

CITY OF ROCKWALL, TEXAS

ORDINANCE NO. 05-56

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF 247.73 ACRES OF LAND, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Public Hearings were held before the governing body of the City of Rockwall, Texas, where all interested persons were provided with an opportunity to be heard on the proposed annexation of the following described territories:

BEING All that certain lot, tract or parcel of land situated in the J.H. ROBNETT SURVEY, ABSTRACT NO. 182 AND NEWELL SURVEY, ABSTRACT NO. 167, Rockwall County, Texas, and being part of that 37.87 acres Tract 1 and 296.60 acres Tract 2 of land as described in a Warranty deed from Emma L. Rochell to Joe D. Loftis and Jo Ann Loftis, May 20, 1988 and being recorded in Volume 403, Page 283 of the Real Property Records of Rockwall County, Texas, and also being a part of Tract Nine of RIDGE HAVEN ESTATES NO. 2, an Addition to Rockwall County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 245 of the Plat Records of Rockwall County, Texas, and also a part of that 120 acres tract of land as described in a Warranty deed from Joe D. Loftis and Jo Ann Loftis to Emma L. Rochell, dated May 20, 1988 and being recorded in Volume 403, Page 280 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½" iron rod found for corner in the south right-of-way line of State Highway 276, at the Northeast corner of a 2.145 acres tract of land as described in a Warranty deed from Joe D. Loftis and Jo Ann Loftis to Donald E. Waddle and Molly D. Waddle, dated April 15, 1993 and being recorded in Volume 778, Page 180 of the Real Property Records of Rockwall County, Texas;

THENCE S. 89 deg. 40 min. 46 sec. W along said south right-of-way line, a distance of 565.90 feet to a point;

THENCE N. 86 deg. 16 min. 09 sec. W a distance of 278.99 feet to a point in the existing City of Rockwall city limits line, said point also being a projection of the centerline of Springer Rd;

THENCE N. 00 deg. 19 min. 49 sec. E along said centerline of Springer Rd a distance of 129.33 feet to a point in the north right-of-way line of State Highway 276;

THENCE, along the north right-of-way line of State Highway 276 and the existing City of Rockwall City limits line the following:

- S. 85 deg. 53 min. 45 sec. E a distance of 210.94 feet to a point;
- S. 89 deg. 53 min. 27 sec. E a distance of 1917.34 feet to a point;
- N. 00 deg. 11 min. 05 sec. W a distance of 87.44 feet to a point;

N. 89 deg. 48 min. 55 sec. E a distance of 756.93 feet to a point;
S. 89 deg. 29 sec. 47 sec. E a distance of 543.73 feet to a point;
S. 00 deg. 30 sec. 13 sec. W a distance of 50.00 feet to a point;
S. 89 deg. 29 sec. 07 sec. E a distance of 149.49 feet to a point being the southeasterly corner of a 208.52 tract known as Tract 1, Abstract 100, M.E. Hawkins Survey as conveyed to Haden Master Trust 2004 as recorded in Volume 3585, Page 1, of said Deed Records;

THENCE South a distance of 184.21 feet departing said north right-of-way line of State Highway 276 to a point in the south right-of-way line of State Highway 276;

THENCE S 89 deg. 22 min. 50 sec W a distance of 141.63 feet along south right-of-way line of State Highway 276 to a point for corner in the center of Brushy Creek, at the Northwest corner of Lot 1, DOWELL ROAD ADDITION, an Addition to Rockwall County, Texas, according to the Plat thereof recorded in Cabinet C, Slide 222 of the Plat Records of Rockwall County, Texas;

THENCE in a Southerly direction along the meanders of Brushy Creek and the West line of said Addition as follows:

S. 09 deg. 26 min 02 sec. E. a distance of 296.87 feet;
S. 30 deg. 35 min 29 sec. E. a distance of 245.61 feet;
S. 06 deg. 28 min 58 sec. W. a distance of 228.81 feet;
S. 28 deg. 12 min 33 sec. W. a distance of 394.36 feet;
S. 07 deg. 40 min 13 sec. W. a distance of 1188.15 feet;
S. 04 deg. 55 min 56 sec. E. a distance of 326.62 feet;
S. 25 deg. 06 min 29 sec. W. a distance of 183.45 feet;
S. 20 deg. 48 min 51sec. W. a distance of 39.99 feet;
S. 16 deg. 04 min 47 sec. E. a distance of 287.78 feet;
S. 01 deg. 18 min 04 sec. E. a distance of 336.00 feet;
S. 04 deg. 52 min 57 sec. E. a distance of 436.67 feet to a point for corner at the Southwest corner of a 10.59 acres tract of land as described in a Deed to Darrell and Sandra Smith as recorded in Volume 1421, Page 130 of the Real Property Records of Rockwall County, Texas;

THENCE WEST (Controlling bearing line), at 100.00 feet pass a ½" iron rod with yellow plastic cap stamped "R.S.C.I. PRLS 5034" set for witness and continuing along the South line of said Loftis 296.60 acres tract, for a distance of 2587.66 feet to a ½" iron rod found for corner at the Southeast corner of Tract Twelve of said RIDGE HAVEN ESTATES NO. 2;

THENCE N. 00 deg. 40 min. 31 sec. W. along the East line of said Addition, a distance of 934.66 feet to a concrete monument found for corner in the East line of said Tract Nine of RIDGE HAVEN ESTATES NO. 2;

THENCE N. 88 deg. 13 min. 42 sec. W. a distance of 757.72 feet to a concrete monument found for corner in the West line of said Tract Nine and in the East right-of-way line of Rochell Road;

THENCE N. 00 deg. 52 min. 44 sec. W. along said right-of-way line, a distance of 60.19 feet to a concrete monument found for corner at the Northwest corner of said Tract Nine;

THENCE S. 88 deg. 15 min. 56 sec. E. along the North line of said Tract Nine, a distance of 758.78 feet to a concrete monument found for corner at its Northeast corner;

THENCE N. 00 deg. 46 min. 56 sec. W. along the East line of said Addition, a distance of 471.17 feet to a ½" iron rod found for corner;

THENCE N. 00 deg.57 min. 11 sec. W. along the East line of said Addition, a distance of 909.39 feet to a ½" iron rod found for corner;

THENCE N. 00 deg. 16 min. 12 sec. W. along the East line of said Addition, a distance of 958.30 feet to a ½" iron rod found for corner at the Northeast corner of Tract One in said Addition;

THENCE EAST a distance of 172.76 feet to a ½" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 00 deg. 22 min. 52 sec. W. a distance of 528.61 feet to the POINT OF BEGINNING and containing 247.7302 acres of land (more or less).

On the 6th day of September, 2005, at 6:00 p.m. and on the 6th day of September, 2005, at 6:30 p.m. at City Hall, 385 S. Goliad, Rockwall, Texas said dates being not more than forty nor less than twenty days prior to the institution of annexation proceedings; and

WHEREAS, notice of such public hearings was published in a newspaper having general circulation in the City of Rockwall, Texas and in the territory described herein on the 24th day of August, 2005 and posted on the City of Rockwall Internet site on the 24th day of August, 2005 said dates being not more than twenty nor less than ten days prior to the dates of such public hearings; and

WHEREAS, the territory lies adjacent to and adjoins the present boundaries of the City of Rockwall, Texas; and

WHEREAS, the territory above contains 247.73 acres;

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

Section 1. That the above recitals are hereby found to be true and correct and incorporated herein for all purposes.

Section 2. The land and territory more specifically described herein as Exhibit "A" attached hereto and made a part hereof, and containing 247.73 acres which is adjacent to and adjoining the present boundaries of the City of Rockwall, Texas, is hereby added and annexed to the City of Rockwall, Texas and said territory as described herein shall hereafter be included within the boundary limits of the City of Rockwall, Texas and the present boundary limits of the City at the various points contiguous to the areas as described above, are altered and amended so as to include said area within the corporate limits of the City.

Section 3. That the official map of the City is hereby amended to reflect the addition of the property described herein.

Section 4. The above described territory and the acres so annexed shall be a part of the City of Rockwall, Texas, and the inhabitants thereof, if any, shall be entitled to all of the rights and privileges of all citizens and shall be bound by the acts, ordinances, resolutions and regulations of the City of Rockwall, Texas.

Section 5. That the Service Plan for the annexation area, which was made available for public inspection at the Public Hearings, is hereby approved with a copy of said plan being attached hereto and incorporated herein for all purposes and labeled Exhibit "B."

Section 6. That this ordinance shall take effect immediately from and after its passage and approval, in accordance with applicable law and the charter of the City of Rockwall, Texas.


PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 17th day of October, 2005.



William R. Cecil, Mayor

ATTEST:


Dorothy Brooks, City Secretary

APPROVED AS TO FORM:


Pete Eckert, City Attorney

1st Reading: 10-3-05
2nd Reading: 10-17-05

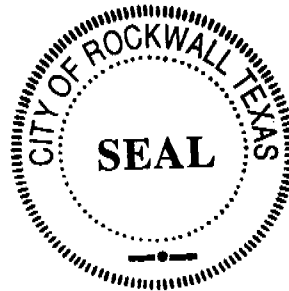


EXHIBIT "A"

METES AND BOUNDS DESCRIPTION

All that certain lot, tract or parcel of land situated in the J.H. ROBNETT SURVEY, ABSTRACT NO. 182 AND NEWELL SURVEY, ABSTRACT NO. 167, Rockwall County, Texas, and being part of that 37.87 acres Tract 1 and 296.60 acres Tract 2 of land as described in a Warranty deed from Emma L. Rochell to Joe D. Loftis and Jo Ann Loftis, May 20, 1988 and being recorded in Volume 403, Page 283 of the Real Property Records of Rockwall County, Texas, and also being a part of Tract Nine of RIDGE HAVEN ESTATES NO. 2, an Addition to Rockwall County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 245 of the Plat Records of Rockwall County, Texas, and also a part of that 120 acres tract of land as described in a Warranty deed from Joe D. Loftis and Jo Ann Loftis to Emma L. Rochell, dated May 20, 1988 and being recorded in Volume 403, Page 280 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½" iron rod found for corner in the south right-of-way line of State Highway 276, at the Northeast corner of a 2.145 acres tract of land as described in a Warranty deed from Joe D. Loftis and Jo Ann Loftis to Donald E. Waddle and Molly D. Waddle, dated April 15, 1993 and being recorded in Volume 778, Page 180 of the Real Property Records of Rockwall County, Texas;

THENCE S. 89 deg. 40 min. 46 sec. W along said south right-of-way line, a distance of 565.90 feet to a point;

THENCE N. 86 deg. 16 min. 09 sec. W a distance of 278.99 feet to a point in the existing City of Rockwall city limits line, said point also being a projection of the centerline of Springer Rd;

THENCE N. 00 deg. 19 min. 49 sec. E along said centerline of Springer Rd a distance of 129.33 feet to a point in the north right-of-way line of State Highway 276;

THENCE, along the north right-of-way line of State Highway 276 and the existing City of Rockwall City limits line the following:

- S. 85 deg. 53 min. 45 sec. E a distance of 210.94 feet to a point;
- S. 89 deg. 53 min. 27 sec. E a distance of 1917.34 feet to a point;
- N. 00 deg. 11 min. 05 sec. W a distance of 87.44 feet to a point;
- N. 89 deg. 48 min. 55 sec. E a distance of 756.93 feet to a point;
- S. 89 deg. 29 sec. 47 sec. E a distance of 543.73 feet to a point;
- S. 00 deg. 30 sec. 13 sec. W a distance of 50.00 feet to a point;
- S. 89 deg. 29 sec. 07 sec. E a distance of 149.49 feet to a point being the southeasterly corner of a 208.52 tract known as Tract 1, Abstract 100, M.E. Hawkins Survey as conveyed to Haden Master Trust 2004 as recorded in Volume 3585, Page 1, of said Deed Records;

THENCE South a distance of 184.21 feet departing said north right-of-way line of State Highway 276 to a point in the south right-of-way line of State Highway 276;

THENCE S 89 deg. 22 min. 50 sec W a distance of 141.63 feet along south right-of-way line of State Highway 276 to a point for corner in the center of Brushy Creek, at the Northwest corner of Lot 1, DOWELL ROAD ADDITION, an Addition to Rockwall County,

EXHIBIT "A"

Texas, according to the Plat thereof recorded in Cabinet C, Slide 222 of the Plat Records of Rockwall County, Texas;

THENCE in a Southerly direction along the meanders of Brushy Creek and the West line of said Addition as follows:

- S. 09 deg. 26 min 02 sec. E. a distance of 296.87 feet;
- S. 30 deg. 35 min 29 sec. E. a distance of 245.61 feet;
- S. 06 deg. 28 min 58 sec. W. a distance of 228.81 feet;
- S. 28 deg. 12 min 33 sec. W. a distance of 394.36 feet;
- S. 07 deg. 40 min 13 sec. W. a distance of 1188.15 feet;
- S. 04 deg. 55 min 56 sec. E. a distance of 326.62 feet;
- S. 25 deg. 06 min 29 sec. W. a distance of 183.45 feet;
- S. 20 deg. 48 min 51sec. W. a distance of 39.99 feet;
- S. 16 deg. 04 min 47 sec. E. a distance of 287.78 feet;
- S. 01 deg. 18 min 04 sec. E. a distance of 336.00 feet;
- S. 04 deg. 52 min 57 sec. E. a distance of 436.67 feet to a point for corner at the

Southwest corner of a 10.59 acres tract of land as described in a Deed to Darrell and Sandra Smith as recorded in Volume 1421, Page 130 of the Real Property Records of Rockwall County, Texas;

THENCE WEST (Controlling bearing line), at 100.00 feet pass a ½" iron rod with yellow plastic cap stamped "R.S.C.I. PRLS 5034" set for witness and continuing along the South line of said Loftis 296.60 acres tract, for a distance of 2587.66 feet to a ½" iron rod found for corner at the Southeast corner of Tract Twelve of said RIDGE HAVEN ESTATES NO. 2;

THENCE N. 00 deg. 40 min. 31 sec. W. along the East line of said Addition, a distance of 934.66 feet to a concrete monument found for corner in the East line of said Tract Nine of RIDGE HAVEN ESTATES NO. 2;

THENCE N. 88 deg. 13 min. 42 sec. W. a distance of 757.72 feet to a concrete monument found for corner in the West line of said Tract Nine and in the East right-of-way line of Rochell Road;

THENCE N. 00 deg. 52 min. 44 sec. W. along said right-of-way line, a distance of 60.19 feet to a concrete monument found for corner at the Northwest corner of said Tract Nine;

THENCE S. 88 deg. 15 min. 56 sec. E. along the North line of said Tract Nine, a distance of 758.78 feet to a concrete monument found for corner at its Northeast corner;

THENCE N. 00 deg. 46 min. 56 sec. W. along the East line of said Addition, a distance of 471.17 feet to a ½" iron rod found for corner;

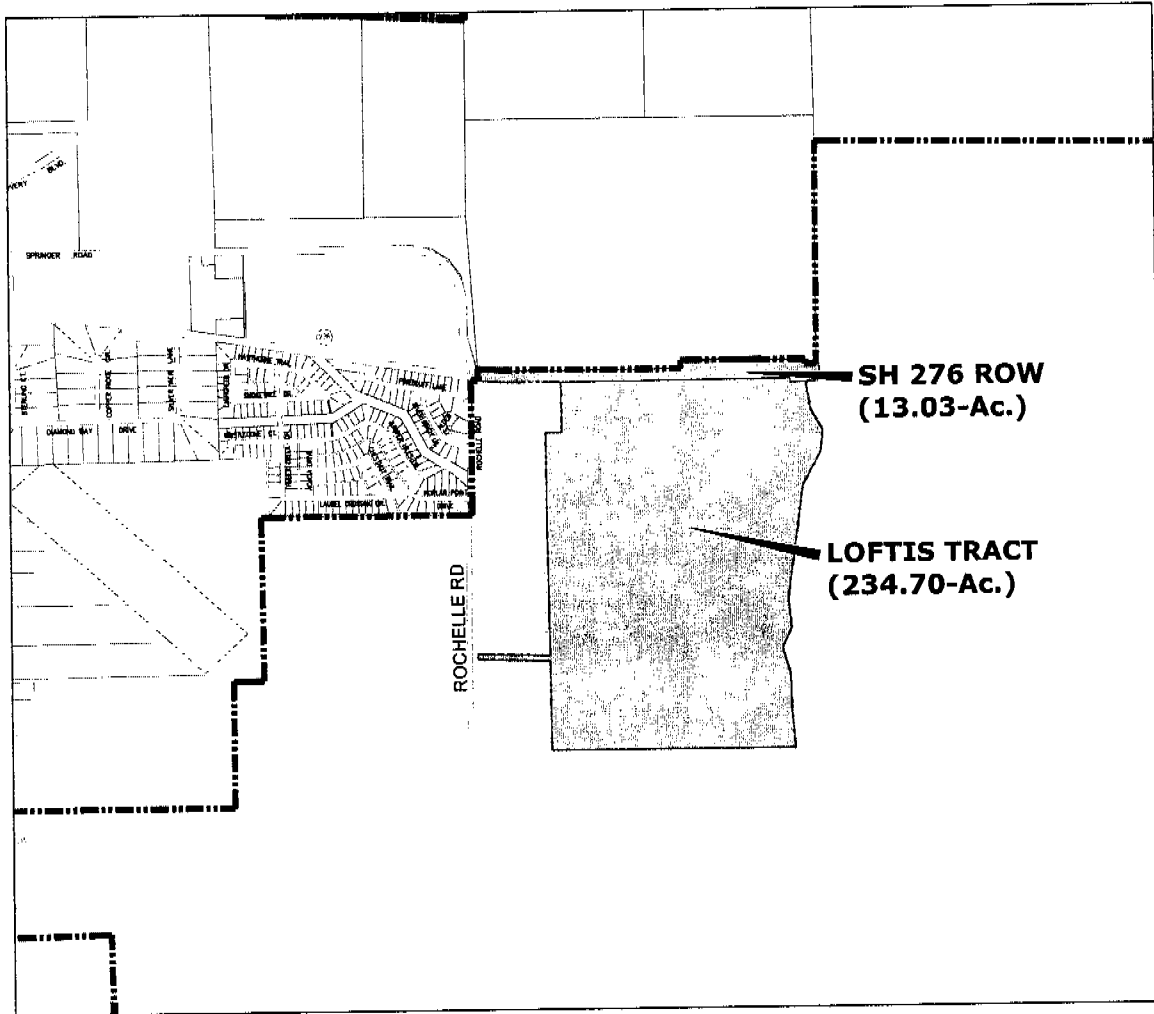
THENCE N. 00 deg.57 min. 11 sec. W. along the East line of said Addition, a distance of 909.39 feet to a ½" iron rod found for corner;

THENCE N. 00 deg. 16 min. 12 sec. W. along the East line of said Addition, a distance of 958.30 feet to a ½" iron rod found for corner at the Northeast corner of Tract One in said Addition;

EXHIBIT "A"

THENCE EAST a distance of 172.76 feet to a ½" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 00 deg. 22 min. 52 sec. W. a distance of 528.61 feet to the POINT OF BEGINNING and containing 247.7302 acres of land (more or less).



SERVICE PLAN FOR ANNEXED AREA

Annexation Case No. A2005-002
City and County of Rockwall, Texas

ACREAGE ANNEXED:

247.73 acres

SURVEY ABSTRACT AND COUNTY:

All that certain lot, tract or parcel of land situated in the J.H. ROBNETT SURVEY, ABSTRACT NO. 182 AND NEWELL SURVEY, ABSTRACT NO. 167, Rockwall County, Texas, and being part of that 37.87 acres Tract 1 and 296.60 acres Tract 2 of land as described in a Warranty deed from Emma L. Rochell to Joe D. Loftis and Jo Ann Loftis, May 20, 1988 and being recorded in Volume 403, Page 283 of the Real Property Records of Rockwall County, Texas, and also being a part of Tract Nine of RIDGE HAVEN ESTATES NO. 2, an Addition to Rockwall County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 245 of the Plat Records of Rockwall County, Texas, and also a part of that 120 acres tract of land as described in a Warranty deed from Joe D. Loftis and Jo Ann Loftis to Emma L. Rochell, dated May 20, 1988 and being recorded in Volume 403, Page 280 of the Real Property Records of Rockwall County, Texas, and being more particularly described by metes and bounds as attached.

DATE OF ADOPTION OF ANNEXATION ORDINANCE: October 17, 2005
Date

Municipal services to the acreage described above shall be furnished by or on behalf of the City of Rockwall, Texas, at the following levels and in accordance with the following schedule:

A. Police Services:

1. Patrolling, responses to calls, and other routine police services will be provided on the effective date of annexation.
2. As development and construction commence within this area, sufficient police personnel and equipment will be provided to continue to furnish this area the level of police services consistent with police services available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

B. Fire Services

1. Fire protection by the present personnel and the present equipment of the fire Department will be provided to this area on the effective date of annexation.
2. As development and construction commences within this area, sufficient fire personnel and equipment will be provided to continue to furnish this area the level of fire services consistent with fire service available in other parts of the City with land uses and population densities similar to those projected in the annexed area.

C. Health and Code Compliance Services

1. Enforcement of the City's health ordinances and regulations including, but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances, food handlers ordinances and animal control ordinances, shall be provided within this area on the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel.

Complaints of ordinance or regulation violations within this area will be responded and investigated by existing personnel beginning with the effective date of the annexation ordinance.

2. The City's building, plumbing, electrical, gas heating, air conditioning and all other construction codes will be enforced within this area beginning with the effective date of the annexation ordinance. Existing personnel will be used to provide these services.
3. The City's zoning, subdivision, and other ordinances shall be enforced in this area beginning on the effective date of the annexation ordinance.
4. All inspection services furnished by the City of Rockwall, but not mentioned above, will be provided to this area beginning on the effective date of the annexation ordinance. Any property owner or his/her assigns who in good faith has a new building or structure, as defined in the Comprehensive Zoning Ordinance, under construction on the effective date of annexation shall be exempted from these inspections for that building or structure under construction for a period of one year from the effective date of annexation. For the purpose of this ordinance "under construction" shall mean any work that requires a building permit from the City of Rockwall.
5. As development and construction commence within this area, sufficient personnel will be provided to continue to furnish this area the same level of Health and Code compliance services as are furnished throughout the City.

D. Planning and Zoning Services

1. The planning and zoning jurisdiction of the City will extend to this area on the effective date of the annexation ordinance. City planning will thereafter encompass this property, and it shall be entitled to consideration for zoning in accordance with the City's Comprehensive Plan, Zoning Ordinance, Landscape Ordinance and Code of Ordinances.

E. Recreation and Leisure Services

1. Residents of this property may utilize all existing recreational and leisure services facilities and sites throughout the City beginning with the effective date of the annexation ordinance.
2. Existing parks, playgrounds, swimming pools and other recreation and leisure facilities within this property shall, upon dedication to and acceptance by the City, be maintained and operated by the City of Rockwall.

F. Solid Waste Collection

1. Solid waste collection shall be provided to the property owner in accordance with existing City policies as to frequency and charges, beginning on the effective date of annexation except for properties that are served by a privately owned solid waste management service provider.

G. Streets

1. The City of Rockwall's existing policies with regard to street maintenance, applicable throughout the entire City, shall apply to this property beginning within 60 days of the effective date of the annexation ordinance.
2. As development, improvements or construction of streets to the City standards commence within this property, the policies of the City of Rockwall with regard to impact fees and participation in the cost thereof, acceptance upon completion, and maintenance after completion, shall apply.
3. The same level of maintenance shall be provided to streets within this property that have been accepted by the City of Rockwall as is provided to like City streets throughout the City.

H. Water Services

1. The City's water system has sufficient capacity to provide water for domestic and fire protection to the area in conformity with established City standards. The City has a 16-inch water line located along SH 276, at the Timber Creek Subdivision, west of the annexed area. However, the area to be annexed lies within the certificated water service area of the Blackland Water Supply Company; the City thus is unable to provide service within such area without the express consent of Blackland.
2. Private water lines within this property shall be maintained by their owners, in accordance with existing policies applicable throughout the City.
3. Water mains of the City will be extended in accordance with the provisions of the Code of Ordinances, as indicated in the adopted master sewer plan or as amended in the future, the engineering standards, and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations.

I. Sanitary Sewer Services

1. According to the current sewer plan, the proposed annexed area is shown to be served by the Timber Creek Lift Station, force main, existing gravity lines and the Mims Sanitary Sewer Lift Station. The Timber Creek Lift Station pumping capacity will need to be increased by the Developer per existing City policies. The Developer will need to construct a lift station and force main to pump the proposed annexed area's sewer flows from their site to the Timber Creek Lift Station.

2. Sanitary sewer mains of the City will be extended in accordance with the provisions of the Code of Ordinances, engineering standards and other applicable ordinances and regulations. Sewer service for this area shall be directed to the Timber Creek Lift Station as indicated in the adopted master sewer plan or as amended in the future.

J. Public Utilities

1. Other public utilities will be provided by the City's franchisee or a provider holding a certificate of convenience issued by the state to serve that area.

K. Miscellaneous

1. General municipal administration services of the City shall be available to the annexed area beginning with the effective date of the annexation ordinance.

A2005-002: Annexation Schedule (*Voluntary*)

July 18, 2005 - Annexation presented to City Council for approval to proceed

August 5, 2005 - Notice of public hearing mailed to property owners (*30 days prior to 1st public hearing*)

August 19, 2005 - Notice Sent to Paper for publication

August 24, 2005 - Notification Appears in Newspaper for Public Hearings (< 20 and > 10 days before public hearings). Obtain required affidavit of publication from paper

August 24, 2005 - Notification is posted on Internet (< 20 & > 10 days before public hearings)

Sept 6, 2005 - First and Second Public Hearings (< 40 and > 20 days before 1st reading)

October 3, 2005 - City Council Approve Annexation Ordinance (**First Reading**)

October 17, 2005 - City Council Final Approval. (**Second Reading**)

January 1, 2006 - Annexation Proceedings Must Be Completed Within 90 Days of First Reading of Ordinance (10/3/05)

Legal Description for
Loftis Tract Annexation (See Exhibit “A”)

All that certain lot, tract or parcel of land situated in the J.H. ROBNETT SURVEY, ABSTRACT NO. 182 AND NEWELL SURVEY, ABSTRACT NO. 167, Rockwall County, Texas, and being part of that 37.87 acres Tract 1 and 296.60 acres Tract 2 of land as described in a Warranty deed from Emma L. Rochell to Joe D. Loftis and Jo Ann Loftis, May 20, 1988 and being recorded in Volume 403, Page 283 of the Real Property Records of Rockwall County, Texas, and also being a part of Tract Nine of RIDGE HAVEN ESTATES NO. 2, an Addition to Rockwall County, Texas, according to the Plat thereof recorded in Cabinet A, Slide 245 of the Plat Records of Rockwall County, Texas, and also a part of that 120 acres tract of land as described in a Warranty deed from Joe D. Loftis and Jo Ann Loftis to Emma L. Rochell, dated May 20, 1988 and being recorded in Volume 403, Page 280 of the Real Property Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a ½” iron rod found for corner in the south right-of-way line of State Highway 276, at the Northeast corner of a 2.145 acres tract of land as described in a Warranty deed from Joe D. Loftis and Jo Ann Loftis to Donald E. Waddle and Molly D. Waddle, dated April 15, 1993 and being recorded in Volume 778, Page 180 of the Real Property Records of Rockwall County, Texas;

THENCE S. 89 deg. 40 min. 46 sec. W along said south right-of-way line, a distance of 565.90 feet to a point;

THENCE N. 86 deg. 16 min. 09 sec. W a distance of 278.99 feet to a point in the existing City of Rockwall city limits line, said point also being a projection of the centerline of Springer Rd;

THENCE N. 00 deg. 19 min. 49 sec. E along said centerline of Springer Rd a distance of 129.33 feet to a point in the north right-of-way line of State Highway 276;

THENCE, along the north right-of-way line of State Highway 276 and the existing City of Rockwall City limits line the following:

- S. 85 deg. 53 min. 45 sec. E a distance of 210.94 feet to a point;
- S. 89 deg. 53 min. 27 sec. E a distance of 1917.34 feet to a point;
- N. 00 deg. 11 min. 05 sec. W a distance of 87.44 feet to a point;
- N. 89 deg. 48 min. 55 sec. E a distance of 756.93 feet to a point;
- S. 89 deg. 29 sec. 47 sec. E a distance of 543.73 feet to a point;
- S. 00 deg. 30 sec. 13 sec. W a distance of 50.00 feet to a point;
- S. 89 deg. 29 sec. 07 sec. E a distance of 149.49 feet to a point being the southeasterly corner of a 208.52 tract known as Tract 1, Abstract 100, M.E. Hawkins Survey as conveyed to Haden Master Trust 2004 as recorded in Volume 3585, Page 1, of said Deed Records;

THENCE South a distance of 184.21 feet departing said north right-of-way line of State Highway 276 to a point in the south right-of-way line of State Highway 276;

THENCE S 89 deg. 22 min. 50 sec W a distance of 141.63 feet along south right-of-way line of State Highway 276 to a point for corner in the center of Brushy Creek, at the Northwest corner of Lot 1, DOWELL ROAD ADDITION, an Addition to Rockwall County, Texas, according to the Plat thereof recorded in Cabinet C, Slide 222 of the Plat Records of Rockwall County, Texas;

THENCE in a Southerly direction along the meanders of Brushy Creek and the West line of said Addition as follows:

- S. 09 deg. 26 min 02 sec. E. a distance of 296.87 feet;
- S. 30 deg. 35 min 29 sec. E. a distance of 245.61 feet;
- S. 06 deg. 28 min 58 sec. W. a distance of 228.81 feet;

S. 28 deg. 12 min 33 sec. W. a distance of 394.36 feet;
S. 07 deg. 40 min 13 sec. W. a distance of 1188.15 feet;
S. 04 deg. 55 min 56 sec. E. a distance of 326.62 feet;
S. 25 deg. 06 min 29 sec. W. a distance of 183.45 feet;
S. 20 deg. 48 min 51sec. W. a distance of 39.99 feet;
S. 16 deg. 04 min 47 sec. E. a distance of 287.78 feet;
S. 01 deg. 18 min 04 sec. E. a distance of 336.00 feet;
S. 04 deg. 52 min 57 sec. E. a distance of 436.67 feet to a point for corner at the Southwest corner of a 10.59

acres tract of land as described in a Deed to Darrell and Sandra Smith as recorded in Volume 1421, Page 130 of the Real Property Records of Rockwall County, Texas;

THENCE WEST (Controlling bearing line), at 100.00 feet pass a ½" iron rod with yellow plastic cap stamped "R.S.C.I. PRLS 5034" set for witness and continuing along the South line of said Loftis 296.60 acres tract, for a distance of 2587.66 feet to a ½" iron rod found for corner at the Southeast corner of Tract Twelve of said RIDGE HAVEN ESTATES NO. 2;

THENCE N. 00 deg. 40 min. 31 sec. W. along the East line of said Addition, a distance of 934.66 feet to a concrete monument found for corner in the East line of said Tract Nine of RIDGE HAVEN ESTATES NO. 2;

THENCE N. 88 deg. 13 min. 42 sec. W. a distance of 757.72 feet to a concrete monument found for corner in the West line of said Tract Nine and in the East right-of-way line of Rochell Road;

THENCE N. 00 deg. 52 min. 44 sec. W. along said right-of-way line, a distance of 60.19 feet to a concrete monument found for corner at the Northwest corner of said Tract Nine;

THENCE S. 88 deg. 15 min. 56 sec. E. along the North line of said Tract Nine, a distance of 758.78 feet to a concrete monument found for corner at its Northeast corner;

THENCE N. 00 deg. 46 min. 56 sec. W. along the East line of said Addition, a distance of 471.17 feet to a ½" iron rod found for corner;

THENCE N. 00 deg. 57 min. 11 sec. W. along the East line of said Addition, a distance of 909.39 feet to a ½" iron rod found for corner;

THENCE N. 00 deg. 16 min. 12 sec. W. along the East line of said Addition, a distance of 958.30 feet to a ½" iron rod found for corner at the Northeast corner of Tract One in said Addition;

THENCE EAST a distance of 172.76 feet to a ½" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 00 deg. 22 min. 52 sec. W. a distance of 528.61 feet to the POINT OF BEGINNING and containing 247.7302 acres of land (more or less).



U.S. Department of Justice

Civil Rights Division

COPY

~~12-27-05P05:15 RCVD~~

JKT:MSR:SMC:tgf
DJ 166-012-3
2005-4102

*Voting Section - NWB.
950 Pennsylvania Avenue, N.W.
Washington, DC 20530*

December 21, 2005

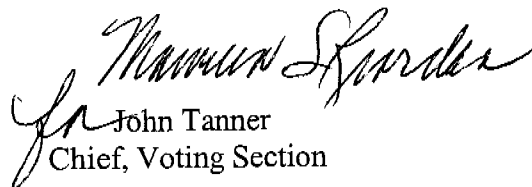
Ms. Dorothy Brooks
City Secretary
385 South Goliad
Rockwall, Texas 75087

Dear Ms. Brooks:

This refers to two annexations (Ordinance Nos. 05-53 and 05-56) to the City of Rockwall in Rockwall County, Texas, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submission on November 8, 2005.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. In addition, as authorized by Section 5, we reserve the right to reexamine this submission if additional information that would otherwise require an objection comes to our attention during the remainder of the sixty-day review period. Procedures for the Administration of Section 5 of the Voting Rights Act (28 C.F.R. 51.41 and 51.43).

Sincerely,


John Tanner
Chief, Voting Section