

PLANNING DEPARTMENT
City of Carrollton
Date: _____

DEVELOPMENT NAME:
Villas at Parker, Phase 1

ORDINANCE NO. _____

ORDINANCE NUMBER _____ OF THE CITY OF CARROLLTON, TEXAS ANNEXING TWO TRACTS OF APPROXIMATELY 1.3 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF PARKER ROAD WEST OF THE BURLINGTON NORTHERN SANTA FE RAILROAD AND SOUTHERN HALF OF CULPEPPER ROAD, EAST 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 two tracts of land of approximately 1.3-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

BEING a 0.852 acre tract of land situated in the Samuel H. Brown Survey, Abstract No. 111, Denton County, Texas, and being all of a called 0.851 acre ("Tract 2") of land in the Town of Hebron, conveyed by a Special Warranty Deed with Vendor's Lien to KELSPAR, LLC, recorded as Document No. 2013-77373, in the Deed Records of 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 cap stamped, "SURVCON" found for corner at the intersection of the northeast right-of-way line of Dozier Road (80' right-of-way) with the south right-of-way line of Parker Road (variable width right-of-way) and being the southwest corner of a right-of-way dedication for Parker Road, as described in an Affidavit recorded in Volume 4927, Page 1469 (DRDCT), and the northwest corner of said 0.851 acre tract;

THENCE along the south right-of-way line of said Parker Road and the north line of said 0.851 acre tract as follows:

North 89°15'46" East, a distance of 351.50 feet to a 5/8" iron rod with a cap stamped, "SURVCON" found for corner at an interior "ell" corner of said 0.851 acre tract;

North 00°40'24" West, a distance of 4.45 feet to a point for corner at an exterior "ell" corner of said 0.851 acre tract, from which a 5/8" iron rod with a cap stamped, "SURVCON," found for reference bears North 4r47'31" West, a distance of 0.17 feet, said point for corner being in a non-tangent curve to the left, having a radius of 1,110.00 feet and a chord which bears North 79°06'51" East, a distance of 391.70 feet;

Along said curve to the left, through a central angle of 20°19'30", an arc distance of 393.76 feet to a 5/8" iron rod with a cap stamped, "SURVCON," found for the end of said curve to the left and the beginning of a reverse curve to the right, having a radius of 990.00 feet and a chord which bears North 70°50'32" East, a distance of 65.33 feet;

Along said curve to the right, through a central angle of 03°46'54", an arc distance of 65.34 feet to a 1/2" iron rod found for the end of said curve;

North 80°52'26" East, a distance of 158.53 feet to a 5/8" iron rod with a cap stamped, "SURVCON," found for corner at the northeast corner of said 0.851 acre tract and being an interior "ell" corner of said Parker Road right-of-way dedication;

THENCE South 00°45'16" East along the east line of said 0.851 acre tract and a west line of said Parker Road right-of-way dedication, a distance of 122.39 feet to a 5/8" iron rod with a cap stamped, "SURVCON," found for the southeast corner of said 0.851 acre tract and being in the north line of a 9.725 acre ("Tract 1") conveyed by a Special Warranty Deed With Vendor's Lien to KELSPAR, LLC, recorded as Document No. 2013-77373, in the Deed Records of Denton County, Texas (DRDCT), same being an exterior "ell" corner of said Parker Road right-of-way dedication;

THENCE South 89°16'11" West along the common line of said 9.725 acre and 0.851 acre tracts, a distance of 952.16 feet to a 5/8" iron rod with a cap stamped, "SURVCON," found for corner at the common west corner thereof and being in a curve to the left, having a radius of 421.97 feet and a chord which bears North 3T'33'18" West, a distance of 6.29 feet;

THENCE along said curve to the left, through a central angle of 00°51'13", an arc distance of 6.29 feet to the PLACE OF BEGINNING and Containing 0.852 acres, or 37,116 square feet, of land.

EXHIBIT A

TRACT 2

BEING a 15,925 square foot (0.366 acre) tract of land situated in the A. Dyer Survey, Abstract No. 360, Town of Hebron, Denton County, Texas, and being part of a called 3.820 acre tract of land conveyed to Peruna Acquisition, LLC, recorded as Document No. 2011-116441 of the Official Public Records, Denton County, Texas (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 1/2" iron rod found for corner at the northwest corner of said 3.820 acre tract and being the southwest corner of a called 4.8636 acre tract of land conveyed to WJ Family, LP, recorded as Document No. 2010-3352 (OPRDCT), and being in the northeast right-of-way line of Dozier Road (80' right-of-way) and being near the center of Culpepper Road (a partially asphalted surface);

THENCE North $89^{\circ}36'13''$ East near the center of said Culpepper Road and along the common line of last mentioned tracts, a distance of 457.92 feet to a 1/2" iron rod found for corner at the common east corner thereof and being in the northwest right-of-way line of Burlington Northern & Santa Fe (BNSF) Railway right-of-way { 100' right-of-way), said point also being in a non-tangent curve to the right, having a radius of 5,679.58 feet and a chord which bears South $10^{\circ}30'03''$ West, a distance of 36.15 feet;

THENCE along said curve to the right and said BNSF Railway right-of-way, through a central angle of $00^{\circ}21'53''$, an arc distance of 36.15 feet to a point for corner at the end of said curve;

THENCE South $89^{\circ}36'13''$ West, along a line that is 35.50 feet south of and parallel to the north line of said 3.820 acre tract, a distance of 439.60 feet to a point for corner in the east right-of-way line of said Dozier Road, said point being in a non-tangent curve to the left, having a radius of 613.00 feet and a chord which bears North $18^{\circ}19'20''$ West, a distance of 37.31 feet;

THENCE along said curve to the left and said Dozier Road, through a central angle of $03^{\circ}29'17''$, an arc distance of 37.32 feet to the PLACE OF BEGINNING and Containing 15,925 square feet, or 0.366 acres, of land.

EXHIBIT B

Location

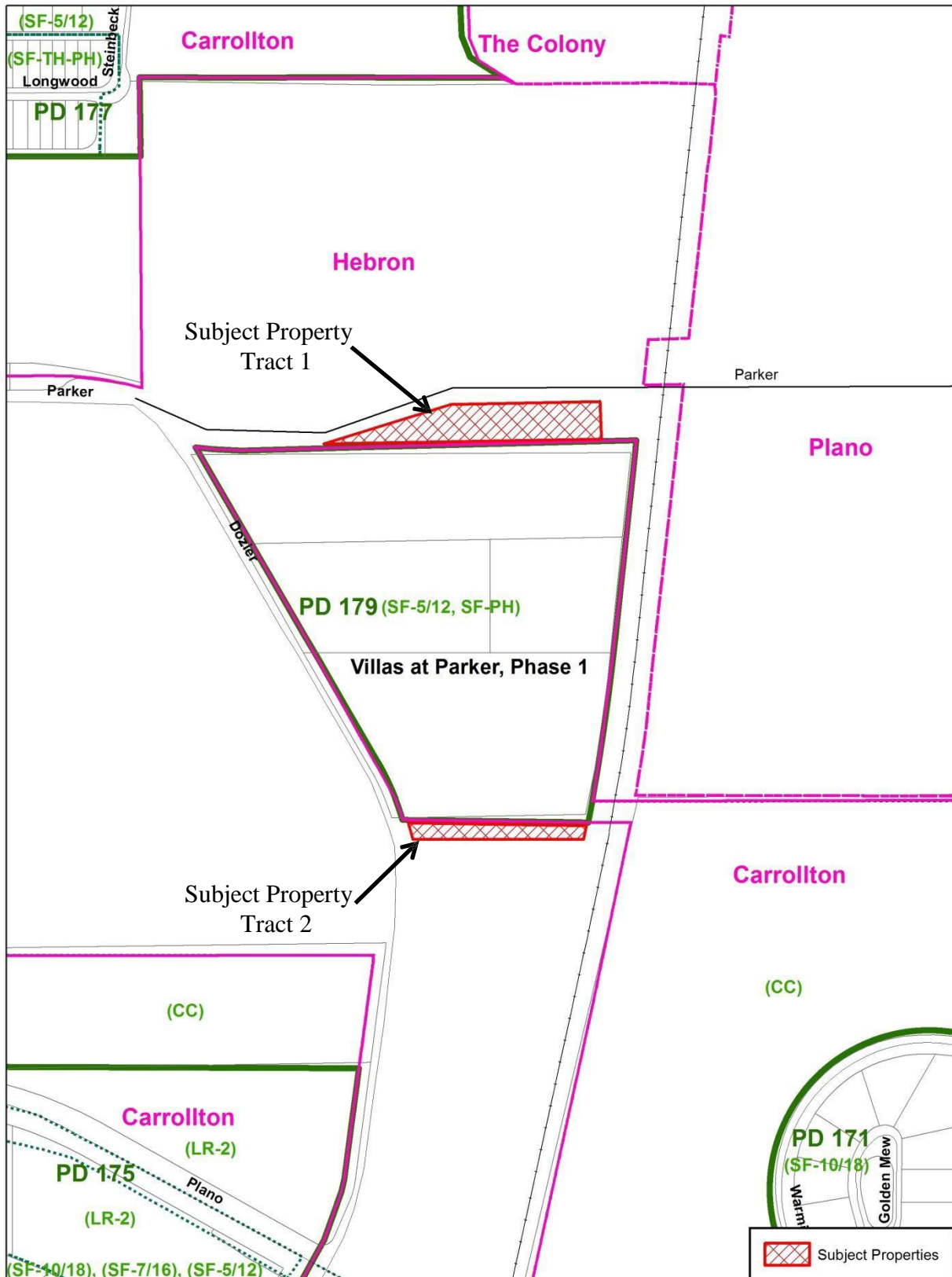


EXHIBIT C

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.