

City of Carrollton
Date: 04/19/16

RESOLUTION NUMBER _____

RESOLUTION NUMBER _____ OF THE CITY OF CARROLLTON, TEXAS
ACKNOWLEDGING A PETITION TO ANNEX APPROXIMATELY 4.5 ACRES
OF LAND LOCATED ON THE WEST SIDE OF CHARLES STREET BETWEEN
PLANO PARKWAY AND HEBRON PARKWAY; 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 4.5 acres of land located on the west side of Charles Street between Plano Parkway and Hebron Parkway;

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 owners of approximately 4.5 acres of land located on the northeast corner of Josey Lane and Parker Road (F.M. 544), 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 May 3rd and May 17th, 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 Nineteenth day of April, 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

Michael McCauley
Chief Planner

EXHIBIT A
LEGAL DESCRIPTION

All that certain tract or parcel of land situated in the John Smith Survey, Abstract 1226, Denton County, Texas, being a part of a (called) 200 acre tract described in a Deed from J. A. Griffin et ux to Fred D. Holt, Jr. on the 4th day of April, 1947, recorded in Volume 333, Page 634, Deed Records of said County, and being more fully described as follows:

COMMENCING at the Southwest corner of said 200 acre tract at a steel pin on the East right-of-way of the St. Louis and Santa Fe Railroad;

THENCE North 88 degrees 20' 23" East with the South boundary line of said tract a distance of 1639.16 feet to a railroad spike and fence corner at the POINT OF BEGINNING;

THENCE North 0 degrees 47' 48" West a distance of 434.6 feet to a steel pin and fence corner; THENCE North 89 degrees 15' 30" East with said fence a distance of 514.42 feet to an iron pin on the West right-of-way of F.M. Road 544;

THENCE South 1 degree 34' 31" East with said right-of-way along and near a fence a distance of 27.12 feet to an iron pin;

THENCE North 88 degrees 25' 29" East with said right-of-way a distance of 5.0 feet to an iron pin at the beginning of a curve;

THENCE Southerly with said right-of-way and a curve to the right having a central angle of 28 degrees 30', a chord of South 12 degrees 40' 29" West 140.17 feet, a radius of 284.73 feet, and an arc distance of 141.63 feet to a steel pin at the end of said curve;

THENCE South 26 degrees 55' 29" West with the West right-of-way of F.M. Road 544 a distance of 299.92 feet to an iron pin on the South boundary line of said 200 acres;

THENCE South 88 degrees 20' 23" West along and near a fence a distance of 347.66 feet to the POINT OF BEGINNING, and containing 4.481 acres of land and being the same property described in a Deed from Max Williams to Ronald L. Mabra dated 1-16-84 recorded in Volume 1325, Page 961, Real Property Records, Denton County, Texas.

EXHIBIT B
LOCATION

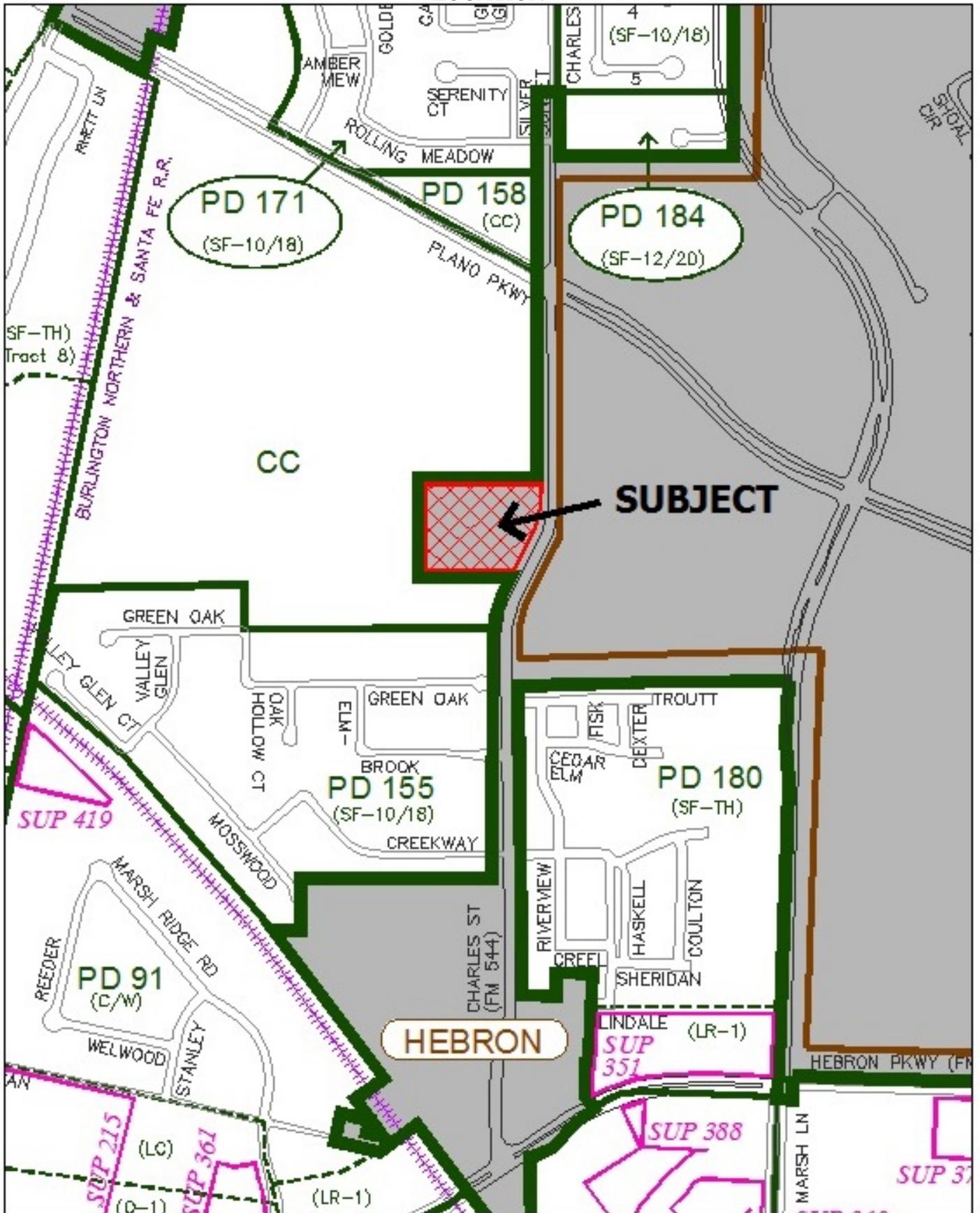


Exhibit C

AFFIDAVIT/PETITION FOR ANNEXATION

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

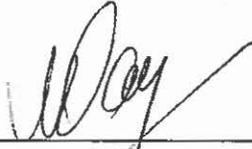
The undersigned owners of the hereinafter described tract of land, hereby petition your honorable Body to extend the present city limits so as to include as part of the City of Carrollton, Texas, the territory more fully described in Exhibit A, attached hereto and incorporated herein for all intents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

St. Sarkis Armenian Church of Dallas - Ft. Worth 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.

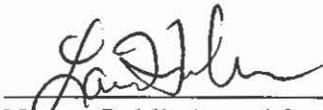
There are no qualified voters in the said territory, and I certify that this affidavit is signed and acknowledged by each and every person, including any entity owning the described land or having an interest in any part thereof.

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



AFFIANT, Dr. Vahe Dayian
Director & Parish Council Chairman
St. Sarkis Armenian Church Of Dallas-Ft. Worth

Subscribed and sworn to before me, this the 8 day of April, 2016



Notary Public in and for the State of Texas

