ORDINANCE NO. 104

AN ORDINANCE ANNEXING A 70.30 ACRE TRACT OF LAND IN THE R.L. TURNER SURVEY ABSTRACT NO. 2177 INTO THE TOWN OF ANNETTA, TEXAS, AND ADOPTING A SERVICE PLAN THEREFORE.

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

WHEREAS, In accordance with Section 43.065 of the Texas Local Government Code, the City Secretary was directed, with assistance from the Town's 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 Town 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 TOWN COUNCIL OF THE TOWN OF ANNETTA, TEXAS:

Section 1: THAT the property described on Exhibit "A" hereto is hereby annexed into the Town of Annetta, Parker County, Texas.

Section 2: THAT the Service Plan attached hereto as Exhibit "B" is hereby adopted.

AND IT IS SO ORDAINED.

PASSED on this 25th day of January 2007, by a vote of 4 to 0.

Town of Annetta

By: _____

Olan Usher, Mayor

ATTEST:

_____

Vickie White, Town Secretary

LEGAL DESCRIPTION

STATE OF TEXAS ()

COUNTY OF PARKER ()

LAKES OF ALEDO, L.P., as evidenced by the deed recorded in Volume 2410, Page 1263, Parker County Deed Records, is the sole owner of the tract of land more particularly described by metes and bounds as follows:

Being a 70.30 acre tract of land situated in the R. L. Turner Survey, Abstract No. 2177; T.J. True Survey, Abstract No. 1302; and the L.B. Crestwell Survey, Abstract No. 298, Parker County, Texas and being a portion of the Martin O. and Jane Siegmund property as described in deed recorded in Volume 2104, Page 367, Deed Records Parker County, Texas (DRPCT) and being more particularly described by metes and bounds as follows:

Beginning at a found 1/2 inch iron rod in the east line of the T.J. True Survey, Abstract No. 1302 for the northeast corner of the Arland Dubois tract as recorded in Volume 1532, Page 1382, DRPCT;

Thence North 86°22'16" West with the Dubois north line a distance of 279.70 feet to found 1/2 inch iron rod;

Thence South 00°12'04" West with the Dubois west line a distance of 763.43 feet to a found 1/2 inch iron rod in the north line of Annetta Road (County Road No. 4005);

Thence North 79°31'41" West with the Annetta Road north line a distance of 421.12 feet to a set 1/2 inch iron rod;

Thence North 88°18'54" West, continuing with said north line, a distance of 419.62 feet to a set 1/2 inch iron rod;

Thence North 82°31'12" West, continuing with said north line, a distance of 184.32 feet to a set 1/2 inch iron rod;

Thence North 75°29'55" West, continuing with said north line, a distance of 180.96 feet to a found 60d nail for the southwest corner of said Siegmund tract and the southeast corner of the Jack Fields tract as recorded in Volume 385, Page 166, DRPCT;

Thence North 00°23'13" West with the west line of said Siegmund tract a distance of 1102.15 feet to a found 1/2 inch iron rod;

Thence North 00°01'04" West with said west line a distance of 438.41 feet to a set 1/2 inch iron rod;

Thence North 00°51'51" West with said west line a distance of 523.78 feet to a set 1/2 inch iron rod;

Thence North 00°55'29" West with said west line a distance of 264.24 feet to a found 1/2 inch iron rod for the most westerly northwest corner of said Siegmund tract, said point being in the southeast line of the tract conveyed to the Estate of Gene P. Harris as recorded in Volume 1659, Page 228, DRPCT;

Thence North 64°15'56" East with said Harris southeast line a distance of 454.83 feet to set 1/2 inch iron rod in the south line of the T & P Railroad right-of-way;

Thence South 45°47'49" East with said railroad right-of-way a distance of 1515.15 feet to a found 1/2 inch iron rod in the east line of said T.J. True Survey, Abstract No. 1302;

Thence South 00°11'03" West with said True Survey east line and the east line of said Siegmund tract a distance of 882.05 feet to the POINT OF BEGINNING & CONTAINING 3.062,271 square feet, 70.30 acres of land, more or less.

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

The Town of Annetta will, on the effective date of annexation of the land described as Lakes of Aledo, Parker County, Texas provide the following services to the annexed area:

(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 Town will, by April 1, 2007 provide potable water to all property annexed by the ordinance from a well to be drilled by the city on a site to be conveyed to the Town by Lakes of Aledo, L.P and will provide all other full municipal services within 2 1/2 years after the effective date of the annexation, other than sanitary sewer service, which is not provided to any other property within the town.
Tap fees for water meter hookups will be $900 per meter and water rates shall initially be $3.15 per month per 1000 gallons for 0-35,000 gallons; $4.10 per month per 1000 gallons for 35,001-65,000 gallons, and $4.50 per 1000 gallons for all water used over 65,000 gallons. Such rates shall be in force until April 1 of 2008 and thereafter until changed by the Town based on cost of providing water.

The Town of Annetta recognizes that Lots 18, 37, and 39 closed previous to annexation and are subsequently exempt from initial home building permit fees.

Proposed this 4th day of January, 2007.

Vickie White

Vickie White, Town Secretary

APPROVED by the Town Council of the Town of Annetta this 4th day of January, 2007.

TOWN OF ANNETTA

By: _____
Olan Usher, Mayor

ATTEST: _____
Vickie White, Town Secretary

AGREED TO BY LANDOWNERS: _____ President
Priest Building + Development General Partner
for Lakes of Aledo L.L.P.