



Control Number: 27233



Item Number: 496

Addendum StartPage: 0

ORDINANCE NO. 3183

AN ORDINANCE PROVIDING FOR THE VOLUNTARY ANNEXATION OF PROPERTY ID 178972 OF THE J.B. AND ANN ADAMS ABSTRACT, APPROXIMATELY 98.740 ACRES, SITUATED GENERALLY WEST OF BROADHEAD ROAD AND YOUNGBLOOD ROAD, OF THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

SECTION 1. That the following described land and territory lying adjacent to the City of Waxahachie and being within its extraterritorial jurisdiction (ETJ), be, and the same is hereby added and annexed to the City of Waxahachie, and that said territory hereinafter described shall hereafter be included within the boundary limits of the City of Waxahachie, at the various points contiguous to the area hereinafter described, are altered and amended so as to include said area within the corporate limits of the City of Waxahachie to-wit:


All that Property ID 178972, Abstract No. 5 of the J.B. and Ann Adams Survey, situated in Ellis County, Texas, and being more particularly described in Exhibit B – Metes and Bounds Description, describing portions of the annexation, made a part of hereof and attached hereto for all purposes.

SECTION 2. That the above described additional territory and area so annexed shall be a part of the City of Waxahachie, and the property so added therein shall bear its pro rata part of the taxes levied by the City of Waxahachie, and the inhabitants hereof shall be entitled to all the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Waxahachie, Texas.

SECTION 3. An emergency is declared to exist, in that this annexation should be completed and made final so that the boundaries of the City shall be determined without delay, and this ordinance is effective immediately upon passage.

PASSED, APPROVED AND ADOPTED on this 20th day of April, 2020.




MAYOR

ATTEST:


City Secretary

FILED FOR RECORD - ELLIS COUNTY, TEXAS
INST NO. 2014555 FILING DATE/TIME: May 06, 2020 at 09:25:00 AM

Exhibit B - Metes and Bounds Description

METES AND BOUNDS DESCRIPTION 98.695 ACRES

All that certain tract or parcel containing 98.695 acres of land in the J.B. & Ann Adams Survey, A-5, Ellis County, Texas, being all of a tract which was called 98.740 acres, conveyed from Ann Graham Allen, et al, to Dirk Nowitzki, by an instrument of record in Volume 2457, Page 656, Ellis County Official Public Records (ECOPR), said 98.695 acres being more particularly described by metes and bounds as follows, basing bearings on the Texas Coordinate System of 1983, North Central Zone, to wit:

BEGINNING at a 5/8" iron rod found for northeast corner, being the northeast corner of said 98.740 acre tract, lying in the south line of a tract which was called 27.497 acres, conveyed from Nan Epton Burleson, Executor, to Nan Epton Burleson by an instrument of record in Volume 2646, Page 1708, ECOPR, also lying in the pavement of Broadhead Road;

THENCE S00°29'01"E, 1,972.07 feet along the east line of said 98.740 acre tract and generally along Broadhead Road to a point for southeast corner, being the southeast corner of said 98.740 acre tract and northeast corner of Lot 1, Block A, Mustang Meadows, Phase One, a subdivision of record in Cabinet D, Slide 85, Ellis County Plat Records (ECPR), lying near the centerline of Broadhead Road;

THENCE departing Broadhead Road, S89°31'23"W, along the common line of said 98.740 acre tract and Lot 1, at 30.06 feet pass a 1/2" iron rod found for reference and continuing along the common line of said 98.740 acre tract, Block A Mustang Meadows Phase One, Block A Mustang Meadows Phase Three, a subdivision of record in Cabinet H, Slide 409, ECPR, a tract which was called 14.315 acre, Tract I, conveyed from Abbey Realty, LLC, to Probuilt Homes, LTD., by an instrument of record in Clerks File #2018-1809351, ECOPR, and a tract which was called 9.307 acres, conveyed from Pro Built Homes, LTD., to AGC Custom Homes, Inc., by an instrument of record in Clerks File #2018-1810406, ECOPR, for a distance in all of 2,432.75 feet to a 5/8" iron rod set for southwest corner, being the southwest corner of said 98.740 acre tract and northwest corner of said 9.307 acre tract, lying in the east line of a tract which was called Lot 33, Block 2, Garden Valley Ranch, Phase 2, a subdivision of record in Cabinet H, Slide 697, ECPR, from which a 1/2" iron rod found for southeast corner of Lot 33 bears: S01°07'19"E, 17.87 feet;

THENCE N01°07'19"W, 139.48 feet along the common line of said 98.740 acre tract and Lot 33 to a 1/2" iron rod found for angle point, being the northeast corner of Lot 33 and southeast corner of a tract which was called Lot 16, Block 1, Garden Valley Ranch, Phase 3, a subdivision of record in Cabinet I, Slide 503, ECPR;

THENCE N01°04'45"W, 193.98 feet along the common line of said 98.740 acre tract, Lot 16 and Lot 15, Block 1, Garden Valley Ranch, Phase 3, to a 1/2" iron rod found for angle point, being the northeast corner of Lot 17 and southeast corner of Lot 18, Block 1, Garden Valley Ranch, Phase 3;

THENCE N01°00'44"W, 1,112.02 feet along the common line of said 98.740 acre tract, said Block 1, Garden Valley Ranch, Phase 3 and Block 9, Garden Valley Farms, Phase 1, a subdivision of record in Cabinet I, Slide 792, ECPR to a 1/2" iron rod found for northwest corner, being the northwest corner of said 98.740 acre tract and northeast corner of Lot 4, Block 9, Garden Valley Farms, Phase 1, lying in the south line of Lot 6, Block 9, Garden Valley Farms, Phase 1;

THENCE N89°53'44"E, 925.36 feet along the common line of said 98.740 acre tract, said Block 9, Garden Valley Farms, Phase 1 and Block 9, Garden Valley Farms, Phase 2, a subdivision of record in Cabinet J, Slide 320, ECPR to a 1/2" iron rod found for interior corner, being the interior corner of said 98.740 acre tract and southeast corner of Lot 19, Block 9, Garden Valley Farms, Phase 2;

THENCE N00°03'31"W, 500.00 feet along the common line of said 98.740 acre tract and said Block 9, Garden Valley Farms, Phase 2 to a 5/8" iron rod set for northwest corner, being the northwest corner of said 98.740 acre tract and southwest corner of the aforementioned 27.497 acre tract, from which a 1/2" iron rod found for northeast corner of Lot 25, Block 9, Garden Valley Farms, Phase 2 bears: N00°03'31"W, 93.11 feet;

THENCE N88°17'21"E, 1,517.87 feet along the common line of said 98.740 acre tract and said 27.497 acre tract to the PLACE OF BEGINNING, containing 98.695 acres of land, more or less. A certified plat has been prepared under the same job number as a part of this professional service.

360 Surveying
TBPLS 10194293
P.O. Box 776
Hallsville, Texas 75650
Job No. 1107-042
Date: November 26, 2019

Bret Read
Professional Land Surveyor
Texas Registration No. 6610

**SERVICE PLAN
FOR
PROPOSED VOLUNTARY ANNEXATION OF APPROXIMATELY 98.740 ACRES
SITUATED GENERALLY WEST SIDE OF BROADHEAD ROAD AT YOUNGBLOOD
ROAD**

The following is a plan whereby full municipal services as defined in Section 43.056 of the Texas Local Government Code will be provided by the City of Waxahachie (the "City") in territory to be annexed, being approximately 98.740 acres of land located adjacent to the City limits, as depicted on the map included as Exhibit A.

Municipal facilities and services will be provided to the annexed area at the following levels and in accordance with the following schedule:

A. Police Protection:

The City provides municipal police protection to its residents, including routine patrols throughout the City and law enforcement services upon call. Upon the effective date of the annexation, said services will also be made available to the annexed area on the same basis as they are made available to other parts of the City with land uses and population densities similar to those reasonably contemplated or projected in the annexed area.

B. Fire Protection and Emergency Medical Services:

The City provides full-time fire protection. Upon the effective date of the annexation, said services will also be made available to the annexed area on the same basis as they are made available to other parts of the City with land uses and population densities similar to those reasonably contemplated or projected in the proposed annexation area.

The City contracts with American Medical Response ("AMR") for Emergency Medical Service. Upon the effective date of the annexation, said services will also be made available to the annexed area on the same basis as they are made available to other parts of the City with land uses and population densities similar to those reasonably contemplated or projected in the proposed annexation area.

C. Solid Waste Collection:

The City's solid waste collection is currently provided by Waste Connections ("Waste Connections"). Upon the effective date of the annexation, the City will provide solid waste collection to the annexed area on the same basis as it is made available to other parts of the city with land uses and population densities similar to those reasonably contemplated or projected in the annexed area.

D. Water and Wastewater Service and Maintenance:

The area to be annexed is an unplatted area within the City's ETJ and currently receives water from the City of Waxahachie and is within the City's Water Certificate of Convenience, Certificate No. 10915, service area. The extension of any necessary sanitary sewer facilities will be added by the developer and in a manner consistent with other development regulations and practices.

Should City plans be changed and sanitary sewer service infrastructure is extended to this area, said services will also be made available to the annexed area on the same basis as they are made available to other parts of the City with land uses and population densities similar to those reasonably contemplated or projected in the annexed area.

E. Maintenance of Roads, Streets and Street Lighting:

The City shall begin to make provision for the maintenance of current roads and streets within the annexed areas upon the effective date of the annexation*. Such streets and roads shall be maintained in their current condition and shall be included in the City's Capital Improvements Plan for upgrading, resurfacing and/or improvement on the same basis as other areas in the City with topography, land uses and population densities similar to those reasonably contemplated or projected in the annexed area. Any such resurfacing or upgrade shall be made in accordance with current City policies or the City's Subdivision Ordinance, adopted as Ordinance 3151, and as amended from time to time.

Improvements will be made in conjunction with new development in accordance with City policies contained in the City's Subdivision Ordinance after installation and dedication of such improvements by the relevant property owner and acceptance by the City. Future streets within the annexed area will be upgraded in accordance with an approved Capital Improvements Program, as may be amended from time to time, on the same basis as other areas in the City with land uses and population densities to those reasonably contemplated or projected in the annexed area.

* State-owned facilities will continue to be maintained by the State of Texas, Department of Transportation.

F. Parks, Playgrounds and other Public Facilities and Services:

Public parks, playgrounds, and other public recreation facilities dedicated to and accepted by the City within the annexed area, will be maintained in their present condition by the City upon the effective date of the annexation. Property owners and residents of the annexed area may use the existing public parks, playgrounds, and other recreation facilities and services of the City on the same basis as other residents of the City.

G. Public Library Services and Other Publicly Owned Facilities, Buildings and Services:

Property owners and residents of the annexed area may use the existing public library and other publicly owned facilities, buildings, and services within the City on the same basis as other residents of the City.

H. City Regulations and Code Enforcement

The annexed areas will upon the date of annexation, be subject to all City regulations as specified within the City of Waxahachie Code of Ordinances. Further, the City's codes and regulations will be enforced in a manner like other similar parts of the corporate city limits.

I. General Municipal Administration:

General municipal administration services will be available to the annexed area upon the effective date of the annexation. This Service Plan provides for full municipal services to the annexed area on the same basis as municipal services are made available to other parts of the City with land uses and population densities similar to those reasonably contemplated or projected in the annexed area. Further, said municipal services are equal to or greater than the services and level of such services in existence in the annexed area are immediately preceding the effective date of the annexation. This Service Plan does not constitute a right to a superior level of services in the annexed area. The City retains its authority to adjust programs on a city-wide basis to provide more effective services through changes in operating procedures and standards. The City also retains the authority to adjust services on a city-wide basis should economic or emergency circumstances dictate.

Upon annexation to the city of Waxahachie, this tract, similar to other newly annexed lands, will be assigned the Future Development (FD) zoning district designation. This zoning designation shall remain until such time as a separate zoning action by City Council has taken place to change it.

This plan is presented the 20th day of April, 2020.

A handwritten signature in blue ink, appearing to read "Michael Scott", is written over a horizontal line.

Michael Scott
City Manager

