

City of Carrollton

RESOLUTION NUMBER \_\_\_\_\_

RESOLUTION NUMBER \_\_\_\_\_ OF THE CITY OF CARROLLTON, TEXAS  
ACKNOWLEDGING A PETITION TO ANNEX APPROXIMATELY 140.244  
ACRES GENERALLY LOCATED NEAR THE NORTHWEST INTERSECTION  
OF PARKER ROAD (FM 544) AND JOSEY LANE; 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 owner of approximately 140.244 acres of land located generally near the northwest intersection of Parker Road (FM 544) and Josey Lane;

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, 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 owner of approximately 140.244 acres of land located on the northwest corner of Parker Road (FM 544) and Josey Lane, 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 1<sup>st</sup> and November 15<sup>th</sup> 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**

Resolution No. \_\_\_\_\_

CARROLLTON ANNEXATION  
140.244 ACRES  
T. WEST SURVEY, A-1345  
A. SINGLETON SURVEY, A-1138  
B. SCHOONOVER SURVEY, A-1209  
DENTON COUNTY, TEXAS

FIELD NOTES TO ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE T. WEST SURVEY, ABSTRACT NO. 1345, THE A. SINGLETON SURVEY, ABSTRACT NO. 1138 AND THE B. SCHOONOVER SURVEY, ABSTRACT NO. 1209, DENTON COUNTY, TEXAS, BEING A PART OF THAT CERTAIN CALLED 51.64 ACRE TRACT OF LAND DESCRIBED S TRACT TWO IN DEED TO CLEMS YE OLDE HOMESTEAD FARMS, RECORDED IN DOCUMENT #2009-147772, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS, ALL OF THAT CERTAIN CALLED 31 ACRE TRACT OF LAND DESCRIBED AS TRACT ONE IN SAID DOCUMENT #2009-147772 AND PART OF THAT CERTAIN CALLED 166 ACRE TRACT OF LAND DESCRIBED IN DEED TO GLADYS MAY CRIDER, RECORDED IN VOLUME 195, PAGE 364, DEED RECORDS, DENTON COUNTY, 1/2 INTEREST CONVEYED TO KELLY CLEM AND CASEY CLEM BY DEED RECORDED IN VOLUME 2494, PAGE 687, DEED RECORDS, DENTON COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST EASTERLY NORTHEAST CORNER OF THE TRACT BEING DESCRIBED HEREIN AT A POINT 5 FEET WEST OF THE WEST RIGHT-OF-WAY LINE OF JOSEY LANE AND 5 FEET SOUTH OF THE SOUTH LINE OF THAT CERTAIN CALLED 19.413 ACRE TRACT OF LAND DESCRIBED IN DEED TO CADG LAKEWOOD HILLS SOUTH, LLC, RECORDED IN DOCUMENT #2014-129454, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS, FROM WHICH THE SOUTHEAST CORNER THEREOF BEARS NORTH 27 DEGREES 28 MINUTES 26 SECONDS EAST, A DISTANCE OF 6.23 FEET;

THENCE SOUTH 25 DEGREES 56 MINUTES 50 SECONDS EAST, PARALLEL WITH SAID RIGHT-OF-WAY LINE, A DISTANCE OF 53.29 FEET TO A POINT FOR CORNER;

THENCE SOUTH 44 DEGREES 23 MINUTES 30 SECONDS EAST, PARALLEL WITH SAID RIGHT-OF-WAY LINE, A DISTANCE OF 194.15 FEET TO A POINT FOR CORNER;

THENCE SOUTH 01 DEGREES 51 MINUTES 21 SECONDS EAST, PARALLEL WITH SAID RIGHT-OF-WAY LINE, A DISTANCE OF 987.78 FEET MORE OR LESS TO A POINT FOR CORNER IN THE SOUTH RIGHT-OF-WAY LINE OF F.M. 544 AND THE NORTH LINE OF THE CITY OF CARROLLTON CITY LIMITS;

THENCE SOUTH 89 DEGREES 38 MINUTES 18 SECONDS WEST, WITH SAID RIGHT-OF-WAY LINE AND SAID CITY LIMITS, A DISTANCE OF 145.73 FEET TO A POINT FOR CORNER;

THENCE SOUTH 89 DEGREES 06 MINUTES 26 SECONDS WEST, CONTINUING WITH SAID RIGHT-OF-WAY LINE AND SAID CITY LIMITS, A DISTANCE OF 106.25 FEET TO A POINT FOR CORNER;

THENCE SOUTH 89 DEGREES 06 MINUTES 15 SECONDS WEST, CONTINUING WITH SAID RIGHT-OF-WAY LINE AND SAID CITY LIMITS, A DISTANCE OF 703.31 FEET TO A POINT FOR CORNER;

THENCE NORTH 00 DEGREES 55 MINUTES 43 SECONDS WEST, A DISTANCE OF 319.67 FEET TO A POINT FOR CORNER;

THENCE NORTH 02 DEGREES 11 MINUTES 42 SECONDS EAST, A DISTANCE OF 473.52 FEET TO A POINT FOR CORNER;

THENCE NORTH 00 DEGREES 25 MINUTES 08 SECONDS EAST, A DISTANCE OF 269.57 FEET TO A POINT FOR CORNER 10 FEET SOUTH OF THE SOUTH LINE OF SAID LAKEWOOD HILLS TRACT;

THENCE SOUTH 80 DEGREES 53 MINUTES 43 SECONDS WEST, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 472.78 FEET TO A POINT FOR CORNER 10 WEST OF THE WEST LINE OF SAID LAKEWOOD HILLS TRACT, FROM WHICH THE SOUTHWEST CORNER OF SAID LAKEWOOD HILLS TRACT BEARS NORTH 39 DEGREES 57 MINUTES 50 SECONDS EAST, A DISTANCE OF 15.26 FEET;

THENCE NORTH 00 DEGREES 58 MINUTES 02 SECONDS WEST, PARALLEL WITH THE WEST LINE OF SAID LAKEWOOD HILLS TRACT, A DISTANCE OF 815.03 FEET TO A POINT FOR CORNER;

THENCE SOUTH 43 DEGREES 42 MINUTES 17 SECONDS WEST, A DISTANCE OF 146.86 FEET TO A POINT FOR CORNER;

THENCE SOUTH 72 DEGREES 39 MINUTES 27 SECONDS WEST, A DISTANCE OF 341.03 FEET TO A POINT FOR CORNER;

THENCE SOUTH 00 DEGREES 58 MINUTES 02 SECONDS EAST, A DISTANCE OF 465.46 FEET TO A POINT FOR CORNER;

THENCE SOUTH 74 DEGREES 24 MINUTES 19 SECONDS WEST, A DISTANCE OF 214.28 FEET TO A POINT FOR CORNER;

THENCE SOUTH 43 DEGREES 12 MINUTES 34 SECONDS WEST, A DISTANCE OF 196.86 FEET TO A POINT FOR CORNER;

THENCE SOUTH 55 DEGREES 15 MINUTES 22 SECONDS EAST, A DISTANCE OF 166.70 FEET TO A POINT FOR CORNER;

THENCE SOUTH 02 DEGREES 44 MINUTES 36 SECONDS EAST, A DISTANCE OF 286.95 FEET TO A POINT FOR CORNER;

THENCE SOUTH 85 DEGREES 20 MINUTES 01 SECONDS EAST, A DISTANCE OF 275.96 FEET TO A POINT FOR CORNER;

**NOTES:**

1. BEARING BASIS DERIVED FROM GPS OBSERVATIONS MADE ON THE GROUND, TEXAS NORTH CENTRAL NAD 83.
2. THIS DOCUMENT WAS PREPARED UNDER 22 TAC §663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTEREST IMPLIED OR ESTABLISHED BY THE CREATION OR RECREATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

CARROLLTON ANNEXATION  
**140.244 ACRES**  
**DENTON COUNTY, TEXAS**



301 W. BROADWAY ST.  
GAINESVILLE, TX 76240  
PH. 940-665-9105  
FAX. 940-665-9106

|                 |                     |                        |                     |                 |
|-----------------|---------------------|------------------------|---------------------|-----------------|
| DRAWN BY:<br>CJ | DATE:<br>09/21/2016 | JOB NO.<br>1512.0026-2 | SCALE:<br>1" = 500' | PAGE:<br>5 OF 6 |
|-----------------|---------------------|------------------------|---------------------|-----------------|

**EXHIBIT A  
LEGAL DESCRIPTION**

Resolution No. \_\_\_\_\_

THENCE SOUTH 02 DEGREES 15 MINUTES 52 SECONDS EAST, A DISTANCE OF 532.23 FEET TO A POINT FOR CORNER 5 FEET NORTH OF THE SOUTH RIGHT-OF-WAY LINE OF SAID F.M. 544;

THENCE SOUTH 89 DEGREES 00 MINUTES 02 SECONDS WEST, PARALLEL WITH SAID RIGHT-OF-WAY LINE, A DISTANCE OF 567.15 FEET TO A POINT FOR THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE PARALLEL WITH SAID RIGHT-OF-WAY LINE AND WITH SAID CURVE TO THE RIGHT, AN ARC LENGTH OF 221.78 FEET, A RADIUS OF 608.02 FEET, A CENTRAL ANGLE OF 20 DEGREES 53 MINUTES 55 SECONDS, AND A CHORD THAT BEARS NORTH 80 DEGREES 22 MINUTES 09 SECONDS WEST, A DISTANCE OF 220.55 FEET TO THE END OF SAID CURVE;

THENCE SOUTH 89 DEGREES 18 MINUTES 15 SECONDS WEST, A DISTANCE OF 57.44 FEET TO A POINT FOR CORNER IN THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF SAID F.M. 544;

THENCE NORTH 60 DEGREES 20 MINUTES 31 SECONDS WEST, WITH SAID RIGHT-OF-WAY LINE, A DISTANCE OF 974.06 FEET TO A POINT 5 FEET EAST OF THE EAST LINE OF THE AGREEMENT BETWEEN BRIGHT FARM PARTNERSHIP AND THE CITY OF LEWISVILLE, DATED APRIL 1, 1996 FOR THE SOUTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE NORTH 28 DEGREES 55 MINUTES 39 SECONDS EAST, PARALLEL WITH THE EAST LINE OF SAID AGREEMENT, A DISTANCE OF 120.71 FEET TO A POINT FOR CORNER;

THENCE NORTH 54 DEGREES 28 MINUTES 39 SECONDS EAST, PARALLEL WITH THE EAST LINE OF SAID AGREEMENT, A DISTANCE OF 247.50 FEET TO A POINT FOR CORNER;

THENCE NORTH 00 DEGREES 21 MINUTES 21 SECONDS WEST, PARALLEL WITH THE EAST LINE OF SAID AGREEMENT, A DISTANCE OF 2601.32 FEET TO A POINT FOR THE NORTHWEST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE NORTH 62 DEGREES 42 MINUTES 39 SECONDS EAST, PARALLEL WITH THE EAST LINE OF SAID AGREEMENT, A DISTANCE OF 101.88 FEET TO A POINT FOR CORNER;

THENCE SOUTH 10 DEGREES 41 MINUTES 18 SECONDS EAST, A DISTANCE OF 30.75 FEET TO A POINT FOR CORNER 5 FEET SOUTH OF THE NORTH LINE OF SAID TRACT ONE;

THENCE NORTH 89 DEGREES 23 MINUTES 57 SECONDS EAST, PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 1640.38 FEET TO A POINT 5 FEET WEST OF THE EAST LINE OF SAID TRACT ONE FOR THE NORTHEAST CORNER OF SAID TRACT HEREIN DESCRIBED;

THENCE SOUTH 00 DEGREES 58 MINUTES 02 SECONDS EAST, PARALLEL WITH SAID EAST LINE AND PARALLEL AND 5 FEET WEST OF THE EAST LINE OF SAID CLEM AND CRIDER TRACT, A DISTANCE OF 2391.92 FEET TO A POINT FOR CORNER 5 FEET SOUTH OF THE SOUTH LINE OF SAID LAKEWOOD HILLS TRACT;

THENCE NORTH 80 DEGREES 53 MINUTES 43 SECONDS EAST, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 1226.51 FEET TO THE POINT OF BEGINNING AND CONTAINING 140.244 ACRES OF LAND, MORE OR LESS.

**NOTES:**

1. BEARING BASIS DERIVED FROM GPS OBSERVATIONS MADE ON THE GROUND, TEXAS NORTH CENTRAL NAD 83.
2. THIS DOCUMENT WAS PREPARED UNDER 22 TAC §663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTEREST IMPLIED OR ESTABLISHED BY THE CREATION OR RECREATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

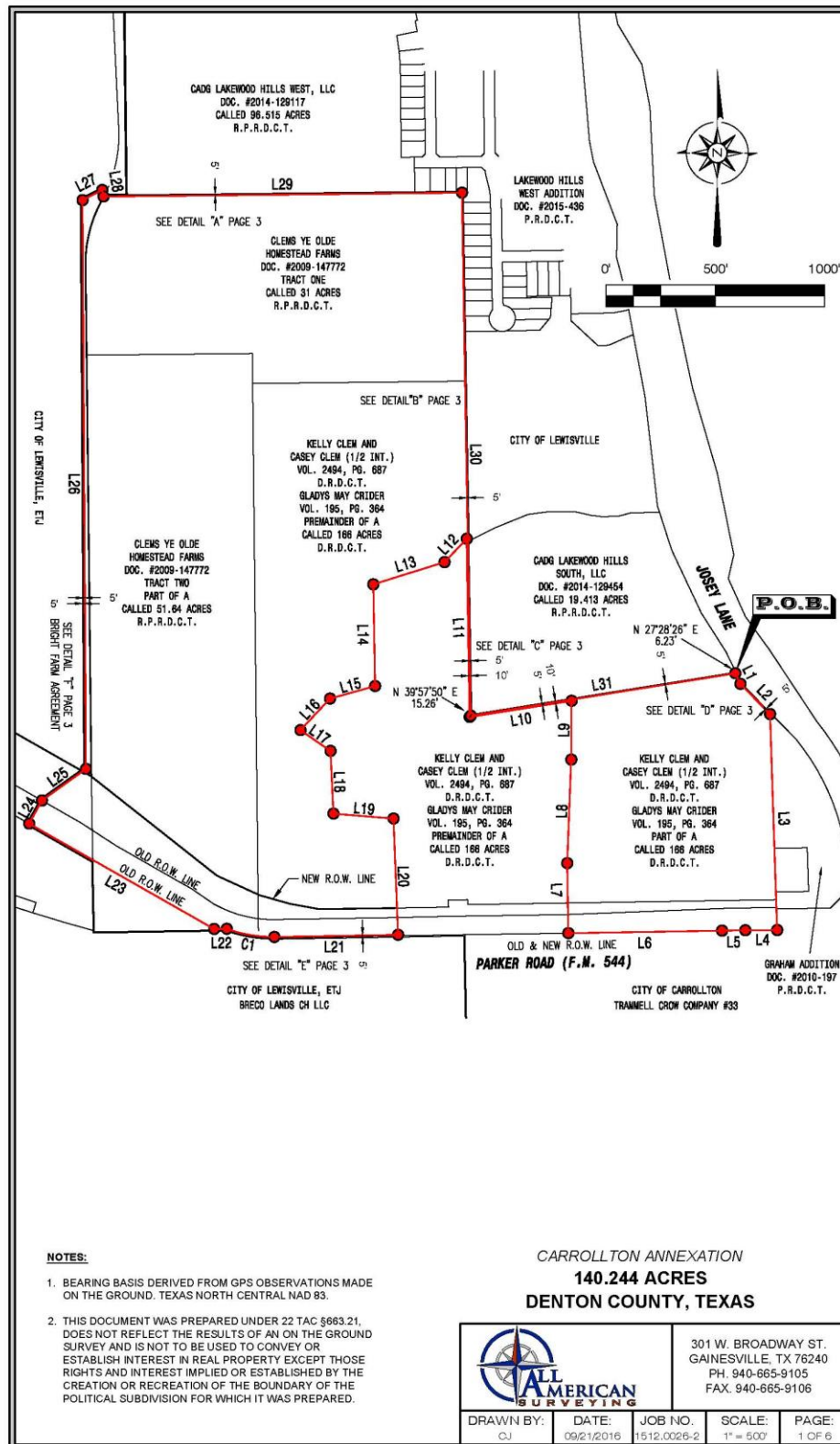
CARROLLTON ANNEXATION

**140.244 ACRES  
DENTON COUNTY, TEXAS**

|                                                                                      |                     |                                                                                       |                     |                 |
|--------------------------------------------------------------------------------------|---------------------|---------------------------------------------------------------------------------------|---------------------|-----------------|
|  |                     | 301 W. BROADWAY ST.<br>GAINESVILLE, TX 76240<br>PH. 940-665-9105<br>FAX. 940-665-9106 |                     |                 |
|                                                                                      |                     |                                                                                       |                     |                 |
| DRAWN BY:<br>CJ                                                                      | DATE:<br>09/21/2016 | JOB NO.<br>1512.0026-2                                                                | SCALE:<br>1" = 500' | PAGE:<br>6 OF 6 |

# EXHIBIT B LOCATION

Resolution No. \_\_\_\_\_



# EXHIBIT B LOCATION

Resolution No. \_\_\_\_\_

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| L1   | S 25°56'50" E | 53.29'   |
| L2   | S 44°23'30" E | 194.15'  |
| L3   | S 01°51'21" E | 987.78'  |
| L4   | S 89°38'18" W | 145.73'  |
| L5   | S 89°06'26" W | 106.25'  |
| L6   | S 89°06'15" W | 703.31'  |
| L7   | N 00°55'43" W | 319.67'  |
| L8   | N 02°11'42" E | 473.52'  |
| L9   | N 00°25'08" E | 269.57'  |
| L10  | S 80°53'43" W | 472.78'  |
| L11  | N 00°58'02" W | 815.03'  |
| L12  | S 43°42'17" W | 146.86'  |
| L13  | S 72°39'27" W | 341.03'  |
| L14  | S 00°58'02" E | 465.46'  |
| L15  | S 74°24'19" W | 214.28'  |
| L16  | S 43°12'34" W | 196.86'  |
| L17  | S 55°15'22" E | 166.70'  |
| L18  | S 02°44'36" E | 286.95'  |
| L19  | S 85°20'01" E | 275.96'  |
| L20  | S 02°15'52" E | 532.23'  |
| L21  | S 89°00'02" W | 567.15'  |
| L22  | S 89°18'15" W | 57.44'   |
| L23  | N 60°20'31" W | 974.06'  |
| L24  | N 28°55'39" E | 120.71'  |
| L25  | N 54°28'39" E | 247.50'  |
| L26  | N 00°21'21" W | 2601.32' |
| L27  | N 62°42'39" E | 101.88'  |
| L28  | S 10°41'18" E | 30.75'   |
| L29  | N 89°23'57" E | 1640.38' |
| L30  | S 00°58'02" E | 2391.92' |
| L31  | N 80°53'43" E | 1226.51' |

| CURVE | RADIUS  | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE |
|-------|---------|------------|--------------|---------------|-------------|
| C1    | 608.02' | 221.78'    | 220.55'      | N 80°22'09" W | 20°53'55"   |

## NOTES:

1. BEARING BASIS DERIVED FROM GPS OBSERVATIONS MADE ON THE GROUND. TEXAS NORTH CENTRAL NAD 83.
2. THIS DOCUMENT WAS PREPARED UNDER 22 TAC §663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTEREST IMPLIED OR ESTABLISHED BY THE CREATION OR RECREATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

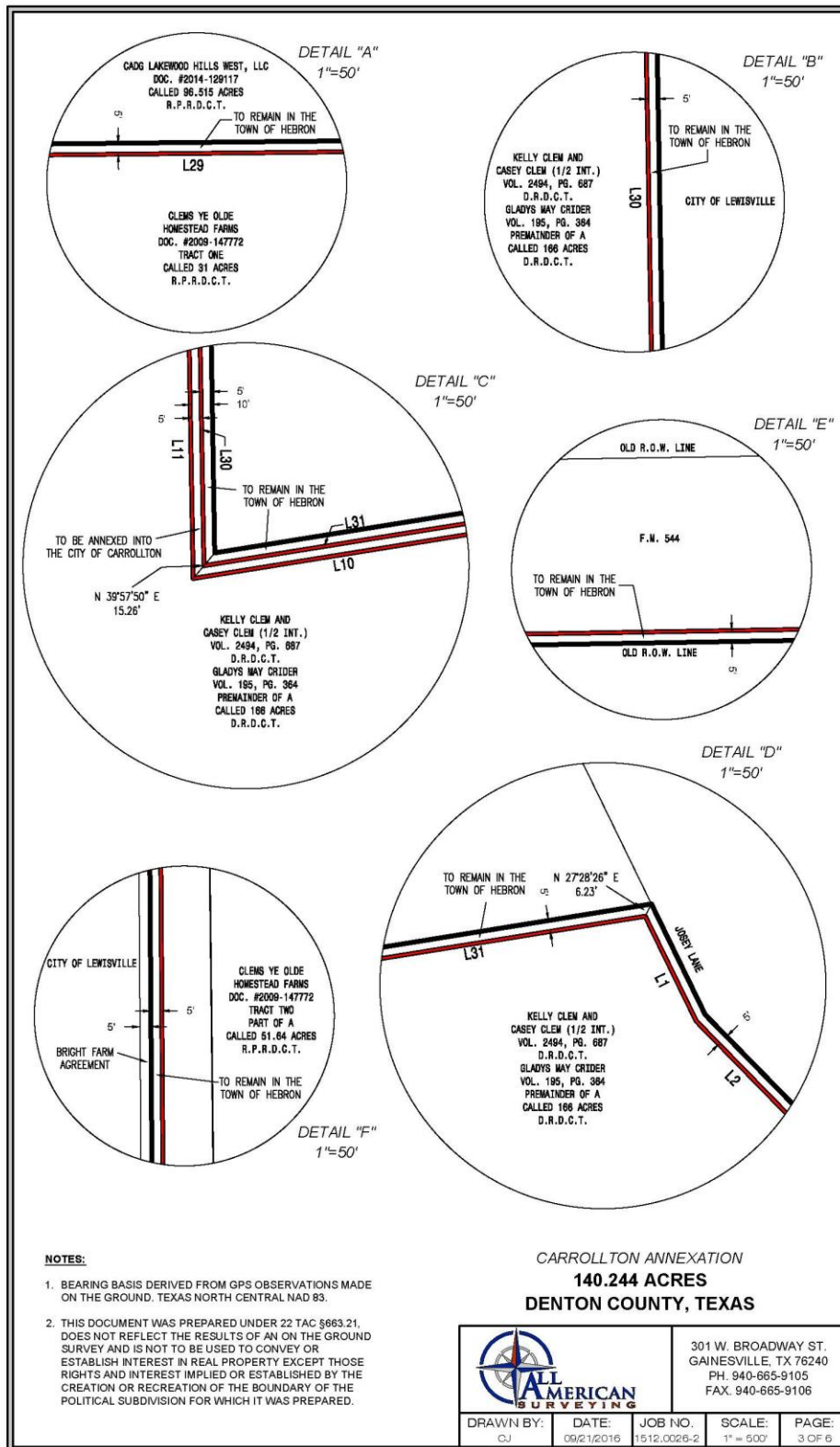
CARROLLTON ANNEXATION

**140.244 ACRES**  
**DENTON COUNTY, TEXAS**

|                                                                                      |            |                                                                                       |           |        |
|--------------------------------------------------------------------------------------|------------|---------------------------------------------------------------------------------------|-----------|--------|
|  |            | 301 W. BROADWAY ST.<br>GAINESVILLE, TX 76240<br>PH. 940-665-9105<br>FAX. 940-665-9106 |           |        |
|                                                                                      |            |                                                                                       |           |        |
| DRAWN BY:                                                                            | DATE:      | JOB NO.                                                                               | SCALE:    | PAGE:  |
| CJ                                                                                   | 09/21/2016 | 1512.0026-2                                                                           | 1" = 500' | 2 OF 6 |

# EXHIBIT B LOCATION

Resolution No. \_\_\_\_\_



# EXHIBIT B LOCATION

Resolution No. \_\_\_\_\_

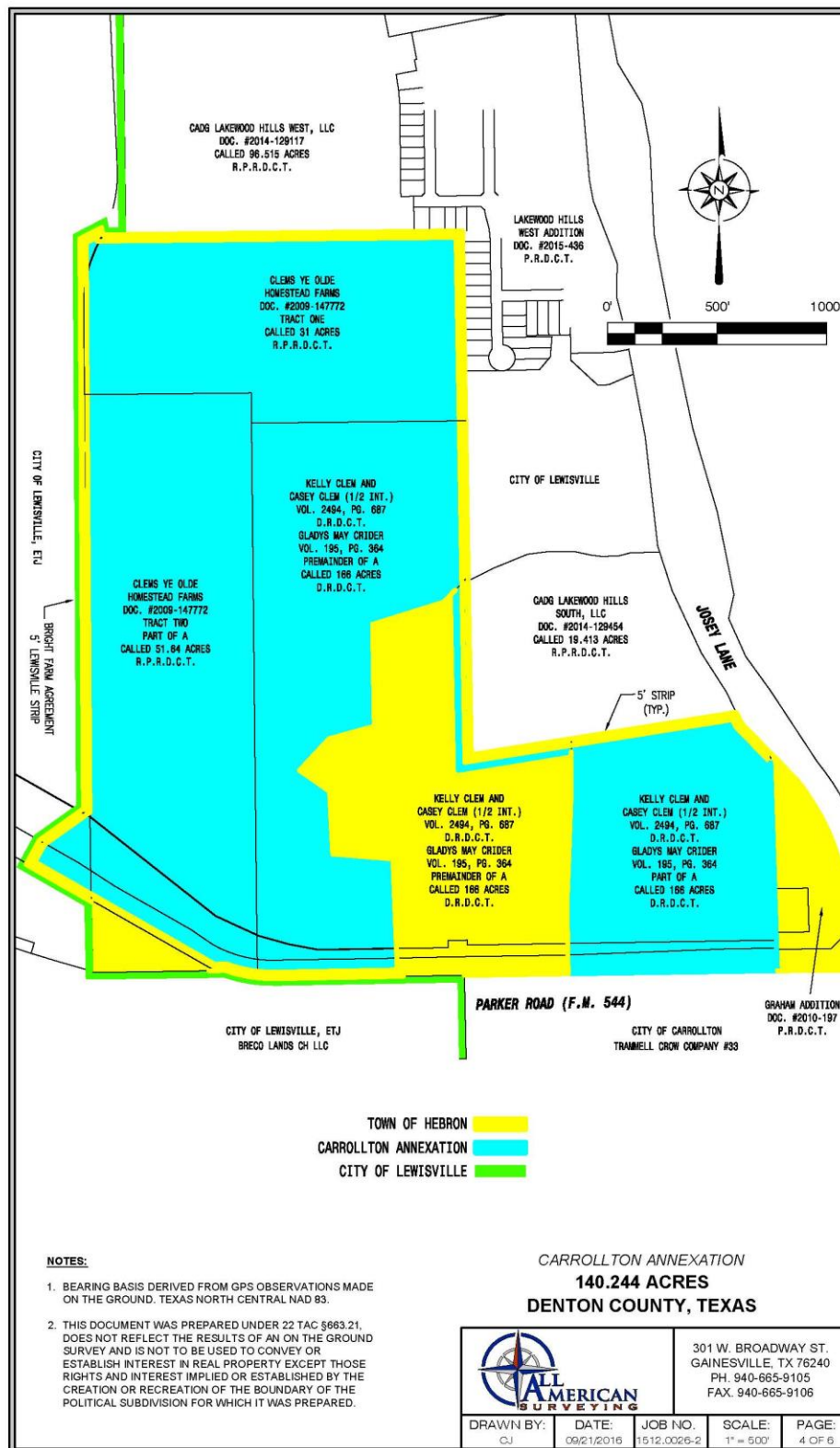


EXHIBIT C

**AFFIDAVIT/PETITION FOR ANNEXATION**

*TO THE MAYOR AND CITY COUNCIL OF THE GOVERNING BODY OF CARROLLTON, TEXAS:*

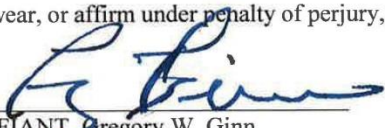
The undersigned owners of the hereinafter described tract of land, hereby petition your honorable Body to extend the present city limits so as to include as part of the City of Carrollton, Texas, the territory more fully described in Exhibit A, attached hereto and incorporated herein for all intents and purposes, and hereinafter known as the "Property".

Song Dog Development, Inc., a Texas corporation, is the legal owner of the Property, and is hereinafter referred to as the "Owner". I legally represent the Owner of the Property, and I am a duly authorized representative of the Owner with the legal authority to execute this document.

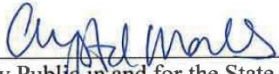
I certify the Property is contiguous and adjacent to the City of Carrollton, Texas, and the undersigned represents that the Owner of the Property desires to be annexed to and made part of the City of Carrollton, Texas, subject to all laws, rules, and regulations of said city.

There are no qualified voters in the said territory, and I certify that this affidavit is signed and acknowledged by each and every person, including any entity owning the described land or having an interest in any part thereof.

I swear, or affirm under penalty of perjury, that the information in this affidavit is true and correct.

  
AFFIANT, Gregory W. Ginn  
Manager  
Song Dog Development, Inc.

Subscribed and sworn to before me, this the 28<sup>th</sup> day of September, 20 16

  
Notary Public in and for the State of Texas

