

RESOLUTION NUMBER _____

RESOLUTION NUMBER _____ OF THE CITY OF CARROLLTON, TEXAS ACKNOWLEDGING A PETITION TO ANNEX APPROXIMATELY 11.885 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF PARKER ROAD (FM544), 1,100 FEET EAST OF PLANO PARKWAY; DIRECTING THE DEVELOPMENT OF A SERVICE PLAN FOR THE PROPOSED ANNEXATION; SETTING DATES FOR THE REQUIRED PUBLIC HEARINGS; DIRECTING THE PUBLICATION OF SUCH PUBLIC HEARINGS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has been petitioned by the owners of property of approximately 11.885-acres of land located on the south side of Parker Road (FM 544), 1,100 feet east of Plano Parkway;

WHEREAS, the City is authorized, pursuant to the Texas Local Government Code, Chapter 43, to annex an area located in its extraterritorial jurisdiction;

WHEREAS, the Charter of the City of Carrollton, authorizes the annexation of property adjoining the City of Carrollton by written petition by a majority of landowners to the City Council,

WHEREAS, on July 26, 2016, the City Council accepted the petition for an annexation.

WHEREAS, pursuant to the Texas Local Government Code, section 43.065, the City Council shall direct the planning department, or other appropriate municipal department to prepare a service plan that provides for the extension of full municipal services to the area to be annexed; and

WHEREAS, pursuant to Texas Local Government Code, two public hearings must be conducted to allow persons interested in the annexation an opportunity to be heard, and must be conducted on or before the 40th day but before the 20th day before the date of the institution of the proceedings.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

Section 1.

The owners of two tracts of approximately 11.885-acres, located on the south side of Parker Road (FM 544), 1,100 feet east of Plano Parkway, as described in Exhibit A and shown in Exhibit B ("Property") which are attached hereto and incorporated herein, have submitted an affidavit, attached as Exhibit C, petitioning the City of Carrollton to annex the Property and in accordance with the City Charter and Texas state laws, this Council will provide an opportunity to all interested persons to be heard regarding the annexation of the Property.

Section 2.

The Planning Department shall prepare a service plan providing for the extension of full municipal services to the Property.

Section 3.

The public annexation hearings shall be held on November 1st and November 15th, 2016 in City Council Chambers of City Hall.

Section 4.

The City Manager or his designee is directed to cause notice of such public hearings to be published once in a newspaper having general circulation in the city and in the above described territory and to post notice on the City's Internet website not more than twenty days nor less than ten days prior to the date of such public hearing, in accordance with the Municipal Annexation Act.

Section 5.

The City Manager is authorized to take those steps reasonable and necessary to comply with the intent of this resolution.

Section 6.

This resolution shall become and be effective on and after its adoption.

PASSED AND APPROVED this the Eighteenth day of October, 2016.

CITY OF CARROLLTON

By: _____
Matthew Marchant, Mayor

ATTEST:

Laurie Garber
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Susan Keller
Assistant City Attorney

Loren Shapiro
Chief Planner

EXHIBIT A
LEGAL DESCRIPTION

BEING a 517,732 square foot (11.885 acres) tract of land situated in the S.B. Evans Survey, Abstract No. 397, Denton County, Texas, and being all part of a called 14.318 acre tract of land described in a deed to Segar-A, INC. recorded in Volume 1794 Page 729, Official Public Records of Denton County, Texas (OPRDCT) and also being part of a called 8.488 acre tract of land described in a deed to ULAMIR INC. recorded in Volume 1794, Page 780, (OPRDCT), and being more particularly described as follows (Bearings are based on State Plane Coordinates using City of Carrollton Monuments COC-8 and COC-12):

BEGINNING at a point in the south right-of-way line of Parker Road (a variable width right-of-way) at the northeast corner of said 8.488 acre tract common to the northwest corner of a called 2.627 acre tract of land described in a deed to Jimmie Lee Fox recorded in Volume 1018, Page 515 (DRDCT), from which a 1/2" iron rod found for reference, bears South 03°55'15" West, a distance of 0.56 feet;

THENCE South 00°38'30" East, continuing along the common line of said tracts passing the southwest corner of said Fox tract common to the northwest corner of a called 2.363 acre tract described in an earlier deed to Jimmie Lee Fox recorded in Volume 874 Page 807, (DRDCT), and continuing with the common line of last mentioned Fox tract and said 8.488 acre tract, a distance of 940.18 feet to a 1/2" iron rod found for corner at the common south corner thereof;

THENCE South 89°21'07" West, crossing said 8.488 acre tract and said 14.318 acre tract, respectively, a total distance of 560.44 feet, to point for corner in the west line of said 14.378 acre tract, from which a 1/2" iron rod found for reference at the southeast corner of Lot 2, Block A, of Parker Road Self Storage recorded in Cabinet X, Page 853, Plat Records of Denton County, Texas, (PRDCT), bears South 00°02'18" West, a distance of 0.18 feet;

THENCE North 00°02'18" East, along the common line of said 14.318 acre tract, and Lots 2 and 1 of said addition, respectively, for a total distance of 860.47 feet to a 5/8" with a yellow cap stamped RPLS 3963 set for corner;

THENCE North 89°22'31" East, a distance of 50.00 feet to a 5/8" with a yellow cap stamped RPLS 3963 set for corner;

THENCE North 00°02'18" East, along distance of 80.00 feet to a 5/8" with a yellow cap stamped RPLS 3963 set for corner in the south right-of-way of said Parker Road;

THENCE North 89°22'31" East, along the south right-of-way line of said Parker Road and the north lines of said 14.318 and 8.488 acre tracts, respectively, a distance of 499.28 feet to the PLACE OF BEGINNING and Containing 517,732 square feet or 11.885 acres of land.

EXHIBIT C

To the Mayor and City Council of the Governing Body of Carrollton, Texas (the "City"):

The undersigned owner(s) of the land described within Exhibit A and specifically depicted in Exhibit B attached hereto and incorporated herein (the "Property") acknowledges and agrees to the application and petition submitted to the City by TDI GP, LLC, or its successors or assigns, to annex the Property into the City.

The undersigned further restates that it desires to be annexed into the City and declines the City's offer of a Development Agreement.

CROW-BILLINGSLEY MANDERIAN, LTD., a Texas limited partnership

By: CB Manderian, L.L.C., a Texas limited liability company, its general partner

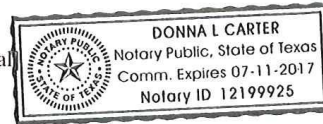
By: [Signature]
Name: Kenneth D. Mabry, Manager
Tract: 3B
Date: October 4, 2016

Subscribed and sworn to before me, this 4th day of October, 2016.

[Signature]

Notary Public in and for the State of Texas

[Notary Seal]



[Signatures continue on following pages]

Resolution No. _____

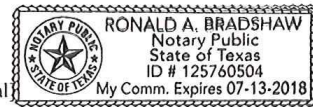
EXHIBIT C

By: Charles Jordan, Trustee
Name: Charles Jordan, Trustee of The George Harlan Billingsley Trust II
Tract: 3A, 3B
Date: October 4, 2016

Subscribed and sworn to before me, this 4th day of October, 2016.

R. A. Bradshaw
Notary Public in and for the State of Texas

[Notary Seal]



[Signatures continue on following page]

EXHIBIT C

GHB LAND, LTD., a Texas limited partnership

By: Billingsley 380 North GP, L.L.C., a Texas limited liability company, its general partner

By: *[Signature]*
Name: Kenneth S. Mabry, Manager
Tract: 3A, 3B
Date: October 4, 2016

Subscribed and sworn to before me, this 4th day of October, 2016.

[Signature]
Notary Public in and for the State of Texas

