

ANNEXATION ORDINANCE OF THE CITY OF LOWRY CROSSING, TEXAS

ORDINANCE NO. 117

AN ORDINANCE OF THE CITY OF LOWRY CROSSING, TEXAS, ANNEXING THE HEREINAFTER DESCRIBED TERRITORY INTO THE CITY OF LOWRY CROSSING, TEXAS; EXTENDING THE BOUNDARY LIMITS OF THE CITY TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY; GRANTING TO ALL INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING ALL INHABITANTS AND OWNERS BY THE ORDINANCES, ACTS, RESOLUTIONS AND REGULATIONS OF THE CITY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING THE EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lowry Crossing, Texas, finds that the hereinafter described territory is contiguous and adjacent to the corporate limits of the City of Lowry Crossing; and

WHEREAS, an Official of the City, at the direction of the City Council, prepared a service plan for the area, a copy of which is attached hereto as Exhibit "1"; and

WHEREAS, after notice was duly given, public hearings on the proposed annexation were held by the City Council all in compliance with V.T.C.A., Local Government Code, Chapter 43; and

WHEREAS, this annexation has been initiated by the written petition of all the owners of the area to be annexed; and

WHEREAS, the City Council has concluded that such area should be annexed into and made a part of the City of Lowry Crossing, Texas:

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

SECTION 1. That the following described territory be, and the same is hereby, annexed into and made a part of the corporate limits of the City of Lowry Crossing, Texas. Said territory shall hereafter be included within the territorial limits of the City of Lowry Crossing, and the inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City, and shall be bound by the ordinances, acts, resolutions and regulations of the City of Lowry Crossing, Texas.

Said territory hereby annexed is located in Collin County, Texas, and described as follows:

SITUATED in Collin County, Texas, a part of the David Cherry Survey, Abstract No. 166, and being 12.04 acres out of the South portion of a 280 acre tract as described in a deed from John Church et al to Julia E. Church, dated March 11, 1890, and recorded in Volume 44, Page 559 of the Collin County Deed Records and the said 12.04 acres being more particularly described by metes and boards as follows:

BEGINNING at an iron stake In the South line of the said tract, in the North line of an abandoned county road. Said stake being in the Southwest corner of a 3.678 acre tract conveyed to Leon A. Johnston from Mrs. Julia Gilmer;

HENCE NORTH with the West line of the said 3.678 acre tract, a distance of 427.0 feet to an iron stake. Said stake being in the Southwest corner of a 0.789 acre tract, conveyed by Julia Gilmer to Tallant;

THENCE NORTH 05 degrees 29 minutes West with the West line of the said 0.789 acre tract a distance of 231.1 feet to an iron stake In the South right of way line of State Highway 24;

THENCE IN A WESTERLY direction with the South right of way line of the said Highway as follows:

NORTH 64 degrees 29 minutes West, 265.0 feet to a right of way marker;

NORTH 70 degrees 21 minutes West, 100.5 feet to a right of way marker;

NORTH 64 degrees 29 minutes West, 300.0 feet to a right of way marker;

NORTH 58 degrees 47 minutes West, 69.4 feet to an iron stake. Said stake being In the Northeast corner of a 2 acre tract conveyed by Julia Gilmer to Mrs. Rhea F. Crane;

THENCE SOUTH-3 degrees 33 minutes East with the East line of the said 2 acre tract a distance of 243.4 feet to an iron stake at the Southeast corner of the said 2 acre tract and continuing on in all a distance of 1018.4 feet to an iron stake in the South line of the said 280 acre tract. Said stake being in the North line of the said abandoned public road;

THENCE NORTH 85 degrees 45 minutes East, with the South line of the said tract in the North line of the said road a distance of 624.8 feet to the place of beginning,

CONTAINING 12.04 acres of land.

SECTION 2. It is the intention of the City to annex only that territory which is legally subject to being annexed by the City and should any portion of the above described territory be not subject to legal annexation by the City of Lowry Crossing, Texas, such fact shall not prevent the City from annexing such portion of said territory which is subject to legal annexation by the City of Lowry Crossing, Texas. Therefore, if any provision or portion of the territory herein described is held to be invalid by a court of competent jurisdiction, such provision or portion of land shall be deemed as separate, distinct and independent and such

holding shall not affect the validity of the remaining provisions of this ordinance or portions of land annexed by this ordinance.

SECTION 3. This ordinance shall take effect from and after its passage as the law in such cases provides.

DULY PASSED by the City Council of the City of Lowry Crossing, Texas, this the 1<sup>st</sup> day of August, 2000.

APPROVED:

L.T. Dilworth III

MAYOR

ATTEST:

Patricia Franzen

CITY SECRETARY

APPROVED AS TO FORM:

Lawrence J. Gibson  
CITY ATTORNEY

SERVICE PLAN  
FOR "HACKLER" ANNEXATION

The City will provide the following:

1. Police protection shall be provided in accordance with existing City policy through the Collin County Sheriff's Department.
2. Fire protection shall be provided in accordance with existing City policy through Volunteer Fire Department.
3. Solid waste collection shall be provided in accordance with existing City policy that authorizes collection of solid waste by a private company or companies authorized to conduct such activities within the City.
4. Maintenance of water facilities shall be provided in accordance with existing City policy through Milligan Water Supply Corporation. Waste water facilities are provided by individual property owner septic systems.
5. Maintenance of roads and streets shall be provided in accordance with existing City policy which includes an Interlocal Cooperation Agreement between the City of Lowry Crossing and Collin County.

Signed this 1<sup>st</sup> day of August, 2000.



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Mayor, City of Lowry Crossing, Texas

EXHIBIT "1"

STATE OF TEXAS           §  
   §  
COUNTY OF COLLIN       §

I, the Secretary of the City of LOWRY CROSSING, TEXAS, hereby certify that the within and foregoing annexation ordinance and related annexation instruments are full, true and correct copies of the originals of such instruments on file as a part of the permanent records of my office. Further, I am the lawful possessor and custodian of such records for the City of LOWRY CROSSING, TEXAS.

WITNESS MY HAND at my office this the 1<sup>st</sup> day of August, 2000.

*Patricia Spencer*  
CITY SECRETARY  
LOWRY CROSSING, TEXAS