

RESOLUTION NUMBER _____

RESOLUTION NUMBER _____ OF THE CITY OF CARROLLTON, TEXAS ACKNOWLEDGING A PETITION TO ANNEX APPROXIMATELY 13.693 ACRES OF LAND LOCATED NEAR THE SOUTHWEST INTERSECTION OF PARKER ROAD (FM 544) AND DOZIER ROAD; 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 owners of property of approximately 13.693-acres of land located near the southwest intersection of Parker Road (FM 544) and Dozier Road;

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, on July 26, 2016, the City Council accepted the petition for an annexation.

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 owners of six tracts of approximately 13.693-acres of land located near the southwest intersection of Parker Road (FM 544) and Dozier Road, 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 1st and November 15th, 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

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°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°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°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°41'29" West, a distance of 0.39 feet;

THENCE South 30°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°29'34" East a distance of 65.98 feet;

THENCE Southeasterly along said curve to the right, through a central angle of 07°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°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°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°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°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;

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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.

EXHIBIT B LOCATION

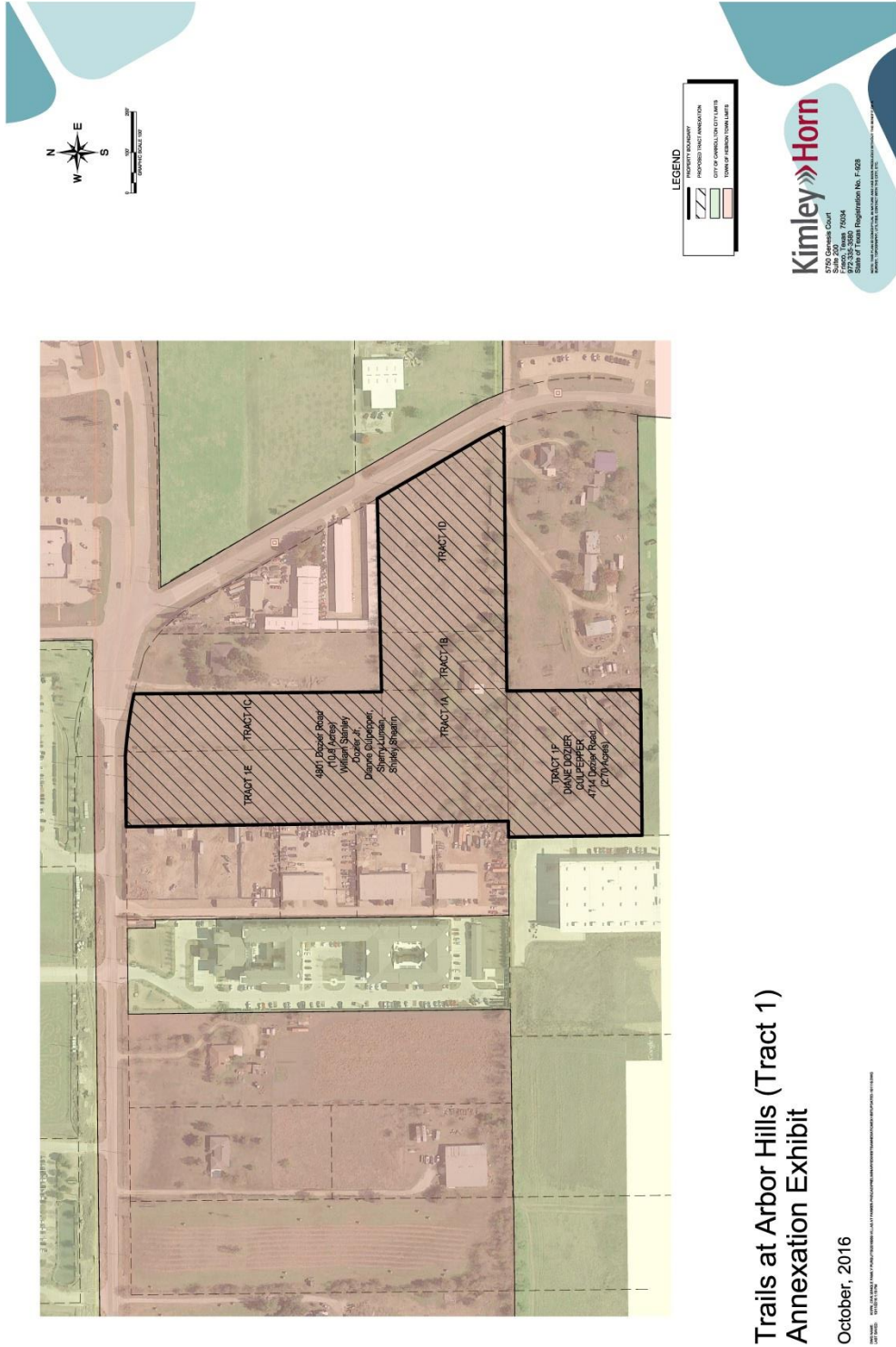


EXHIBIT C

To the Mayor and City Council of the Governing Body of Carrollton, Texas (the "City"):

The undersigned owner(s) of the land described within Exhibit A and specifically depicted in Exhibit B attached hereto and incorporated herein (the "Property") acknowledges and agrees to the application and petition submitted to the City by TDI GP, LLC, or its successors or assigns, to annex the Property into the City.

The undersigned further restates that it desires to be annexed into the City and declines the City's offer of a Development Agreement.

By: Dianne Dozier Culpepper
Name: Dianne Dozier Culpepper

Tract: 1F

Date: September 5, 2016

Subscribed and sworn to before me, this 5th day of September, 2016.
OCTOBER

James R. Guiou
Notary Public in and for the State of Texas

[Notary Seal]

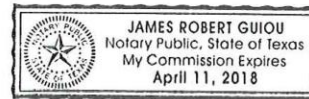


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The undersigned further restates that it desires to be annexed into the City and declines the City's offer of a Development Agreement.

By: William Stanley Dozier, Jr.
Name: William Stanley Dozier, Jr.

Tract: 1A, 1B, 1C, 1D, 1E

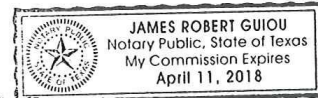
Date: ~~September~~ 5, 2016

Subscribed and sworn to before me, this 5th day of ~~September~~ OCTOBER, 2016.

James R. Guiou

Notary Public in and for the State of Texas

[Notary Seal]



[Signatures continue on following pages]

EXHIBIT C

By: Janice Dianne Culpepper

Name: Janice Dianne Culpepper

Tract: 1A, 1B, 1C, 1D, 1E

Date: September 5, 2016

OCTOBER

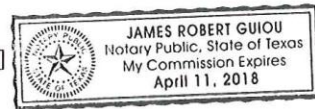
Subscribed and sworn to before me, this 5th day of September, 2016.

OCTOBER

James R. Guiou

Notary Public in and for the State of Texas

[Notary Seal]



[Signatures continue on following pages]

EXHIBIT C

By: Sherry Jean Luman

Name: Sherry Jean Luman

Tract: 1A, 1B, 1C, 1D, 1E

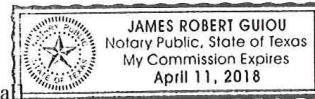
Date: ~~September~~ OCTOBER 5, 2016

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James R. Guiou

Notary Public in and for the State of Texas

[Notary Seal]



[Signatures continue on following page]

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EXHIBIT C

By: Shirley Dean Shearin
Name: Shirley Dean Shearin
Tract: 1A, 1B, 1C, 1D, 1E
Date: ~~September~~ 5, 2016
OCTOBER
Subscribed and sworn to before me, this 5th day of OCTOBER, 2016.

James R Guiou
Notary Public in and for the State of Texas

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