

ORDINANCE NO. 2016-3

AN ORDINANCE OF THE TOWN OF HEBRON, TEXAS, DISANNEXING THE HEREAFTER DESCRIBED TRACT OF LAND FROM THE CORPORATE LIMITS OF THE TOWN OF HEBRON; PROVIDING THAT THE TOWN OF HEBRON RELINQUISHES ANY AND ALL EXTRATERRITORIAL JURISDICTION OVER SAID TRACT IN FAVOR OF THE CITY OF CARROLLTON, TEXAS; PROVIDING THAT THE TOWN COMMISSION OF THE TOWN OF HEBRON SHALL TRANSMIT A CERTIFIED COPY OF THIS ORDINANCE AFTER ITS PASSAGE TO THE CITY SECRETARY OF THE CITY OF CARROLLTON; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is the desire of the Town of Hebron to disannex the following described tract of land from its corporate limits and to relinquish any and all extraterritorial jurisdiction in and to said tract in favor of the City of Carrollton, Texas;

NOW, THEREFORE,

BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF HEBRON, TEXAS:

SECTION 1. That the following described tract of land is disannexed and discontinued as a part of the corporate limits of the Town of Hebron so that the same will no longer be a part of the Town of Hebron for any purpose whatsoever, said tract of land being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. The Town of Hebron hereby relinquishes any and all extraterritorial jurisdiction that it has or may have with respect to such tract of land under the provisions of Chapter 42 of the Texas Local Government Code in favor of the City of Carrollton, and, upon passage of this ordinance, the Town of Hebron shall no longer have or exercise any right, jurisdiction or control over the above-described tract of land.

SECTION 3. The above described tract of land is being disannexed from the corporate limits of the Town of Hebron and excluded from its extraterritorial jurisdiction solely so that it may be included into the extraterritorial jurisdiction of the City of Carrollton, Texas, and should any other town or city annex or attempt to annex or include within its extraterritorial jurisdiction any part of said tract, this disannexation and waiver of extraterritorial jurisdiction shall be null and void and of no further force or effect.

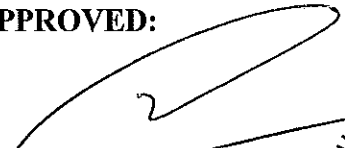
SECTION 4. Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION 5. Upon final passage of this ordinance, the Town Commission shall arrange to have a certified copy of this ordinance transmitted to the City Secretary of the City of Carrollton.

SECTION 6. The Town Commission finds that the best interest and welfare of the general public of the Town of Hebron will be served by disannexing the said tract of land from its corporate limits, and excluding said tract of land from its extraterritorial jurisdiction so that the same may be included into the extraterritorial jurisdiction of the City of Carrollton and that this ordinance should take effect immediately from and after its passage as the law in such cases provides, and it is accordingly so ordained.

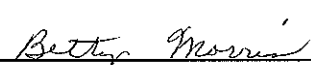
DULY PASSED by the Town Commission of the Town of Hebron, Texas, on the 1st day of August 2016.

APPROVED:

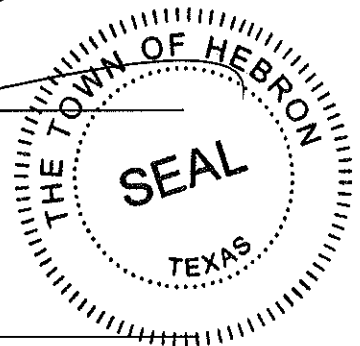


MAYOR

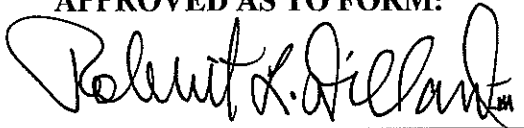
ATTEST:



TOWN SECRETARY



APPROVED AS TO FORM:



TOWN ATTORNEY

(RLD/6-29-16)(77617)

EXHIBIT A LEGAL DESCRIPTION

Page 1 of 2

TRACT 1

LEGAL DESCRIPTION:

BEING a 0.852 acre tract of land situated in the Samuel H. Brown Survey, Abstract No. 111, Denton County, Texas, and being all of a called 0.851 acre ("Tract 2") of land in the Town of Hebron, conveyed by a Special Warranty Deed with Vendor's Lien to KELSPAR, LLC, recorded as Document No. 2013-77373, in the Deed Records of Denton County, Texas (DRDCT), 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 5/8" iron rod with a cap stamped, "SURVCON" found for corner at the intersection of the northeast right-of-way line of Dozier Road (80' right-of-way) with the south right-of-way line of Parker Road (variable width right-of-way) and being the southwest corner of a right-of-way dedication for Parker Road, as described in a Affidavit recorded in Volume 4927, Page 1469 (DRDCT), and the northwest corner of said 0.851 acre tract;

THENCE along the south right-of-way line of said Parker Road and the north line of said 0.851 acre tract as follows:

North 89°15'46" East, a distance of 351.50 feet to a 5/8" iron rod with a cap stamped, "SURVCON" found for corner at an interior "ell" corner of said 0.851 acre tract;

North 00°40'24" West, a distance of 4.45 feet to a point for corner at an exterior "ell" corner of said 0.851 acre tract, from which a 5/8" iron rod with a cap stamped, "SURVCON," found for reference bears North 41°47'31" West, a distance of 0.17 feet, said point for corner being in a non-tangent curve to the left, having a radius of 1,110.00 feet and a chord which bears North 79°06'51" East, a distance of 391.70 feet;

Along said curve to the left, through a central angle of 20°19'30", an arc distance of 393.76 feet to a 5/8" iron rod with a cap stamped, "SURVCON," found for the end of said curve to the left and the beginning of a reverse curve to the right, having a radius of 990.00 feet and a chord which bears North 70°50'32" East, a distance of 65.33 feet;

Along said curve to the right, through a central angle of 03°46'54", an arc distance of 65.34 feet to a 1/2" iron rod found for the end of said curve;

North 80°52'26" East, a distance of 158.53 feet to a 5/8" iron rod with a cap stamped, "SURVCON," found for corner at the northeast corner of said 0.851 acre tract and being an interior "ell" corner of said Parker Road right-of-way dedication;

Page 2 of 2

THENCE South 00°45'16" East along the east line of said 0.851 acre tract and a west line of said Parker Road right-of-way dedication, a distance of 122.39 feet to a 5/8" iron rod with a cap stamped, "SURVCON," found for the southeast corner of said 0.851 acre tract and being in the north line of a 9.725 acre ("Tract 1") conveyed by a Special Warranty Deed With Vendor's Lien to KELSPAR, LLC, recorded as Document No. 2013-77373, in the Deed Records of Denton

County, Texas (DRDCT), same being an exterior "ell" corner of said Parker Road right-of-way dedication;

THENCE South 89°16'11" West along the common line of said 9.725 acre and 0.851 acre tracts, a distance of 952.16 feet to a 5/8" iron rod with a cap stamped, "SURVCON," found for corner at the common west corner thereof and being in a curve to the left, having a radius of 421.97 feet and a chord which bears North 37°33'18" West, a distance of 6.29 feet;

THENCE along said curve to the left, through a central angle of 00°51'13", an arc distance of 6.29 feet to the PLACE OF BEGINNING and Containing 0.852 acres, or 37,116 square feet, of land.

TRACT 2

LEGAL DESCRIPTION:

BEING a 15,925 square foot (0.366 acre) tract of land situated in the A. Dyer Survey, Abstract No. 360, Town of Hebron, Denton County, Texas, and being part of a called 3.820 acre tract of land conveyed to Peruna Acquisition, LLC, recorded as Document No. 2011-116441 of the Official Public Records, Denton County, Texas (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 1/2" iron rod found for corner at the northwest corner of said 3.820 acre tract and being the southwest corner of a called 4.8636 acre tract of land conveyed to WJ Family, LP, recorded as Document No. 2010-3352 (OPRDCT), and being in the northeast right-of-way line of Dozier Road (80' right-of-way) and being near the center of Culpepper Road (a partially asphalted surface);

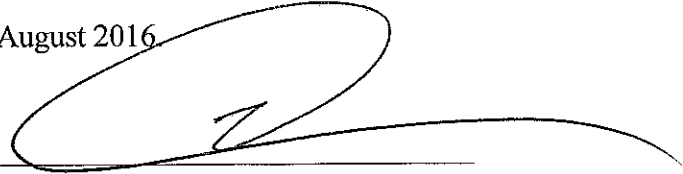
THENCE North 89°36'13" East near the center of said Culpepper Road and along the common line of last mentioned tracts, a distance of 457.92 feet to a 1/2" iron rod found for corner at the common east corner thereof and being in the northwest right-of-way line of Burlington Northern & Santa Fe (BNSF) Railway right-of-way (100' right-of-way), said point also being in a non-tangent curve to the right, having a radius of 5,679.58 feet and a chord which bears South 10°30'03" West, a distance of 36.15 feet;

THENCE along said curve to the right and said BNSF Railway right-of-way, through a central angle of 00°21'53", an arc distance of 36.15 feet to a point for corner at the end of said curve; THENCE South 89°36'13" West, along a line that is 35.50 feet south of and parallel to the north line of said 3.820 acre tract, a distance of 439.60 feet to a point for corner in the east right-of-way line of said Dozier Road, said point being in a non-tangent curve to the left, having a radius of 613.00 feet and a chord which bears North 18°19'20" West, a distance of 37.31 feet; THENCE along said curve to the left and said Dozier Road, through a central angle of 03°29'17", an arc distance of 37.32 feet to the PLACE OF BEGINNING and Containing 15,925 square feet, or 0.366 acres, of land.

ORDER

The above and foregoing disannexation ordinance 2016-3 having been passed by the Town Commission of the Town of Hebron, Texas, on the 1st day of August 2016, it is my order that the territory described in Exhibit "A" attached to said ordinance be, and the same is hereby, ordered discontinued from the town limits of the Town of Hebron as of the date of the entry of this order.

SIGNED AND ORDER ENTERED this 1st day of August 2016

A large, stylized handwritten signature in black ink, consisting of a large loop and a long horizontal stroke.

Mayor
Town of Hebron, Texas

STATE OF TEXAS

§
§
§
§
§
§

CERTIFIED COPY

COUNTY OF DENTON

I, the undersigned, hereby certify that the attached ordinance is a true, complete and correct copy of Ordinance No. 2016-3 of the Town of Hebron, Texas, as the same appears in the records of my office, and that said records are kept and maintained as official records of the Town of Hebron, Texas, a Texas political subdivision, and are kept in the offices of the Town in its regular course of business.

I further certify that I am the Town Secretary of the Town of Hebron, Texas, that I am the custodian of the records of the Town, and that I have lawful possession and custody of its files and records.

In witness whereof, I have hereunto set my hand this 1st day of August 2016.

Betty Morris
Betty Morris, Town Secretary

