

ORDINANCE No. 42

AN ORDINANCE EXTENDING BOUNDARY LIMITS AND ANNEXING CERTAIN TERRITORY LYING ADJACENT TO THE TOWN OF ANNETTA SOUTH, TEXAS; PROVIDING A VARIANCE ALLOWING ONE LOT WITHIN THE NEWLY ANNEXED AREA TO BE LESS THAN 2 ACRES; DISPOSITIONING THE RESPONSIBILITY FOR CONSTRUCTION AND MAINTENANCE OF "RIVER CREEK LANE" LYING WITHIN THE ANNEXED AREA; PROVISION OF CITY SERVICES TO THE ANNEXED AREA; AMENDING ALL ORDINANCES IN CONFLICT HEREWITH; AND PRESCRIBING AN EFFECTIVE DATE OF ANNEXATION.

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE TOWN OF ANNETTA SOUTH, TEXAS:

Section I

That the territory described in EXHIBIT "A" attached hereto and made a part hereof for all purposes, lying adjacent to the corporate limits of the TOWN OF ANNETTA SOUTH, Texas, and east and west of River Creek Lane of the "RIVER CREEK DEVELOPMENT"; is hereby annexed and brought within the corporate limits and made an integral part of said TOWN OF ANNETTA SOUTH, Texas, said territory being situated in Parker County, Texas, and being described by the metes and bounds documented in EXHIBIT "A".

Section II

This ordinance allows for one lot described in the "River Creek Final Plat" to be less than 2 acres. The described lot size shall be exactly 1.951 acres. Any subsequent platting or re-platting of "RIVER CREEK DEVELOPMENT" shall provide for lot sizes of 2.0 acres or larger in accordance with existing TOWN OF ANNETTA SOUTH ordinances.

Section III

The construction and maintenance of "River Creek Lane" described within the final plat of the "RIVER CREEK DEVELOPMENT" shall be the sole responsibility of the developer and/or those persons owning property adjacent to "River Creek Lane".

Section IV

The annexed area described in "EXHIBIT A" shall have access to all utilities and services provided and limited through existing or future franchise agreements with the TOWN OF ANNETTA SOUTH. These utilities and services are subject to change through normal governmental policies and procedures. Police services shall be provided by the TOWN OF ANNETTA SOUTH, Marshal's Office as budget constraints allow and shall be provided in cooperation with the Parker County Sheriff's Office.

Section V

This ordinance shall and does hereby amend every prior ordinance in conflict herewith, but as to all ordinances or sections of ordinances not in direct conflict herewith this ordinance shall be and is hereby made cumulative.

Section VI

If any section, subsection, clause, sentence, phrase, or word of this ordinance is for any reason held void and unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining sections, subsections, clauses, phrases, or words, except as the same are inseparable to the remaining portions of this ordinance.

Section VII

This ordinance shall become effective and be in full force and effect from and after the date of its passage, and is so ordained.

PASSED AND ADOPTED by the Board of Alderman of the TOWN OF ANNETTA SOUTH, Texas, this 9 th day of April, 1998.

APPROVED:


Mayor

ATTEST:

Secretary

Legal Description

EXHIBIT A

49.138 acres situated in the WILLIAM COLE SURVEY, Abst. No. 272, Parker County, Texas, being that certain tract of land conveyed to Norman E. Graf, Jr. and wife, Beverly J. Graf, by deed recorded in Volume 1562, Page 1201, Real Records, Parker County, Texas, said 49.138 acres being more particularly described, as follows:

Beginning at a 3" steel pipe in concrete found at the southwest corner of said Graf, Jr tract and the northwest corner of that certain tract of land conveyed to Louise McFarland et al, by deed recorded in Volume 1471, Page 1258, Real Records, Parker County, Texas, in the east line of that certain tract of land conveyed to Louise McFarland, by deed recorded in Volume 261, Page 391, Real Records, Parker County, Texas said point being the called southwest corner of said COLE SURVEY,

THENCE NORTH, along the common line of said Graf, Jr. and McFarland tracts, 1838.68 feet to a 1/2" iron found in the south line of Farm To Market Highway No. 5 (R.O.W. varies) at the beginning of a non-tangent curve to the left whose radius is 269.14 feet and whose long chord bears North 52 degrees 37 minutes 13 seconds East, 42.22 feet;

THENCE along the south line of said Farm To Market Highway No. 5, as follows:

Along said curve in a northeasterly direction through a central angle of 08 degrees 59 minutes 50 seconds, a distance of 42.26 feet to a 1/2" iron set;

North 48 degrees 03 minutes 04 seconds East, 343.13 feet to a 1/2" iron set at the beginning of a curve to the right whose radius is 400.64 feet and whose long chord bears North 58 degrees 17 minutes 54 seconds East, 130.04 feet;

Along said curve in a northeasterly direction through a central angle of 18 degrees 40 minutes 48 seconds, a distance of 130.62 feet to a railroad spike found;

North 67 degrees 30 minutes 56 seconds East, 50.94 feet to a 1/2" iron found at the beginning of a curve to the left whose radius is 1471.78 feet and whose long chord bears North 66 degrees 18 minutes 30 seconds East, 109.10 feet;

Along said curve in a northeasterly direction, through a central angle of 04 degrees 14 minutes 53 seconds, a distance of 109.12 feet to a 1/2" iron found at the most northerly northeast corner of said Graf, Jr. tract and the northwest corner of that certain tract of land conveyed to Stoneridge Acres, Inc., by deed recorded in Volume 1655, Page 202, Real Records, Parker County, Texas;

THENCE along the common line of said Graf, Jr. tract and said Stoneridge Acres, Inc. tract as follows:

South 01 degrees 56 minutes 56 seconds East, 794.00 feet to a steel pipe found;

North 88 degrees 56 minutes 57 seconds East, 41.92 feet to a fence post found;

South 31 degrees 45 minutes 04 seconds East, 97.97 feet to a fence post found;

South 67 degrees 35 minutes 29 seconds East, 416.33 feet to a point in the approximate centerline of a creek;

North 77 degrees 06 minutes 30 seconds East, 299.07 feet to a point in the approximate centerline of a creek in the west line of that certain tract of land conveyed to Montez Drilling, by deed recorded in Volume 274, Page 244, Deed Records, Parker County, Texas;

THENCE South 00 degrees 02 minutes 16 seconds East, along the common line of said Graf, Jr. and said Montez Drilling tract, 1239.34 feet to a wood fence post found in the north line of said Louise McFarland, et al;

THENCE South 89 degrees 14 minutes 08 seconds West, along the common line of said Graf, Jr. and Louise McFarland et al tracts 344.18 feet to the POINT OF BEGINNING and containing 49.138 acres of land.

ARM TO MARKET HIGHWAY NO. 5
(BY R.O.M. - ASP. PAR. 7.)

EXHIBIT A

NOTE: U.E. = UTILITY EASEMENT
C.A. & M.E. = COMMON AREA & MAINTENANCE EASEMENT

STONERIDGE ACRES, INC.
V. 1665, P. 204

MONTEX DRILLING
V. 274, P. 244

F.M. NICHOLS SURVEY
ABST. NO. 2036

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NNING

S. 89°14'08"W. 1944.18'

LOUISE McFARLAND
et al
V. 1471, P. 1958

F. M. NICHOLS & CO. SURVEY

