

ORDINANCE NO. 53

AN ORDINANCE ANNEXING TWO TRACTS OF LAND IN THE
DAVID CRICE SURVEY INTO THE CITY OF ANNETTA
SOUTH, TEXAS, AND ADOPTING A SERVICE PLAN
THEREFOR.

WHEREAS, the owner of two sparsely occupied areas less than 1/2 mile wide and adjacent to the City of Annetta South, have petitioned for annexation to the City pursuant to TEX. LOC. GOV'T CODE § 43.028, and the City Council, has granted such petition; and

WHEREAS, In accordance with Section 43.065 of the Texas Local Government Code, the Mayor has directed the City Secretary, with assistance from its attorney, to prepare an Annexation Service Plan that provides for the extension of full municipal services to areas being annexed prior to the first publication date for notice under Section 43.063, TEX. LOC. GOV'T CODE; and

WHEREAS, Section 43.063, TEX. LOC. GOV'T CODE, requires that the City Council conduct two public hearings on or after the 40th day, but before the 20th day before the date of the institution of annexation proceedings, and that notice of hearing be published at least once on or after the 20th day but before the 10th day of the hearing; and

WHEREAS, Such plan was prepared and was available for public inspection on the date that notice of the first hearing on was published at least 11 days prior thereto; **NOW THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ANNETTA SOUTH, TEXAS:

Section 1: THAT the property described on Exhibits "A" and "B" hereto is hereby annexed into the City of Annetta South, Parker County, Texas.

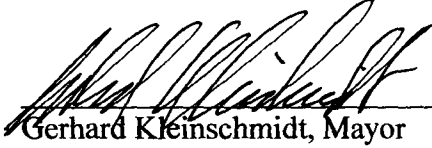
Section 2: THAT the Service Plans attached hereto as Exhibit "C" and "D" are hereby adopted.

AND IT IS SO ORDAINED.

PASSED on this 22nd day of October 2002, by a vote of 5 to 0.

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CITY OF ANNETTA SOUTH

By: 
Gerhard Kleinschmidt, Mayor

APPROVED AS TO FORM AND LEGALITY:

George A. Staples, Attorney

BEING 5.00 acres out of the David Crice Survey, Abstract No. 327, Parker County, Texas and being a part of that certain called 46.721 acre tract conveyed to Norma M. Spruce by deed recorded in Volume 1919, Page 608 of the Real Records of Parker County, Texas and being more particularly described as follows:

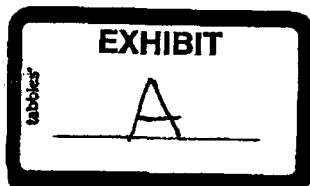
BEGINNING at a ½ inch iron rod, found in place, at the Southwest corner of said Spruce tract and on the West line of that certain tract conveyed to Frank Bangs and wife, Gail Bangs, by deed recorded in Volume 1477, Page 920 of the Real Records of Parker County, Texas, said Point being S 88d 49' 20" W a distance of 1401.04 feet from the Northeast corner of the James W. Horton Survey, Abstract No. 660 for the Southwest corner of this tract;

THENCE N 00d 37' 38" W, along and with the East line of said Bangs tract, a distance of 744.12 feet to a ½ inch iron rod, found in place, at the Northeast corner of said Bangs tract and on the South line of that certain tract conveyed to Ellen Woodward by deed recorded in Volume 1787, Page 106 of the Real Records of Parker County, Texas and for the Northwest corner of this tract;

THENCE N 88d 44' 32" E, generally along an existing fence line and along and with the South line of said Woodward tract, a distance of 281.36 feet to a ½ inch iron rod, set, for the Northeast corner of this tract;

THENCE S 00d 37' 38" E, a distance of 744.56 feet to a 1.2 inch iron rod, set, on the South line of said Spruce tract and on the North line of that certain tract conveyed to Paul Gregory by deed recorded in Volume 1527, Page 53 of the Real Records of Parker County, Texas for the Southeast corner of this tract;

THENCE S 88d 49' 20" W, generally along an existing fence line and along and with the North line of said Gregory tract, at 221.36 the Northwest corner of said Gregory tract, a total distance of 291.36 feet to the place of beginning and containing 5.00 acres.



BEING 46.73 acres out of the David Crice Survey, Abstract No. 327, Parker County, Texas and being all of that certain tract conveyed to Norma M. Spruce by deed recorded in Volume 1919, Page 608 of the Real Records of Parker County, Texas and being more particularly described as follows:

BEGINNING at a ½ inch iron rod, found in place at the Southwest corner of said Spruce tract and on the West line of that certain tract conveyed to Frank and Gail Bangs by deed recorded in Volume 1477, Page 920 of the Real Records of Parker County, Texas, said point being S 88d 49' 20" W a distance of 1401.04 feet from the Northeast corner of the James Horton Survey, Abstract No. 660 for the Southwest corner of this tract:

THENCE N 00d 37' 38" W. along and with the East line of said Bangs tract, a distance of 774.12 feet to a ½ inch iron rod, found in place at the Northeast corner of said Bangs tract and on the South line of that certain tract conveyed to Ellen Woodward by deed recorded in Volume 1787, Page 106 of the Real Records of Parker County, Texas for the most Southerly Northwest corner of this tract:

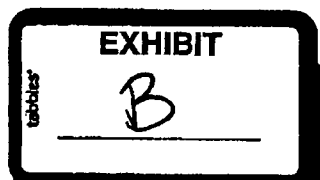
THENCE N 88d 44' 32" E along and with the South line of said Woodward tract a distance of 715.68 feet to a ½ inch iron rod found in place at the Southeast corner of said Woodward tract for an all corner of this tract:

THENCE N 00d 37' 38" W along and with the East line of said Woodward tract, a distance of 388.85 feet to a ½ inch iron rod found in place at the Northeast corner of said Woodward tract and on the South line of that certain tract conveyed to Ellen Woodward by deed recorded in Volume 1366, Page 1013 of the Real Records of Parker County, Texas for the most Northerly Northwest corner of this tract:

THENCE N 88d 44' 56" E along and with the South line of said Woodward tract a distance of 1650.80 feet to a 5/8 inch iron rod found in place at the Southeast corner of said Woodward tract and on the West line of that certain tract conveyed to Virginia Rhodes by deed recorded in Volume 1366, Page 990 of the Real Records of Parker County, Texas for the Northeast corner of this tract:

THENCE S 00d 23' 39" W along and with the West line of said Rhodes tract, a distance of 500.00 feet to a 5/8 inch iron rod found in place for an all corner of said Rhodes tract and the most Northerly Southeast corner of this tract:

THENCE S 88d 49' 10" W along and with a North line of said Rhodes tract, a distance of 544.26 feet to a 5/8 inch iron rod found in place at the most Southerly Northwest corner of said Rhodes tract for an all corner of this tract:



THENCE S 01d 12' 07" E along and with a West line of said Rhodes tract a distance of 600.05 feet to a 5/8 inch iron rod found in place at the Southwest corner of said Rhodes tract for the most Southerly Southeast corner of this tract:

THENCE S 88d 50' 59" W along and with the North line of Lot 15, Canyon Lake Estates Addition and along and with the North line of that certain tract conveyed to Gerhard Kleinschmidt by deed records in volume 1533, Page 719 of the Real Records of Parker County, Texas, a distance of 1819.28 feet to the place of beginning and containing 46.73 acres.

save and except such portion of said property lying within the property described in Exhibit "B" hereto, and further save and except such portions of said property currently within the corporate boundaries of the City of Annetta South.

**Annexation Service Plan Prepared in Accordance
with Section 43.056(b)-(o), Texas Local Government Code**

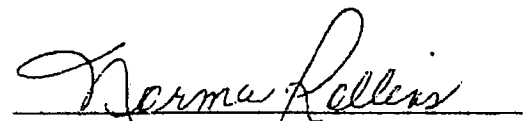
The City of Annetta South will, on the effective date of annexation of the land described in Exhibit A hereto, provide the following services to the annexed area if such services are provided within the corporate boundaries of the City:

- (1) police protection;
- (2) fire protection;
- (3) emergency medical services;
- (4) solid waste collection;
- (5) operation and maintenance of public water and wastewater facilities not within the service area of another water or wastewater utility;
- (6) operation and maintenance of roads and streets, including road and street lighting;
- (7) operation and maintenance of public parks, playgrounds and swimming pools; and
- (8) operation and maintenance of any other publicly owned facility, building or service.

The City will provide full municipal services within two and one half years after the effective date of annexation and payment by Landowner of the cost of capital improvements necessary for providing water and sewer service. It is agreed and understood that such facilities need not be planned or commenced unless and until requested by landowner.

The undersigned Landowner agrees that because of the size and projected manner of development, provision of services is not reasonably expected to be completed within the time contemplated by the Municipal Annexation Act and agrees that such need not be planned or provided until Landowner requests such and provides for payment of the cost thereof.

Proposed this 9th day of August, 2002.


NORMA ROLLINS



2 APPROVED by the City Council of the City of Annetta South this _____ day of
4 _____, 2002.

6 CITY OF ANNETTA SOUTH

8
10 By: _____
Gerhard Ernst Kleinschmidt, Mayor

12 ATTEST:

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16 _____
Mary Wendt, City Secretary

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EXHIBIT

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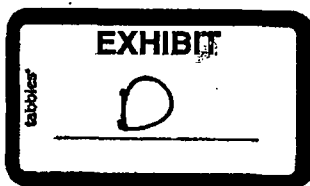
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Proposed this 9th day of August, 2002.


JEFFREY C. SALAVARRIA


LEASA D. SALAVARRIA



2 APPROVED by the City Council of the City of Annetta South this _____ day of
4 _____, 2002.

6 CITY OF ANNETTA SOUTH

8 By: _____
10 Gerhard Ernst Kleinschmidt, Mayor

12 ATTEST:

14
16 _____
Mary Wendt, City Secretary

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