

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS ANNEXING APPROXIMATELY 2.719 ACRES LOCATED WITHIN THE ENTIRE RIGHT-OF-WAY OF WEST PLANO PARKWAY WEST OF THE INTERSECTION OF CHARLES STREET AND WEST PLANO PARKWAY, IN THE ABIAH DYER SURVEY, ABSTRACT NO. 360 AND THE JOHN SMITH SURVEY, ABSTRACT NO. 1226, DENTON COUNTY, TEXAS, TO AND INCLUDING THE INTERSECTION OF WARMINGTON DRIVE AND WEST PLANO PARKWAY, EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE THE HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS; ADOPTING A SERVICE PLAN PROVIDING FOR THE EXTENSION OF MUNICIPAL SERVICES TO THE AREA SO ANNEXED; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE ON AND AFTER ADOPTION AND PUBLICATION.

WHEREAS, the following described tract of land is adjoining the present city limits of the City of Carrollton (“City”), and the City Council of the City desires to annex and make the same a part of the City;

WHEREAS, the City maintains West Plano Parkway from the west city limits to Warmington Drive;

WHEREAS, the City is authorized, pursuant to the Texas Local Government Code, Chapters 42 and 43, to annex an area located in its extraterritorial jurisdiction;

WHEREAS, the City is authorized, pursuant to the Texas Local Government Code, Section 43.1055, to annex a road or the right-of-way of a road on request of the political subdivision that maintains the road or right-of-way;

WHEREAS, the City maintains the right-of-way herein described;

WHEREAS, the charter of the City authorizes the annexation of territory subject to the laws of the state;

WHEREAS, a service plan has been developed and presented for said territory;

WHEREAS, the City Council conducted public hearings on the Second day of April 2024, and Twenty-first day of May 2024, at which all persons were given an opportunity to present testimony;

WHEREAS, the procedures prescribed by the charter and the state laws have been duly followed with respect to the said tract; and

WHEREAS, the members of the City Council have concluded that said area should be made a part of the City;

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

Section 1.

The territory described and generally depicted in Exhibit A, attached hereto and incorporated herein, is hereby annexed to the City of Carrollton, Texas, and the boundary limits of the City of Carrollton be and the same are hereby extended to include above described territory within the city limits, and the same shall hereafter be included within the territorial limits of said city, and the inhabitants and owners of property hereafter shall be entitled to all rights and privileges of other citizens of the city and shall be bound by all acts, ordinances, resolutions and regulations of the city.

Section 2.

The service plan considered in connection with this annexation and attached hereto as Exhibit B is hereby approved and adopted.

Section 3.

It is the intention of the City of Carrollton to annex territory legally subject to being annexed by the City and should any portion of the above-described territory not be subject to legal annexation by the City, such fact will not prevent the annexation of the territory subject to legal annexation by the City.

Section 4.

The City Secretary is hereby directed to file with the County Clerk of Denton County, Texas, a certified copy of this ordinance.

Section 5.

The provisions of this ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

Section 6.

This ordinance shall be effective from and after its adoption and publication.

PASSED AND APPROVED this the Twenty-First day of May 2024.

CITY OF CARROLLTON

By: _____
Steve Babick, Mayor

ATTEST:

Chloe Sawatzky
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Albert Thomas
Assistant City Attorney

Michael McCauley
Senior Planner

EXHIBIT "A"
WEST PLANO PARKWAY ANNEXATION
CITY OF CARROLLTON, DENTON COUNTY, TEXAS

BEING 2.719 acres (118,430 square foot) of land, situated in the Abiah Dyer Survey, Abstract No. 360 and the John Smith Survey, Abstract No. 1226, Denton County, Texas and being a portion of West Plano Parkway (Farm to Market No. 544) (variable width right-of-way) (no deed of record found), said 2.719 acre (118,430 square foot) tract of land being more particularly described by metes and bounds as follows:

COMMENCING at the northeast corner of Lot 1, Block A of the Charles Addition, an addition to the City of Carrollton, according to the plat thereof, recorded in Cabinet T, Page 415 of the Plat Records of Denton County, Texas (P.R.D.C.T.), and being the northeast corner of a called 3.876 acre City Limit Parcel described in City of Carrollton Ordinance No. 1465 (Tract 1), as recorded in Volume 2364, Page 438 of the Deed Records of Denton County, Texas (D.R.D.C.T.), same being the southeast corner of Lot 14, Block A of the Warmington Meadows, an addition to the City of Carrollton, according to the plat thereof, recorded in Cabinet X, Page 646, P.R.D.C.T.;

THENCE South 00 degrees 04 minutes 34 seconds West, along the east line of said Lot 1, Block A, and the west right-of-way (R.O.W.) line of said Charles Street, over and across said Ordinance No. 1465 (Tract 1), a distance of 350.20 feet to an inner Ell corner of said Lot 1, Block A;

THENCE South 89 degrees 26 minutes 39 seconds West, continuing over and across said Ordinance No. 1465 (Tract 1), along the south line said Lot 1, Block A and the north R.O.W. line of said Charles Street, a distance of 6.90 feet to a 1/2-inch illegible capped iron rod found for an inner Ell corner of said Lot 1, Block A at the north end of a corner clip at the northwest intersection of the west R.O.W. line of said Charles Street and the north R.O.W. line of said West Plano Parkway;

THENCE South 53 degrees 27 minutes 08 seconds West, along the south line of said Lot 1, Block A and the north R.O.W. line of said Charles Street, a distance of 36.83 feet to the south corner of said Lot 1, Block A, at the south end of said corner clip;

THENCE South 28 degrees 36 minutes 42 seconds West, departing the south line of said Lot 1, Block A, over and across said West Plano Parkway, a distance of 33.47 feet to the **POINT OF BEGINNING**, same being in the south line of said Ordinance No. 1465 (Tract 1);

THENCE South 28 degrees 36 minutes 42 seconds West, departing the south line of said Ordinance No. 1465 (Tract 1), continuing over and across said West Plano Parkway, a distance of 111.38 feet to the north line of a called 72.29 acre City Limit Parcel described in City of Carrollton Ordinance No. 975 (Tract No. 6), as recorded in Volume 1130, Page 377, D.R.D.C.T., approved January 5, 1982, and being in a non-tangent curve to the left;

THENCE along the north line of said Ordinance No. 975 (Tract No. 6), said non-tangent curve to the left, over and across said West Plano Parkway, having a central angle of 24 degrees 26 minutes 08 seconds, a radius of 533.58 feet, an arc length of 227.56 feet, and a chord bearing and distance of North 48 degrees 47 minutes 36 seconds West, 225.84 feet;

THENCE North 61 degrees 00 minutes 39 seconds West, continuing along the north line of said Ordinance No. 975 (Tract No. 6), over and across said West Plano Parkway, a distance of 698.99 feet to the north corner of said Ordinance No. 975 (Tract No. 6), same being the southeast corner of a called 0.5504 acre City Limit Parcel described in said City of Carrollton Ordinance No. 1465 (Tract 2), as recorded in Volume 2364, Page 438, D.R.D.C.T., approved April 5, 1988;

THENCE North 60 degrees 34 minutes 50 seconds West, continuing over and across said West Plano Parkway and along the north line of said Ordinance No. 1465 (Tract 2), a distance of 285.40 feet to the

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WEST PLANO PARKWAY ANNEXATION
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north corner of said Ordinance No. 1465 (Tract 2), same being in the east line of a called 92.442 acre City Limit Parcel as described in City of Carrollton Ordinance No. 1007, as recorded in Volume 1167, Page 302, D.R.D.C.T., adopted August 24, 1982;

THENCE North 29 degrees 36 minutes 53 seconds East, along the east line of said Ordinance No. 1007, over and across said West Plano Parkway, a distance of 97.60 feet to the north line of said West Plano Parkway and the south line of a called 33.496 acre tract of land described in a Special Warranty Deed to Lewisville I.S.D., as recorded in Volume 5315, Page 906, D.R.D.C.T.;

THENCE South 60 degrees 38 minutes 58 seconds East, along the north line of said West Plano Parkway and the south line of said Ordinance No. 1007, passing at a distance of 39.53 feet the southeast corner of said 33.496 acre tract, same being the northwest intersection of the west line of Warmington Drive (variable width R.O.W.) and the north line of said West Plano Parkway, continuing for a total distance of 429.78 feet;

THENCE South 61 degrees 02 minutes 05 seconds East, continuing along the north line of said West Plano Parkway and the south line of said Ordinance No. 1007, passing at a distance of 24.10 feet an angle point of said Ordinance No. 1007, same being the west corner of said Ordinance No. 1465 (Tract 1) and Lot 2, Block A of said Charles Addition, continuing for a total distance of 573.77 feet to the beginning of a non-tangent curve to the right;

THENCE along the north line of said West Plano Parkway, the south line of said Ordinance No. 1465 (Tract 1), and said non-tangent curve to the right, having a central angle of 19 degrees 00 minutes 15 seconds, a radius of 613.58 feet, an arc length of 203.51 feet, and a chord bearing and distance of South 51 degrees 26 minutes 24 seconds East, 202.58 feet to the **POINT OF BEGINNING**, containing within the metes recited an area of 2.719 acres (118,430 square feet) of land, more or less.

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Exhibit drawing of same survey date herewith accompanies this field note description.

Bearings are based on True Geodetic North, obtained by observations with a global positioning system, and referenced to the Texas State Plane Coordinate System, North Central Zone, NAD 83 coordinates. Distances and area shown hereon are surface utilizing a combined scale factor of 1.00015063.

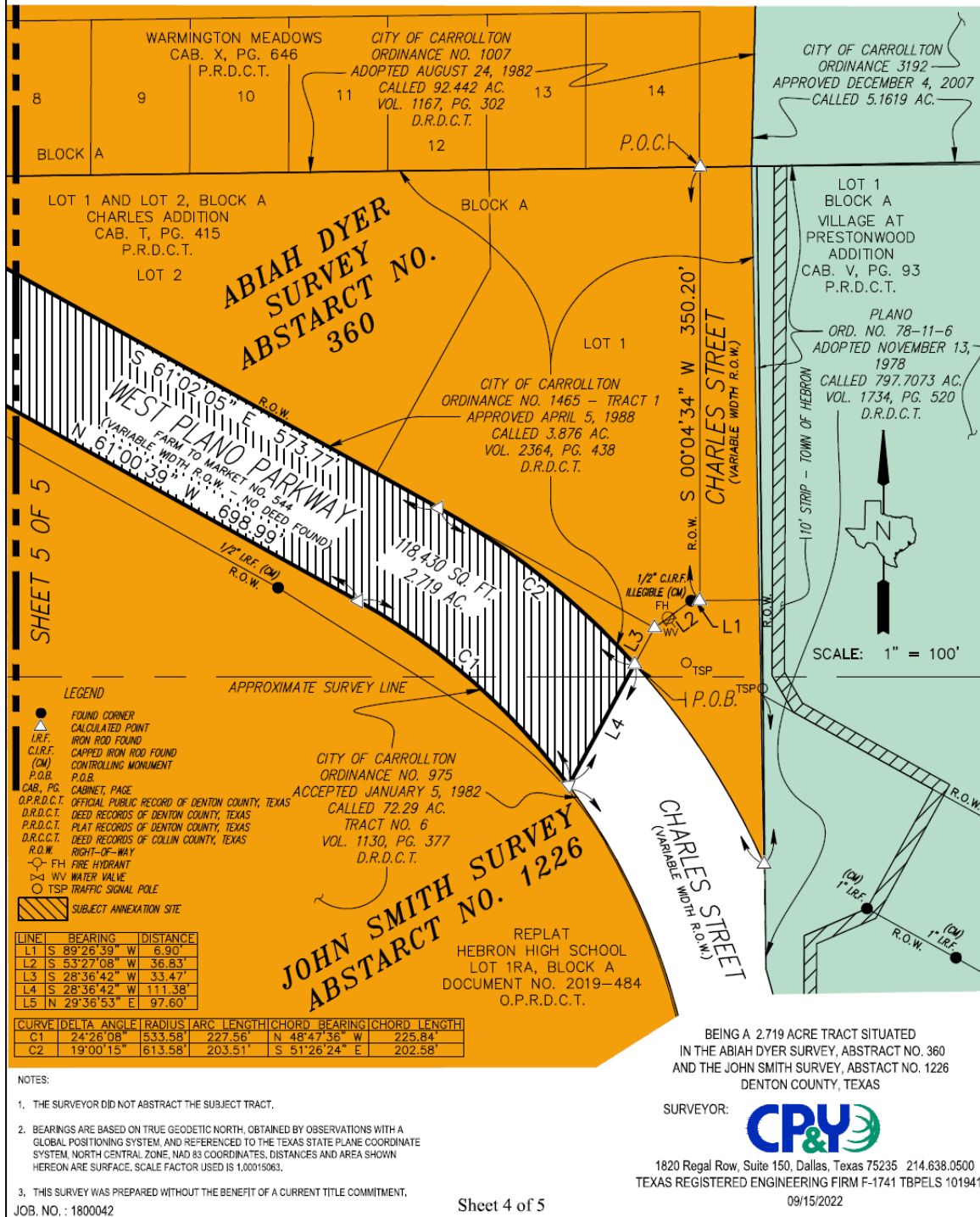
I, Stephen J. Dial, a Registered Professional Land Surveyor in the State of Texas, hereby certify that this description and the exhibit attached hereto were prepared from an actual survey of the property performed on the ground and that the same is true and correct.



Stephen J. Dial
Registered Professional Land Surveyor No. 6697
Date: September 15, 2022
CP&Y, Inc.
1820 Regal Row, Suite 150
TBPELS No. 10194115



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WEST PLANO PARKWAY ANNEXATION
CITY OF CARROLLTON, DENTON COUNTY, TEXAS



Sheet 4 of 5

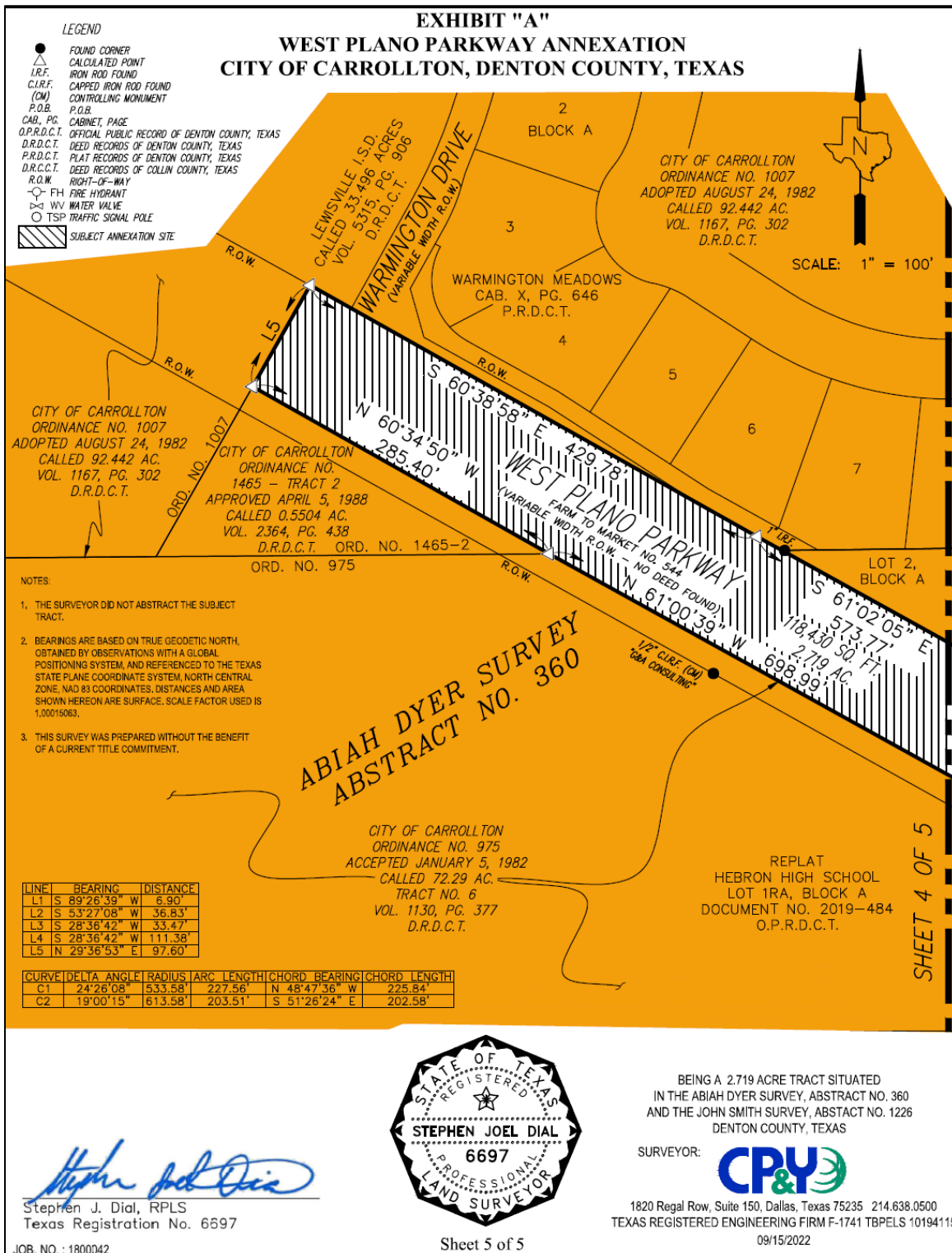


EXHIBIT B
MUNICIPAL SERVICE PLAN

TERRITORY

This Service Plan is applicable to the territory (right-of-way) which is described in Exhibit A and generally depicted in Exhibit B attached to this document, which is being annexed by the City of Carrollton, Texas.

POLICE

The City of Carrollton Police Department will provide protection and service to the area. It is anticipated that the implementation of police protection and service can be effectively accommodated within the current budget and staff appropriation.

FIRE

The City of Carrollton Fire Department will provide protection and service to the area. It is anticipated that the implementation of fire protection and service can be effectively accommodated within the current budget and staff appropriation.

EMERGENCY MEDICAL SERVICES (EMS)

The City of Carrollton will provide EMS to the area. It is anticipated that the implementation of EMS can be effectively accommodated within the current budget and staff appropriation.

SOLID WASTE COLLECTION, WATER AND WASTEWATER SERVICE

N/A

STREET MAINTENANCE

The operation and maintenance of the street, street lighting, street marking and other traffic control devices will be in accordance with other practices in all other areas of the city.

MISCELLANEOUS

The operation and maintenance of roads, streets, road and street lighting will be in accordance with practices in all other areas of the city.