

ORDINANCE NO. 1882

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED PROPERTY TO THE CITY OF TERRELL, TEXAS, AND EXTENDING THE BOUNDARIES OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID PROPERTY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY.

WHEREAS, the City of Terrell is authorized to annex property in accordance with V.T.C.A., Local Government code, Section 43.021 and its home-rule charter and by statute;

WHEREAS, said property proposed to be annexed is within the city's extraterritorial jurisdiction and is contiguous to the City;

WHEREAS, the City has prepared a service plan for said property which is attached as Exhibit "A" to this Ordinance;

WHEREAS, the City has published notice of hearings on said annexation and held hearings as required by state law; and

WHEREAS, after hearing arguments for and against the same the governing body has voted to annex said property into the City under the authority of Section 43.021 of the Local Government Code.

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

SECTION 1. That the property hereinafter described is hereby annexed into the City, and that the boundary limits of the City of Terrell are hereby extended to include said property within the City Limits of the City of Terrell and the same shall hereafter be included within the territorial limits of said City, and said land and the future inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City and shall be bound by the acts and ordinances of said City.

Being 73.178 acres of land situated in the Ransom Sowell Survey, Abstract No. 443, Kaufman County, Texas, and consisting of three tracts as follows: (1) 39.634 acres described as Tract 1 in Warranty Deed dated March 31, 1986, from Marguerite Elizabeth Bond et al to the City of Terrell, as recorded in Volume 851, Page 594, of the Kaufman County Deed Records; (2) 27.756 described in Deed dated June 267, 1961, from Sara Lillian Bond and Jack P. Bond to the State of Texas, as recorded in Volume 443, Page 141, of said Deed Records and (3) 5.788 acres (by recent survey), being the residue of the Fifth Tract described in Partition Deed dated July 11, 1918, between Thomas R. Bond and Joel R. Bond, as recorded in Volume 186, Page 90, of said Deed Records; all being more particularly described by metes and bounds as follows:

BEGINNING at a point in the existing Terrell City Limits line at a point in the Southwest Right-of-Way line of Interstate Highway 20, same being the most Westerly corner of the hereinabove described 27.756 acre tract;

THENCE North 45 degree East with the existing Terrell City Limits line and the Northwest line of said 27.756 acre tract and with the Southwest line of a 100 acre tract described in Deed dated May 13, 1949, from Exsa Laroe et al to Jack P. Bond, as recorded in Volume 321, Page 393, of the said Kaufman County Deed Records, a distance of approximately 1950 feet to the most Northerly corner of said 39.634 acre tract, same being the most Easterly corner of the aforementioned 100 acre tract and being at an angle point in the existing Terrell City Limits;

THENCE South 45 Degree East with the Northeast line said 39.634 acre tract and partially with the existing Terrell City Limits lines, a distance of approximate 2400 feet to the East Bank meanders of Kings Creek;

THENCE with said East Bank meanders, same being the Southeast line of said 39.634 acre tract, Southwesterly about 315 feet to a point in the Northeast Right-of-Way line of Interstate Highway 20;

THENCE Northwesterly with said Northeast Right-of-Way line, about 12 feet to a point in the center line of Kings Creek, same being the Northeasterly corner of said 27.756 acre tract;

THENCE with said center line meanders, Southerly about 400 feet to a point in the Southwest Right-of-Way line of Interstate Highway 20, same being the existing Terrell City Limits line;

THENCE Northwesterly with said Southwest Right-of-Way line and with the existing Terrell City Limits line, same being the Southwest line of said 27.756 acre tract, a distance of about 3025 feet to the Point of Beginning and containing 73.2 acres of land, more or less.

ARTICLE II.

If any section, provision, subsection, paragraph, sentence, clause, phrase, or word in this Ordinance or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holdings shall not affect the validity of the remaining portions of this Ordinance, and the City Council of the City of Terrell, Texas, hereby declares it would have enacted such remaining portion, despite such invalidity.

ARTICLE III.

All ordinance or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

ARTICLE IV.

This ordinance will take effect immediately from and after its passage the publication of the caption as the law in such cases provides.

PASSED AND APPROVED THIS 5th day of August, 1997.

PASSED AND ADOPTED THIS 19th day of August, 1997.

DON L. LINDSEY, MAYOR

ATTEST:

JOHN ROUNSAVALL, CITY SECRETARY

APPROVED AS TO FORM:

MARY GAYLE RAMSEY, CITY ATTORNEY