

PLANNING DEPARTMENT
City of Carrollton
Date: October 10, 2017

10-17MD1 NWC Josey-Parker
Annexation

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS ANNEXING APPROXIMATELY 5.01 ACRES LOCATED AT THE NORTHWEST INTERSECTION OF PARKER ROAD (FM 544) AND JOSEY LANE; EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE THE HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL INHABITANTS AND OWNERS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE ON AND AFTER ADOPTION AND PUBLICATION.

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, Texas authorizes the annexation of territory subject to the laws of the state;

WHEREAS, a service plan has been developed and presented for said territory, two public hearings have been held, and all other requirements under the provisions of Chapter 43 of the Texas Local Government Code have been fulfilled;

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

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

Section 1.

The territory described in Exhibit A and generally depicted in Exhibit B, 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 City Secretary is hereby directed to file with the County Clerk of Denton County, Texas a certified copy of this ordinance.

Section 3.

The approved service plan is attached hereto as Exhibit C and is approved as part hereof.

Section 4.

The terms and provisions of this ordinance are severable and are governed by Section 10.07 of the Code of Ordinances, City of Carrollton, Texas.

Section 5.

This ordinance shall be effective from and after its adoption and publication. PASSED AND APPROVED this the Fourteenth day of November, 2017.

CITY OF CARROLLTON

By: _____
Kevin W. Falconer, Mayor

ATTEST:

Laurie Garber
City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Susan Keller
Assistant City Attorney

Loren Shapiro, AICP
Chief Planer

EXHIBIT A
LEGAL DESCRIPTION:

BEING a tract of land situated in the Thomas A. West Survey, Abstract No.1345, Town of Hebron, Denton County, Texas and being part of Lot 2, Block 1, Graham Addition, an addition to the Town of Hebron according to the plat recorded in Cabinet 2010, Page 197 of the Plat Records of Denton County, Texas and being part of Parker Road (Farm Market Road 544, a variable width right-of-way) and being more particularly described as follows:

BEGINNING at the northeast end of a right-of-way corner clip located at the intersection of the north right-of-way line of said Parker Road and the west right-of-way line of Josey Lane (a variable width right-of-way);

THENCE departing said right-of-way corner clip, South $0^{\circ}04'55''$ East, a distance of 225.01 feet to a point for corner at the southeast end of a right-of-way corner clip located at the intersection of the south right-of-way line of said Parker Road with said west right-of-way line of Josey Lane;

THENCE with said right-of-way corner clip, the following courses and distances:

North $45^{\circ}28'59''$ West, a distance of 28.44 feet to a point for corner;

North $0^{\circ}28'59''$ West, a distance of 20.00 feet to a point for corner at the northwest end of said right-of-way corner clip;

THENCE with said south right-of-way line of Parker Road, South $89^{\circ}32'01''$ West, a distance of 308.39 feet to a point for corner;

THENCE departing said south right-of-way line of Parker Road, North $1^{\circ}53'38''$ West, passing said north right-of-way line of Parker Road at a distance of 99.57 feet and continuing with the west line of said Lot 2 in all a total distance of 178.24 feet to the southwest corner of Lot 1, Block 1 of said Graham Addition;

THENCE departing said west line of Lot 2 and with the south, east and north lines of said Lot 1, the following courses and distances:

North $89^{\circ}34'53''$ East, a distance of 150.04 feet to the southeast corner of said Lot 1;

North $1^{\circ}53'38''$ West, a distance of 200.01 feet to the northeast corner of said Lot 1;

South $89^{\circ}34'53''$ West, a distance of 140.04 feet to a point for corner, said point being

North $89^{\circ}34'53''$ East, a distance of 10.00 feet from the northwest corner of said Lot 1;

THENCE departing said north line of Lot 1 and with a line being 10' east and parallel to said west line of Lot 2, North $1^{\circ}53'38''$ West, a distance of 608.36 feet to a point for corner in said west right-of-way line of Josey Lane;

EXHIBIT A
LEGAL DESCRIPTION:

THENCE with said west right-of-way line of Josey Lane, the following courses and distances:

South 44°28'38" East, a distance of 153.43 feet to a point at the beginning of a non-tangent curve to the right having a central angle of 38°31'05", a radius of 1085.92 feet, a chord bearing and distance of South 19°48'45" East, 716.36 feet;

In a southeasterly direction, with said curve to the right, an arc distance of 730.03 feet to a point for corner;

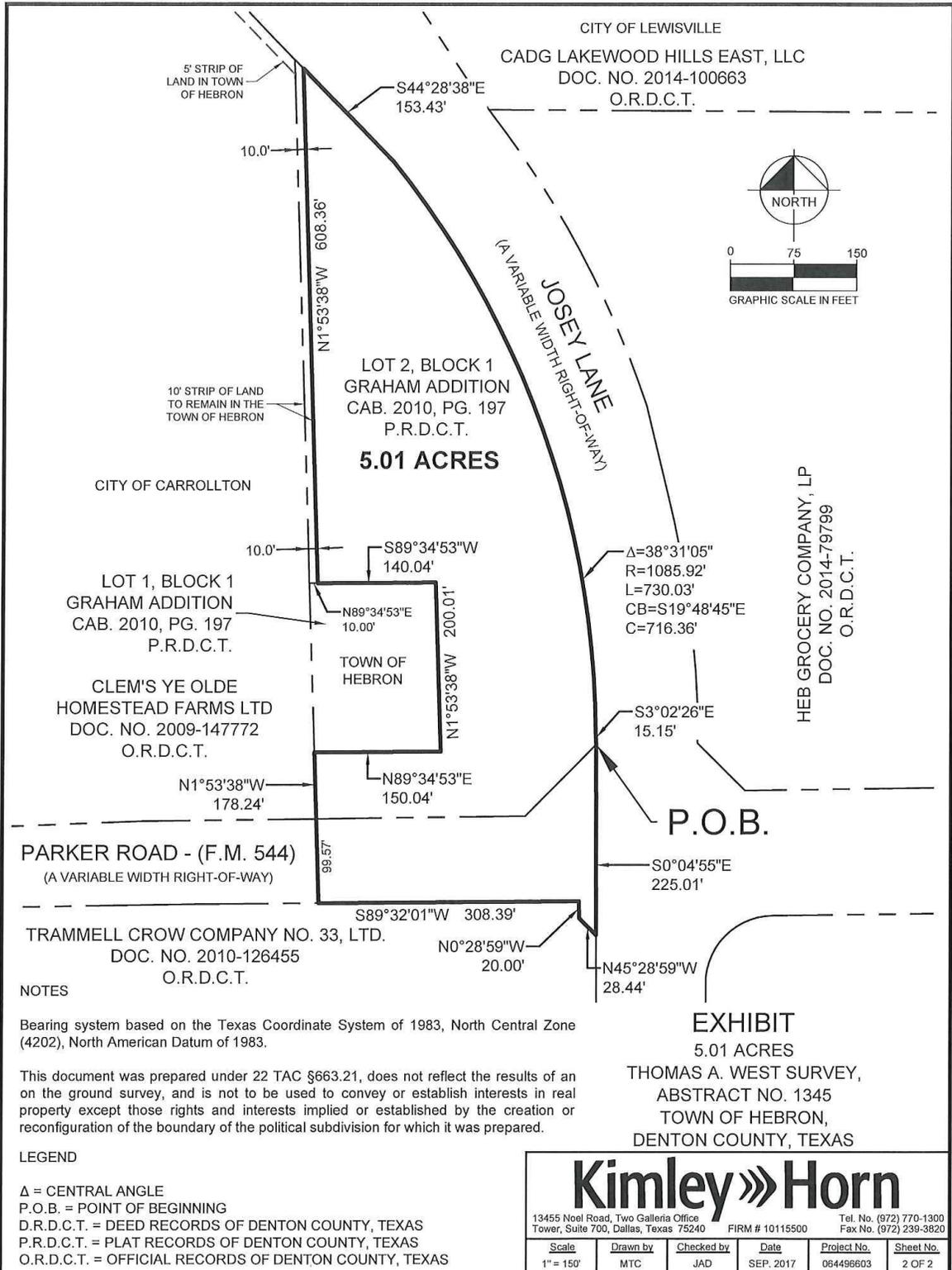
South 3°02'26" East, a distance of 15.15 feet to the **POINT OF BEGINNING** and containing 5.01 acres of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

DRAFT

EXHIBIT B

Location



CLINE MITCHELL 9/5/2017 3:41 PM K:\DAI SURVEY\1064496603-NWC PARKER AND JOSEY\DWG\1064496603 NWC PARKER & JOSEY ANNEX EXHIBIT DWG

EXHIBIT C
MUNICIPAL SERVICE PLAN

FIRE AND POLICE

Existing Services: EMS service

Services to be Provided: Fire suppression and EMS service will be available to the area upon annexation. Primary fire response will be provided by Fire Station No. 7, located at 4750 N. Josey Lane and secondary response by Fire Station No. 4, located at 2155 E. Rosemeade Parkway. Adequate fire suppression activities can be afforded to the annexed area within current budget appropriation. Fire prevention activities will be provided by the Fire Marshal's office as needed.

Currently, the area is under the jurisdiction of the Denton County Sheriff's Office. However, upon annexation, the City of Carrollton Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.

BUILDING INSPECTION

Existing Services: None

Services to be Provided: The Building Inspection Department will provide Code Enforcement Services upon annexation. This includes issuing building, electrical and plumbing permits for any new construction and remodeling, and enforcing all other applicable codes which regulate building construction within the City of Carrollton.

PLANNING AND ZONING

Existing Services: None

Services to be Provided: The Planning Department's responsibility for regulating development and land use through the administration of the City of Carrollton's Comprehensive Zoning Ordinance will extend to this area on the effective date of the annexation. The property will also continue to be regulated under the requirements of the City of Carrollton's Comprehensive Subdivision Ordinance. These services can be provided within the department's current budget.

LIBRARY

Existing Services: None

Services to be Provided: Upon the effective date of annexation, free library use privileges will be available to anyone residing in this area. These privileges can be provided within the current budget appropriation.

ENVIRONMENTAL CODE ENFORCEMENT

Existing Services: None

Services to be Provided: The Environmental Services Department will implement the enforcement of the City’s environmental ordinances and regulations on the effective date of the annexation. Such services can be provided with current Environmental Services Personnel and within the current budget appropriation. In addition, animal control services will be provided to the area as needed.

STORM WATER MANAGEMENT

Existing Services: None

Services to be Provided: Developers will provide an adequate storm water drainage system at their own expense. The system will be inspected by City Inspectors during installation and at time of completion. Upon final approval and subsequent to a 2-year maintenance bond period, the City will maintain that portion of the drainage system within the public right-of-way.

WATER AND SANITARY SEWER SERVICE

Existing Services: Yes

Services to be Provided: Water service to the area will be provided in accordance with the applicable codes and departmental policy. When other property develops in the adjacent area, water service shall be provided in accordance with extension ordinances. Extension of service shall comply with City codes and ordinances.

Sanitary sewer service to the area of proposed annexation will be provided in accordance with applicable codes, Carrollton General Design Standard (GDS) and departmental policy. When property develops in the adjacent areas, sanitary sewer service shall be provided in accordance with the present extension ordinance. Extension of service shall comply with applicable codes and ordinances.

SOLID WASTE SERVICES

Existing Services: None

Services to be Provided: Solid Waste Collection shall be provided to the area of annexation in accordance with the present ordinance. Service shall comply with existing City policies, beginning with occupancy of structures.

MISCELLANEOUS

All other applicable municipal services will be provided to the area in accordance with the City of Carrollton’s established policies governing extension of municipal services to newly annexed areas.