Deer Creek Plantation property against Type B, General-Law Municipalities' authority, as contained in Section 43.025, of the Local Government Code and in lieu of the procedural requirements as outlined in Subchapter C of Chapter 43 of the Local Government Code; and

WHEREAS, by this ordinance, the city council desire to clarify the intent of Ordinance No. 27B and provide a more accurate property description of the area excluded from the City of Annetta by that ordinance. The City Council also desires to repeal an erroneously enacted Ordinance, 55.

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


Section 1: This ordinance shall be cumulative of all provision of ordinances of the City of Annetta, Texas except where the provisions of this ordinance are in direct conflict with the provision of such ordinances. in which event the conflicting provisions of such ordinances are hereby repealed. Ordinance 55 is specifically repealed.

Section 2: Ordinance 27B is amended by (1) adding the authority which allowed the city council to deannex certain property, Section 43.144 of the Local Government Code, and (2) providing the metes and bounds describing that area of Deer Creek Plantation that was deannexed (see Attachment).

Section 3: This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

AND IT IS SO ORDERED.

PASSED AND ADOPTED by the City of Annetta, Texas, on the 13 day of June, 1995, by a vote of 3 to 2.



Mayor



City Secretary

Being all that certain tract or parcel of land out of the J.CARROLL SURVEY, Abstract No 293 and the J.R.EVANS SURVEY Abstract No.445 situated approximately 10 miles South 58 East from the courthouse in Parker County, Texas and embracing a portion of the tract described as Parcel "A" in the deed to Canyon Oaks, Inc. recorded in Volume 1235, Page 1235 of the Deed Records, Parker County, Texas; said tract being more particularly described as follows:

BEGINNING at a 5/8 inch iron South $0^{\circ}28'34''$ East, 527.93 feet from the corner post with 1 7/8 inch iron on its east side for the northerly northwest corner of said Parcel 'A';

THENCE: N $88^{\circ}18'47''$ E, 657.00 feet to a 5/8 inch iron for the P.C.of a curve to the left having a radius of 209.5 feet and a long chord of N $51^{\circ}47'21''$ E, 249.37 feet;

THENCE; along the arc of said curve, 267.10 feet to a 5/8 inch iron;

NOTE: This line joins the original city boundary and then continues East.

THENCE; N $89^{\circ}34'25''$ E 1034.8 feet to a point in the centerline of a creek;

THENCE: along the centerline of said creek the following calls:

S $5^{\circ}22'29''$ E, 58.76 feet to a 5/8 inch iron;
S $29^{\circ}59'31''$ W, 160.86 feet to a 5/8 inch iron;
S $5^{\circ}49'46''$ E, 113.33 feet to a 5/8 inch iron;
S $54^{\circ}52'08''$ W, 110.07 feet to a 5/8 inch iron;
S $19^{\circ}49'09''$ W, 137.59 feet to a 5/8 inch iron;
S $6^{\circ}38'01''$ E, 211.40 feet to a 5/8 inch iron;
S $22^{\circ}11'14''$ W, 138.73 feet to a 5/8 inch iron;
S $23^{\circ}23'01''$ E, 104.44 feet to a 5/8 inch iron;

THENCE: West 626.67 feet to a 5/8 inch iron;

THENCE: S 22°02'46"W, 391.66 feet to a 5/8 inch iron for the P.C. of a curve to the right having a radius of 624.48 feet and a long chord of S 32°50'43"W, 234.01 feet;

THENCE: along the arc of said curve to the right, 235.40 feet to a 5/8 inch iron for the P.R.C. of a curve to the left having a radius of 789.59 feet and a long chord of S 38°06'38" 152.32 feet;

THENCE: along the arc of said curve to the left, 152.56 feet to a 5/8 inch iron for the P.R.C. of a curve to the right having a radius of 1,191.56 feet and a long chord of S 36°14'44" 152.71 feet;

THENCE: along the arc of said curve to the right, 152.81 feet to a 5/8 inch iron;

THENCE: S 39°55'18"W, 109.58 feet to a 5/8 inch iron;

THENCE: N 25°00'00"W, 655.51 feet to a point for a corner;

THENCE: S 65°51'16"W, 283.71 feet to a 5/8 inch iron;

THENCE: N 0°28'33"W, 1,164.98 feet to the Place of Beginning and containing approximately 46.50 acres of land, more or less.

AnnLegpart

TOWN OF ANNETTA
P. O. BOX 191
ALEDO, TEXAS 76008

RECEIVED JUL 11 1958

Given by Mary Mock

Not in City as of
July 11 1958

DEER CREEK PLANTATION

LOT	RESIDENTS	ADDRESS
BLOCK 1:		
1	Schiller, Jon & Sue	107 Plantation Ct
2	Mock, Mike & Mary	109 Plantation Ct
3	Speer, Robert & Myra	111 Plantation Ct
4	Aars, Alan, Kay, & Matthew	113 Plantation Ct
5	Vacant Lot	115 Plantation Ct
6	Buchanan, Larry & Sandy	117 Plantation Ct
7	Vacant Lot	116 Plantation Ct
8	Dawson, Barney & Jan	114 Plantation Ct
9	Pate, Bill & Sharon	112 Plantation Ct
10	Carter, A., J. Bailey, & I. Frakes	110 Plantation Ct
11	Leas, Don	108 Plantation Ct
12	Amos, Christopher & Gail	106 Plantation Ct
13	Taggart, Pat & Renae	104 Plantation Ct
14	Stewart, Mike & Ginny	101 Deer Creek Dr
15	Vacant Lot	103 Deer Creek Dr
16	Stuhlman, Dennis & Cathy	113 Deer Creek Dr
17	Bowman, Gary & Mary	115 Deer Creek Dr
18	Lawson, Bill	117 Deer Creek Dr
19	Manley, Jim & Debbie	119 Deer Creek Dr
20	Vacant (owned by Rankin)	121 Deer Creek Dr
21	Rankin, Charlie & Elicia	123 Deer Creek Dr
22	Rankin (residence occupies 2 lots)	125 Deer Creek Dr
23	Rankin, Leslie & Mildred	127 Deer Creek Dr
BLOCK 2:		
4	Vacant Lot	106 Deer Creek Dr
5	Myers, Randy & Kelly	108 Deer Creek Dr
6	Artzer, Pete & Donna	110 Deer Creek Dr
7	Rudd, Brad, Beth, & Mike	112 Deer Creek Dr
8	Waters, Rick & Sharon	114 Deer Creek Dr
9	Davenport, Chris & Lynda	116 Deer Creek Dr