

ORDINANCE # 77
ORDINANCE ANNEXING TERRITORY

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF TUSCOLA, TAYLOR COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN.

WHEREAS, § 43.028 of the Texas Local Government Code authorizes the annexation of territory, subject to the laws of this state.

WHEREAS, the procedures prescribed by the Texas Local Government Code and the laws of this state have been duly followed with respect to the following described territory, to wit:

TRACT 1

A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DEED DATED APRIL 17, 1911 FROM W.B. STOREY, JR. TO THE PECOS AND NORTHERN TEXAS RAILWAY COMPANY, (PREDECESSOR IN INTEREST TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY), RECORDED JUNE 26, 1911 IN VOLUME 72, AT PAGE 373, IN THE RECORDS OF SAID TAYLOR COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHWEST CORNER OF THAT CERTAIN 0.39 ACRE PARCEL OF LAND DESCRIBED FIRST IN DEED DATED OCTOBER 3, 1991 FROM THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY TO COY GRIFFITH AND MARY GRIFFITH, RECORDED DECEMBER 17, 1993 IN BOOK 1977, AT PAGES 372 THROUGH 377, DOCUMENT NUMBER 21768, IN THE RECORDS OF SAID TAYLOR COUNTY, BEING A POINT ON A LINE PARALLEL WITH AND DISTANT NORTHEASTERLY, 50.0 FEET FROM THE CENTERLINE OF THAT CERTAIN RAILROAD TRACK AS DESIGNATED IN THE RECORDS OF THE ATCHISON, TOPEKA AND SANTA DE RAILWAY COMPANY AS THE LAMPASAS SUBDIVISION MAIN TRACK; THENCE NORTHWESTERLY ALONG SAID PARALLEL LINE TO THE INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF THE ABILENE AND SOUTHERN RAILWAY COMPANY, (PREDECESSOR IN INTEREST TO THE UNION PACIFIC RAILROAD); THENCE NORTHERLY ALONG SAID EASTERLY RIGHT OF WAY LINE TO THE INTERSECTION WITH THE NORTHEASTERLY PROPERTY LINE OF THE ATCHISON, TOPEKA AND SANTA DE RAILWAY COMPANY, DESCRIBED IN SAID DEED DATED APRIL 17, 1911;

THENCE SOUTHWESTERLY ALONG SAID NORTHEASTERLY
PROPERTY LINE TO THE NORTHWEST CORNER OF THE SAID 0.39
ACRE PARCEL OF LAND;

TRACT 2

THAT CERTAIN 0.83 ACRE PARCEL OF LAND DESCRIBED IN DEED DATED
MARCH 22, 1944 FROM THE LONE STAR TOWNSITE COMPANY TO THE
PECOS AND NORTHERN TEXAS RAILWAY COMPANY, (PREDECESSOR IN
INTEREST TO THE ATCHISON, TOPEKA AND SANTA FE RAILWAY
COMPANY), RECORDED APRIL 13, 1944 IN VOLUME 324, AT PAGE 384, IN THE
RECORDS OF SAID TAYLOR COUNTY, DESCRIBED FOR REFERENCE AS
FOLLOWS;

"BEGINNING AT A POINT IN THE NORTHEASTERLY RIGHT OF WAY
LINE OF THE PECOS AND NORTHERN TEXAS RAILWAY COMPANY,
100 FEET PERPENDICULARLY DISTANT EASTERLY FROM THE
CENTER LINE OF MAIN TRACK OF SAID RAILWAY COMPANY
OPPOSITE ITS TRACK CHAINING STATION 21951 PLUS 60.3, SAID
POINT BEING ALSO AT THE INTERSECTION OF THE
NORTHWESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY NO.83
WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF SAID
RAILWAY COMPANY; THENCE IN A NORTHWESTERLY DIRECTION
ALONG AND WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF
SAID RAILWAY COMPANY, PARALLEL WITH AND 100 FEET
EASTERLY FROM SAID CENTER LINE OF DISTANCE OF 206.7 FEET
TO A POINT; THENCE IN A NORTHEASTERLY DIRECTION AT RIGHT
ANGLES A DISTANCE OF 277.1 FEET TO A POINT IN THE WESTERLY
LINE OF A PUBLIC ROAD; THENCE IN A SOUTHERLY DIRECTION
ALONG AND WITH THE WESTERLY LINE OF SAID PUBLIC ROAD A
DISTANCE OF 96.1 FEET TO A POINT IN THE NORTHWESTERLY
RIGHT OF WAY LINE OF SAID U.S. HIGHWAY NO. 83, 50 FEET
PERPENDICULARLY IN A NORTHERLY DIRECTION FROM CENTER
LINE THEREOF; THENCE IN A SOUTHWESTERLY DIRECTION ALONG
AND WITH THE NORTHWESTERLY RIGHT OF WAY LINE OF SAID U.S.
HIGHWAY NO. 83, A DISTANCE OF 263.3 FEET TO THE PLACE OF
BEGINNING, CONTAINING 0.83 OF AN ACRE OF LAND."

TRACT 3

A 2.41 ACRE TRACT OF LAND OUT OF THE J. HARMON SURVEY NO. 423,
TAYLOR COUNTY, TEXAS, AND BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN ON THE WBL OF A COUNTY ROAD;
WHENCE THE NORTHWEST CORNER OF SAID HARMON SURVEY NO.
423 BEARS NORTH 2336.3° AND WEST 5504.2';
THENCE SOUTH 242.5' ALONG THE WBL OF SAID COUNTY ROAD TO
AN IRON PIN;
THENCE S 74° 16' W. 246.8' TO AN IRON PIN ON THE EAST RIGHT-OF-
WAY OF THE A.T. & S.F. RR CO.;

THENCE N 26° 14' W 434.7' ALONG THE EAST RIGHT-OF-WAY OF SAID
RR TO AN IRON PIN;

THENCE N 64° 44' E 87' TO AN IRON PIN;

THENCE S 3° 30' E 50' TO AN IRON PIN;

THENCE N 84° 25' E 158' TO AN IRON PIN;

THENCE S 0° 58' E 103' TO AN IRON PIN;

THENCE N 82° 02' E 192' TO THE PIECE OF BEGINNING AND
CONTAINING 2.41 ACRES, MORE OR LESS.

ALL OF THAT CERTAIN 26.40 ACRE TRACT OF LAND OUT OF THE JOHN
HARMON SURVEY NO. 423, TAYLOR COUNTY, TEXAS, CONVEYED TO A.B.
CARTER BY DEED FROM LONE STAR TOWNSITE COMPANY DATED
JANUARY 7, 1946, AND RECORDED IN VOL. 345, PAGE 28, DEED RECORDS,
TAYLOR COUNTY, TEXAS, SAVE AND EXCEPT THE FOLLOWING TRACTS: (1)
5 ACRES CONVEYED TO REX B. MILLER AND CAROLYN GULLEY, BY DEED
DATED OCTOBER 6, 1975, RECORDED IN VOL. 1017, PAGE 971, DEED
RECORDS, TAYLOR COUNTY, TEXAS; (2) 18.112 ACRES CONVEYED TO
WILLARD M. HENDRIX AND WIFE BY DEED DATED MARCH 23, 1978,
RECORDED IN VOL. 1083, PAGE 381, DEED RECORDS, TAYLOR COUNTY,
TEXAS

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

1. That the heretofore described property is hereby annexed to the City of
Tuscola, Taylor County, Texas and that the boundary limits of the City of
Tuscola be and the same are hereby extended to include the above described
territory within the city limits of the City of Tuscola, and the same shall
hereafter be included within the territorial limits of said city, and the
inhabitants thereof shall hereafter be entitled to all the rights and privileges of
other citizens of the city of Tuscola and they shall be bound by the acts,
ordinances, resolutions, and regulations of said city.
2. A service plan for the area is hereby adopted and attached as exhibit A.

The City Secretary is hereby directed to file with the County Clerk of Taylor County
Texas, a certified copy of this ordinance.

PASSED by an affirmative vote of all members of the City Council, this the 26th day of
November, 2012.

**Exhibit A
MUNICIPAL SERVICE PLAN**

FIRE

Existing Services: None

Services to be Provided: Fire suppression will be available to the area by the Jim Ned Volunteer Fire Department located at 741 Kent Avenue, Tuscola, TX.

POLICE

Existing Services: None

Services to be Provided: Currently, the area is under the jurisdiction of the Taylor County Sheriff's Office.

BUILDING INSPECTION

Existing Services: None

Services to be Provided: The Building Permit Ordinance and subsequent revisions will extend to this area on the effective date of the annexation. The property will continue to be regulated under the requirements of the City of Tuscola Subdivision Ordinance. These services can be provided within the department's current budget.

PLANNING AND ZONING

Existing Services: None

Services to be Provided: The City of Tuscola Zoning Ordinance will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Tuscola Subdivision Ordinance. These services can be provided within the department's current budget.

LIBRARY

Existing Services: None

Services to be Provided: None

HEALTH DEPARTMENT- HEALTH CODE ENFORCEMENT SERVICE

Existing Services: None

Services to be Provided: Currently, the area is under the jurisdiction of the Taylor County Health Department. The Taylor County Health Department will implement the enforcement of the City, County and State health ordinances and regulations on the effective date of the annexation.

STREET

Existing Services: City Street Maintenance

Services to be Provided: Maintenance to the street facilities will be provided by the City of Tuscola upon the effective date of the annexation. This service can be provided within the current budget appropriation.

STORM WATER MANAGEMENT

Existing Services: None

Services to be Provided: Developers will provide storm water drainage at their own expense and will be inspected by the City at time of completion. The City will then maintain the drainage upon approval.

STREET LIGHTING

Existing Services: None

Services to be Provided: The City of Tuscola will coordinate any request for improved street lighting with the local electric provider in accordance with standard policy.

TRAFFIC ENGINEERING

Existing Services: None

Services to be Provided: The City of Tuscola will be able to provide, after the effective date of annexation, any additional traffic control devices.

WATER SERVICE

Existing Services: None

Services to be Provided: Water service to the area will be provided by the Tuscola Water District No. 1 in accordance with the applicable codes and departmental policy. When other property develops in the adjacent area, water service shall be provided in accordance with extension ordinances. Extension of service shall comply with City codes and ordinances.

SANITARY SEWER SERVICE

Existing Services: None

Services to be Provided: Sanitary sewer service to the area of proposed annexation will be provided in accordance with applicable codes and departmental policy. When property develops in the adjacent areas, sanitary sewer service shall be provided in accordance with the present extension ordinance. Extension of service shall comply with applicable codes and ordinances.

SOLID WASTE SERVICES

Existing Services: None

Services to be Provided: Solid Waste Collection shall be provided to the area of annexation in accordance with the present ordinance. Service shall comply with existing City policies, beginning with occupancy of structures.

MISCELLANEOUS

All other applicable municipal services will be provided to the area in accordance with the City of Tuscola's established policies governing extension of municipal services to newly annexed areas.