



Control Number: 27233



Item Number: 495

Addendum StartPage: 0

ORDINANCE NO. 3188

AN ORDINANCE PROVIDING FOR THE VOLUNTARY ANNEXATION OF PROPERTY ID 183566 OF THE A.B. FLUERY, M. RAFFERTY, AND WC COLEMAN ABSTRACT, APPROXIMATELY 81.454 ACRES, SITUATED GENERALLY EAST OF THE INTERSECTION OF HUNTER PASS AND FM 877, 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 183566, Abstract 374 A.B. Fluery, 898 M. Rafferty, and 204 WC Coleman, situated in Ellis County, Texas, and being more particularly described in Exhibit B – Legal 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.



City Secretary

MAYOR

FILED FOR RECORD - ELLIS COUNTY, TEXAS
INST NO. 2014554 FILING DATE/TIME: May 06, 2020 @ 09:25:00 AM

Exhibit B - Legal Description

LEGAL DESCRIPTION CITY OF WAXAHACHIE ANNEXATION 81.535 ACRES

BEING a tract of land situated in the W.C. COLEMAN SURVEY, ABSTRACT NO. 204, the A.B. FLUERY SURVEY, ABSTRACT NO. 374 and the M. RAFFERTY SURVEY, ABSTRACT NO. 898, City of Waxahachie, Ellis County, Texas and being part of that tract of land described in Deed to WP Legacy, Ltd., as recorded in Document No. 2008699, Deed Records, Ellis County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod found for a common interior ell corner of said WP Legacy, Ltd. tract and an exterior ell corner of that tract of land described in Deed to Terry Michael Jeffcoat and wife, Margie M. Jeffcoat, as recorded in Volume 1055, Page 218, Deed Records, Ellis County, Texas;

THENCE North 19 degrees 00 minutes 36 seconds West, with the common north line of said WP Legacy, Ltd. tract and south line of said Terry Michael Jeffcoat and wife, Margie M. Jeffcoat, a distance of 242.06 feet to a point for corner;

THENCE North 64 degrees 23 minutes 14 seconds East, continuing with said common line, a distance of 576.17 feet to a point for corner;

THENCE South 29 degrees 23 minutes 08 seconds East, leaving said common line, a distance of 1,191.14 feet to a point for corner;

THENCE South 16 degrees 37 minutes 16 seconds West, a distance of 1,442.60 feet to a point for corner;

THENCE South 59 degrees 01 minutes 15 seconds West, a distance of 350.53 feet to a point for corner;

THENCE North 73 degrees 22 minutes 44 seconds West, a distance of 1,019.76 feet to a point for corner;

THENCE South 88 degrees 16 minutes 27 seconds West, a distance of 131.43 feet to a point for corner;

THENCE South 65 degrees 28 minutes 46 seconds West, a distance of 318.16 feet to a point for corner;

THENCE South 79 degrees 32 minutes 15 seconds West, a distance of 262.43 feet to a point for corner in the present boundary limits of the City of Waxahachie as described in City Ordinance No. 2123;

Exhibit B - Legal Description

THENCE Northerly, with said present boundary limits, the following three (3) courses and distances:

North 29 degrees 23 minutes 27 seconds West, a distance of 532.62 feet to a point for corner;

North 57 degrees 57 minutes 25 seconds East, a distance of 1,469.87 feet to a point for corner;

North 29 degrees 42 minutes 12 seconds West, a distance of 502.58 feet to a point for corner at the intersection of said present boundary limits with the above mentioned common line;

THENCE Northeasterly, with said common line, the following six (6) courses and distances:

North 60 degrees 23 minutes 05 seconds East, leaving said present boundary limits line, a distance of 31.25 feet to a point for corner;

South 28 degrees 50 minutes 48 seconds East, a distance of 9.21 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "RPLS 4466" found for corner;

North 60 degrees 27 minutes 52 seconds East, a distance of 295.16 feet to a point for corner;

South 21 degrees 08 minutes 44 seconds East, a distance of 84.75 feet to a point for corner;

North 48 degrees 02 minutes 16 seconds East, a distance of 389.40 feet to the **POINT OF BEGINNING** and containing 81.535 acres of land, more or less.

**SERVICE PLAN
FOR
PROPOSED VOLUNTARY ANNEXATION OF APPROXIMATELY 81.454 ACRES
SITUATED EAST OF HOWARD ROAD AND WEST OF U.S. HIGHWAY 287**

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 81.454 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. The developer will serve this area with a septic system instead of a sanitary sewer system. Currently, no sewer service is available in this area.

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.



Michael Scott
City Manager

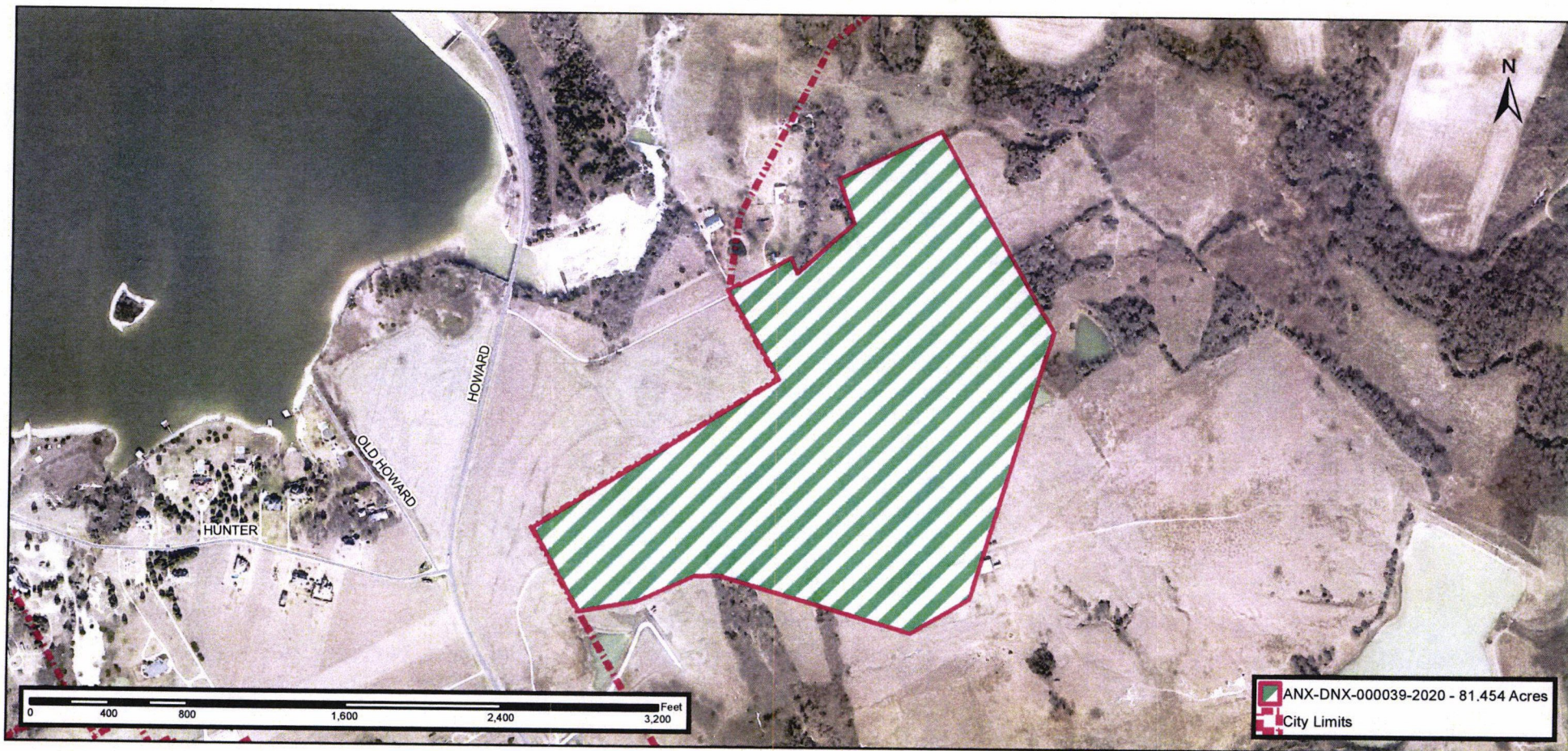


EXHIBIT A