

ANNEXATION ORDINANCE OF THE CITY OF LOWRY CROSSING, TEXAS

ORDINANCE NO. 200

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, prepare 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 owners of the area to be annexed; and

WHEREAS, the City Council has concluded that such area should be annexed into and made 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 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 tract of land situated within the E.M. Jones Survey, Abstract Number 495, Collin County, Texas and being a portion of the same tract of land conveyed to Robert N. Taylor by a deed filed for record in Volume 713 at page 660 and at County Clerk's Instrument Number 96-0045062 of the Deed Records of Collin County, Texas. Said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" rebar found for the Northeast corner of the tract of land herein described and a common corner of Settler's Creek Phase IV and Settler's Creek Phase V, additions in the City of Lowry Crossing, as filed for record in Volume F at Page 337 and Volume G OF Page 212 of the Plat Records of Collin County, Texas;

THENCE South 01 degree 47'30" West, along the common boundary line of the tract of land herein described and the aforementioned Settler's Creek V, 649.54 feet to a 1/2 " rebar found for a common corner and the Northwest corner of the Crossings, an addition in the City of Lowry Crossing as filed for record in Volume F at Page 399 of the Plat Records of Collin County, Texas;

THENCE SOUTH 01 DEGREES 30'37" along the common boundary line of the tract of land herein described and the aforementioned The Crossings, 135.37 feet to a wood corner post found for the common East corner of the tract of land herein described and a tract of land designated the Second tract in a deed conveyed to D.M. Hines, et vir, as filed for record in Volume 1671 of Page 935 of the Deed Records of Collin County, Texas;

THENCE NORTH 89 degrees, 00'01" WEST, along the common boundary line of the tract of land herein described and the aforementioned Hines tract, 729.00 feet to a point in the East City Limit line of the City of Lowry Crossing for corner;

THENCE NORTH 02 Degrees 27'42" WEST along the Eastern City Limit line of the City of Lowry Crossing to a point in the South line of the aforementioned Settler's Creek Phase IV, 786.00 feet for corner;

THENCE SOUTH 88 degrees 54'30" EAST along the SOUTH line of said Settler's Creek Phase IV, 719.00 feet to the Point of Beginning and containing 13.3 acres of land, more or less.

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. 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.

11th DULY PASSED by the City Council of the City of Lowry Crossing, Texas, this the December, 2006.

APPROVED:



Greg Piatt, Mayor

ATTEST:


Eddie Sturgal, City Secretary

APPROVED AS TO FORM:

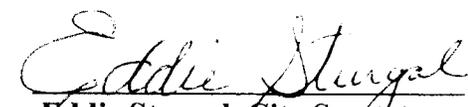
John Hill, City Attorney

STATE OF TEXAS

COUNTY OF COLLIN

I, the City 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 11th day of December, 2006.


Eddie Sturgal, City Secretary
City of Lowry Crossing, Texas

SERVICE PLAN
FOR "BENNETT" 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 11th day of December, 2006.


Mayor Greg Piatt, City of Lowry Crossing