

PLANNING DEPARTMENT
City of Carrollton
Date: _____

DEVELOPMENT NAME:
Villas at Parker, Phase 2

ORDINANCE NO. _____

ORDINANCE NUMBER _____ OF THE CITY OF CARROLLTON, TEXAS ANNEXING THREE TRACTS OF LAND TOTALING APPROXIMATELY 35.6 ACRES OF LAND LOCATED ALONG THE SOUTH SIDE OF PARKER ROAD (FM 544) APPROXIMATELY 1,100 FEET EAST OF PLANO PARKWAY AND NEAR THE INTERSECTION OF DOZIER ROAD; HEREINAFTER DESCRIBED TO THE CITY OF CARROLLTON, TEXAS; 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 charter of the City of Carrollton, Texas authorizes the annexation of territory subject to the laws of the state;

WHEREAS, a certain three tracts of land of approximately 35.6-acres, herein after described on Exhibit A, which is attached hereto and incorporated herein, lies within the extraterritorial jurisdiction of the City of Carrollton and is contiguous to the present city limits of the City of Carrollton;

WHEREAS, after development and presentation of a service plan for said territory and after holding public hearings and fulfilling all other requirements under the provisions of Chapter 43 of the TEX. LOCAL GOVT. CODE;

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 Sixth day of September, 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, AICP
Chief Planer

EXHIBIT A

TRACT 1

LEGAL DESCRIPTION:

BEING a 596,473 square foot (13.693 acre) tract of land situated in the Samuel B. Evans Survey, Abstract No. 397 and the Samuel H. Brown Survey, Abstract No. 111, Denton County, Texas, and being all of "Tract 1" and "Tract 2", and part of "Tract 3", "Tract 4", and "Tract 5", as conveyed to Janice Dianne Culpepper, Shirley Dean Shearin, Sherry Jean Luman, and William Stanley Dozier, Jr., by deed recorded AS Document No. 2004-7392 of the Official Public Records of Denton County, Texas (OPRDCT), and also being part of a called 10.00 acre tract of land described in a deed to Diane Dozier Culpepper, recorded in Volume 545, Page 478, Deed Records, 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 yellow cap stamped "RPLS 3963" set in the south right-of-way line of Parker Road (a variable width right-of-way) at the northwest corner of said Tract 5 common to the northeast corner of a 4.994 acre tract of land conveyed to Turrentine Holdings, Inc. by deed recorded as Document No. 2004-9946 (OPRDCT), from which a 1/2" iron rod found for reference, bears North 59°14'29" East, a distance of 1.54 feet;

THENCE North 89°22'31" East, along the south right-of-way line of said Parker Road and the north line of said Tract 5, a distance of 174.03 feet to a point for corner at the beginning of a non-tangent curve to the right having a radius of 1115.59 feet and a chord which bears South 83°21'34" East, a distance of

104.80 feet, from which a 5/8" iron rod found for reference, bears South 73°14'15" East, a distance of

0.36 feet, said corner being the most western corner of various right-of-way parcels deeded to the County of Denton and designated as parcels 8-10;

THENCE in an easterly direction along the right-of-way as established by said parcels as

follows: Easterly along said curve to the right, through a central angle of 05°23'03",

an arc distance of

104.84 feet to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set at the end of said

curve and the beginning of a non-tangent curve to the right, having a radius of 950.00 feet and a chord which bears South 79°18'46" East a distance of 49.68 feet;

Southeasterly along said curve to the right, through a central angle of $02^{\circ}59'48''$, an arc distance of 49.69 feet to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set in the east line of said Tract 3 and the west line of a called 1.97 acre tract of land conveyed to Turrentine Holdings, Inc., recorded as Document no. 2014-51245 (OPRDCT);

THENCE South $00^{\circ}26'56''$ East, along the common line of last mentioned tracts, a distance of 608.62 feet to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set at a common corner thereof;

THENCE North $88^{\circ}41'29''$ East, along the south line of said 1.97 acre tract and a tract of land conveyed to Turrentine Holdings, Inc. by deed recorded in Volume 3119, Page 587, Deed Records of Denton County, Texas (DRDCT) and the north lines of said Tracts 1 and 2 and through the remainder of said Tract 4, a distance of 476.10 feet to a point for corner at the southeast corner of said Turrentine Holdings tract and being in the west right-of-way line of Dozier Road (80' right-of-way), said point also being in the east line of said Tract 4 from which a 1/2" iron rod found for reference, bears South $88^{\circ}41'29''$ West, a distance of 0.39 feet;

THENCE South $30^{\circ}06'43''$ East, along the common line of last mentioned tract and right-of-way, a distance of 291.91 feet to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set at the beginning of a non-tangent curve to the right, having a radius of 533.00 feet and a chord which bears South $26^{\circ}29'34''$ East a distance of 65.98 feet;

THENCE Southeasterly along said curve to the right, through a central angle of $07^{\circ}05'50''$, an arc distance of 66.02 feet to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set at the southeast corner of said Tract 4, common to the northeast corner of a called 10.00 acre tract conveyed to Diane Dozier Culpepper by deed recorded in Volume 545, Page 478 (DRDCT);

THENCE South $89^{\circ}21'07''$ West, along the north line of said 10.00 acre tract and the south lines of said Tracts 4, 2, and 1, respectively, a distance of 649.49 feet to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set for corner;

THENCE South $00^{\circ}26'56''$ East, a distance of 328.84 feet to a 5/8" iron rod with a yellow cap stamped "RPLS 3963" set for corner in the south line of said 10.00 acre tract common to the north line of a tract of land described in a deed to Billingsley Pin Oak Partners, Ltd, (BPOP) recorded as Document No. 2013- 43151 (DRDCT);

THENCE South $89^{\circ}22'04''$ West, along the south line of said 10.00 acre tract and a north line of said BPOP tract a distance of 358.03 feet to a point for corner in the east line of Lot 1 Block A of Austin Ranch Commercial Addition recorded as Document No. 2014-254 (OPRDCT), from which A 5/8" iron rod found for reference bears South $89^{\circ}22'04''$ West a distance of 0.64 feet;

THENCE North 00°44'10" West, partly along the east line of said Lot 1, a distance of 328.74 feet to a point for corner in the north line of said 10 acre tract common to the south line of a 1.003 acre tract conveyed to J.C. Partnership Holdings Inc. by deed recorded as Document No. 2004-89272 (OPRDCT), from which A 1/2" iron rod with cap stamped "RLG" found for reference bears South 01°16 '03" West a distance of 4.34 feet;

THENCE North 89°21'07" East, along the common line of last mentioned tracts, a distance of 39.11 feet to a 5/8" iron rod with a yellow cap stamped "RPLS 3963", set for corner at the southeast corner of said 1.003 acre tract and the southwest corner of said Tract 5;

THENCE North 00°49'35" West, along the west line of said Tract 5 and the east lines of said 1.003 acre tract and tracts described in deeds recorded as document numbers 2006-10043, 2010-38383, and said 2004-9946 (DRDCT), respectively, a distance of 939.81 feet to the PLACE OF BEGINNING and Containing 596,473 square feet, or 13.693 acres of land.

DRAFT

EXHIBIT A

Tract 2

LEGAL DESCRIPTION:

BEING a 433,829 square foot (9.959 acres) of land situated in the S.B. Evans Survey, Abstract No. 397, Denton County, Texas, and being all of a called 2.627 acre tract of land conveyed to Jimmy Lee Fox recorded in Volume 1018, Page 515 in Deed Records of Denton County, Texas (DRDCT), and all of a called 2.363 acre tract of land conveyed to Jimmie Lee Fox, by deed recorded in Volume 874, Page 807 (DRDCT), and all of a called 5 acre tract of land conveyed to William S. Dozier and wife Candiasie Dozier recorded in Volume 819, Page 504 (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 point in the south right-of-way line of Parker Road (a 126 ft. right-of-way) at the northwest corner of said 2.627 acre tract, said point also being the northeast corner of a called 8.488 acre tract of land (Tract 2) conveyed to GHB Land, Ltd. recorded as Document No. 2016-6441 (DRDCT), from which a 1/2" iron rod found for reference, bears South 03°55'15" West, a distance of 0.56 feet;

THENCE North 89°22'31" East, along the south right-of-way line of said Parker Road and the north line of said 2.627 acre tract, at a distance of 230.45 passing the northeast corner thereof, common to the northwest corner said 5 acre tract, and continuing for a total distance 460.90 feet to a point for corner at the northeast corner thereof, said point also being the northwest corner of Austin Ranch Commercial, Part 2, an addition to the City of Carrollton, recorded as Document No. 2014-526, Plat Records of Denton County, Texas (PRDCT), from which a 1/2" iron rod found for reference, bears North 64°40'13" East, a distance of 1.09 feet;

THENCE South 00°42'44" East, along the common line of last mentioned tracts, a distance of 939.99 feet to a 1/2" iron rod found for the common south corner thereof, said corner being in the north line of a tract of land described in a deed to Billingsley Pin Oak Partners, Ltd, (BPOP) recorded as Document No. 2013-43151 (OPRDCT) from which a 1/2" iron rod found for reference, bears North 37°59'19" East, a distance of 0.22 feet;

THENCE South 89°21'07" West, along the common line of said 5 acre and BPOP tracts, at a distance of 230.45 feet passing the common south corner of said 5 acre and 2.363 acre tract and continuing for a total distance of 462.06 feet to 1/2" iron rod found for corner at the southwest corner of said 2.363 acre tract and being in the east line of said 8.488 acre tract;

THENCE North 00°38'30" West, along the common line of said 8.488 acre tract and said 2.363 and 2.627 acre tracts, respectively, a distance of 940.18 feet to the PLACE OF BEGINNING and Containing 433,829 square feet, or 9.959 acres of land.

EXHIBIT A

Tract 3

LEGAL DESCRIPTION:

BEING a 521,732 square foot (11.977 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 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 940.47 feet to a 5/8" with a yellow cap stamped RPLS 3963 set for corner at the common north corner of said 14.318 acre tract and said Lot 1, said point also being 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 549.28 feet to the PLACE OF BEGINNING and Containing 521,732 square feet or 11.977 acres of land.

EXHIBIT B

Location

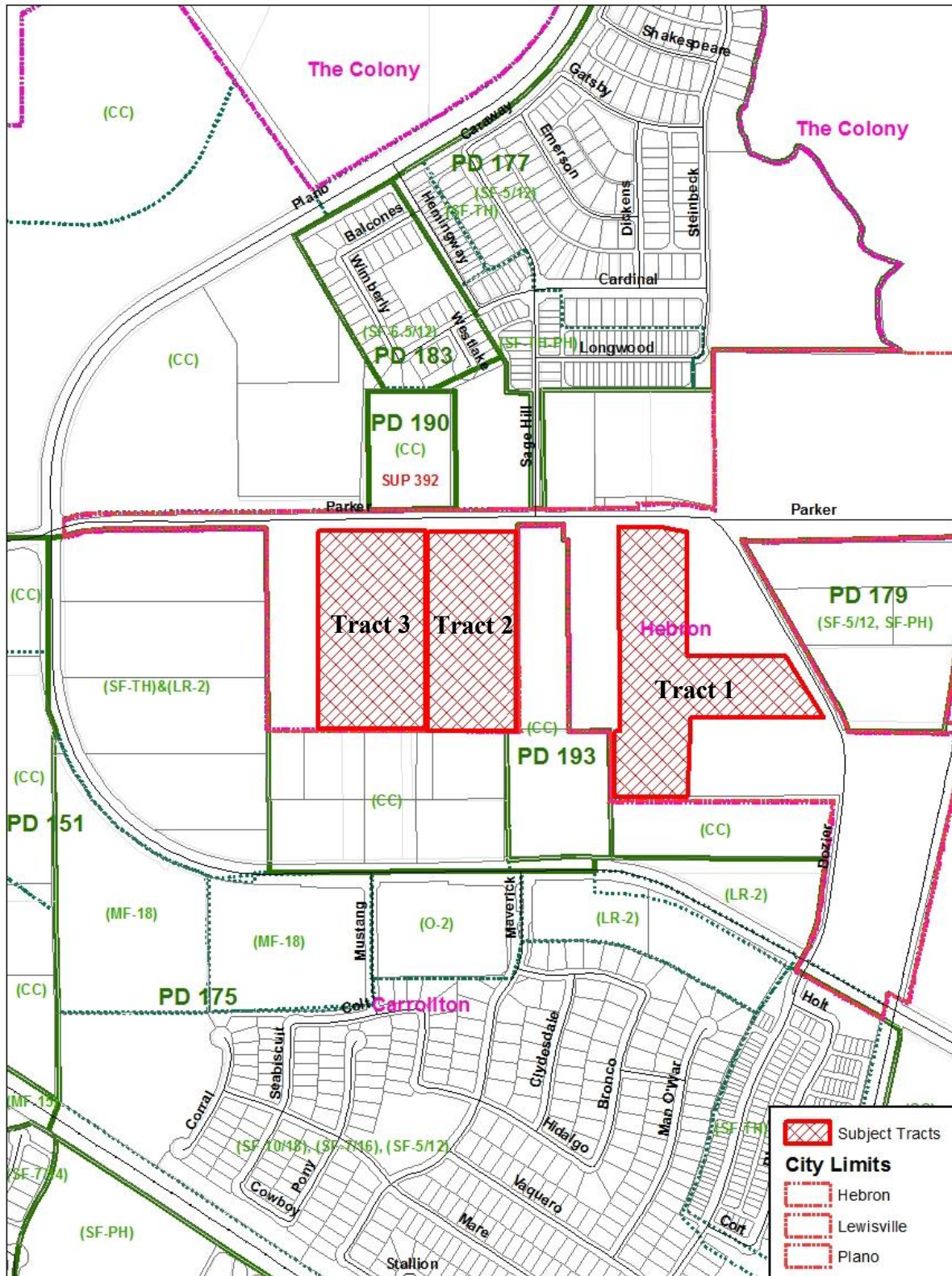


EXHIBIT C

MUNICIPAL SERVICE PLAN

FIRE AND POLICE

Existing Services: None

Services to be Provided: Fire suppression 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 storm water drainage at their own expense and will be inspected by the City Engineers at time of completion. The City will then maintain the drainage upon approval.

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.