

**CITY OF ROCKWALL
ORDINANCE NO. 20-03**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, GRANTING A PETITION FOR ANNEXATION AND PROVIDING FOR THE EXTENSION OF MUNICIPAL BOUNDARY LIMITS TO INCORPORATE SUCH PROPERTY INTO THE CITY OF ROCKWALL, TEXAS WITH THE ANNEXATION OF A 41.39-ACRE TRACT OF LAND IDENTIFIED AS LOTS 1-19, MAYTONA RANCH ESTATES ADDITION AND TRACTS 22-01, 22-02, 22-6 & 22-07 OF THE W. M. DALTON SURVEY, ABSTRACT NO. 72, ROCKWALL COUNTY, TEXAS, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF ROCKWALL, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Rockwall has received a petition for annexation signed by more than 50% of the property owners within the proposed *Annexation Area*, being a 41.39-acre tract of land identified as Lots 1-19, Maytona Ranch Estates Addition and Tracts 22-01, 22-02, 22-6 & 22-07 of the W. M. Dalton Survey, Abstract No. 72, Rockwall County, Texas, generally located on the north side of Cornelius Road west of the intersection of Cornelius Road and Stodghill Road [FM-3549], and depicted and described in *Exhibit 'A'* of this ordinance; and

WHEREAS, in accordance with the requirements of Subchapter C-4, *Annexation of Areas with Population of less than 200 by Petition*, of Chapter 43, *Municipal Annexation*, of the Texas Local Government Code, the City Council of the City of Rockwall adopted *Resolution No. 19-27*, which [1] stated an intent to annex the *Annexation Area*, [2] provided a detail description and map of the *Annexation Area*, and [3] a service plan describing each municipal service to be provided to property owners and residents within the *Annexation*; and

WHEREAS, the City of Rockwall sent *Resolution 19-27* along with written notice to all property owners within the *Annexation Area* notifying them of the required public hearing, the 180-day petition period, and the City's intent to annex the *Annexation Area* prior to seven (7) days after the adoption of *Resolution No. 19-27*; and

WHEREAS, the City of Rockwall has received a subsequent petition from more than 50% of the registered voters within the *Annexation Area* during the 180-day petition period described in Section 43.0685(b) of the Texas Local Government Code, which began 31-days after the adoption of *Resolution No. 19-27*; and

WHEREAS, the City of Rockwall sent all property owners within the *Annexation Area* the results of the petition in accordance with Section 43.0686 of the Texas Local Government Code; and

WHEREAS, the City Council of the City of Rockwall held public hearings where all interested persons were provided with an opportunity to be heard on December 26, 2019 at 6:00 PM, February 18, 2020 at 6:00 PM, and on March 2, 2020 at 6:00 PM in the City Council Chambers at City Hall, which is located at 385 S. Goliad Street, Rockwall, Texas 75087 in accordance with Sections 43.0684 and Section 43.0686(c)(1) of the Texas Local Government Code; and

WHEREAS, the City heard arguments with respect to the petitioned annexation and has decided to annex the area and intends to provide services to the subject properties to be annexed

according to the Service Plan;

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 in *Exhibit 'A'* and incorporated by reference as the *Annexation Area*, containing 41.39-acres which is adjacent to and adjoining the present corporate boundaries of the City of Rockwall, Rockwall County, Texas, is hereby added and annexed to the City of Rockwall, Rockwall County, Texas and said territory as described herein shall hereafter be included within the corporate boundary limits of the City of Rockwall, Rockwall County, 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.

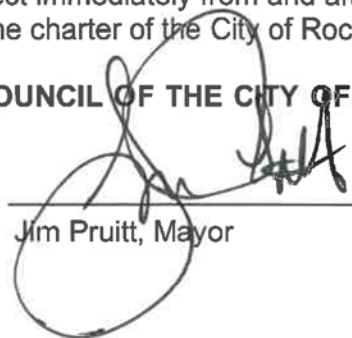
SECTION 4. The above described territory and the acres so annexed shall be a part of the City of Rockwall, Texas, and the inhabitants thereof, if any, shall be entitled to all of the rights and privileges of all citizens and shall be bound by the acts, ordinances, resolutions and regulations of the City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

SECTION 5. That the *Service Plan* for the annexation area, which was made available for public inspection at the *Public Hearings* referenced above, is hereby approved with a copy of said plan being attached hereto and incorporated by reference for all purposes and labeled *Exhibit 'B'*.

SECTION 6. That if any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable

SECTION 7. 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 THE 2ND DAY OF MARCH, 2020.




Jim Pruitt, Mayor

ATTEST:


Kristy Cole, City Secretary

1st Reading: February 18, 2020
2nd Reading: March 2, 2020

APPROVED AS TO FORM:


Frank J. Garza, City Attorney



Exhibit 'A'
Legal Description/Location Map

BEING 41.39 acres of land situated in the Abstract 72, W. M. Dalton Survey in the County of Rockwall, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the Northwestern most corner of Maytona Ranch Estates (RCAD# 19609), Lot 9. (NAD83 Texas State Plane GPS Coordinate: 2603213.48751 E, 7033868.08319 N feet);

THENCE North 88°-50'-14" East, following the North Boundary line of Maytona Ranch Estates, a distance of 1,337.22 feet for a corner;

THENCE South 0°-41'-16" East, a distance of 1,351.6 feet for a corner on the South Right of Way line of Cornelius Rd;

THENCE South 89°-7'-54" West, continuing along said Cornelius Rd Right of Way, a distance of 1337.614 feet for a point;

THENCE North 0°-40'-10" West, a distance of 1,344.725 feet, to the *POINT OF BEGINNING AND CONTAINING* 41.39 acres of land (1,803,020.80 square feet) more or less. The above description also intended to follow all adjacent existing city limits, Extraterritorial Jurisdiction (ETJ), and parcel boundaries.

Exhibit 'A'
Legal Description/Location Map

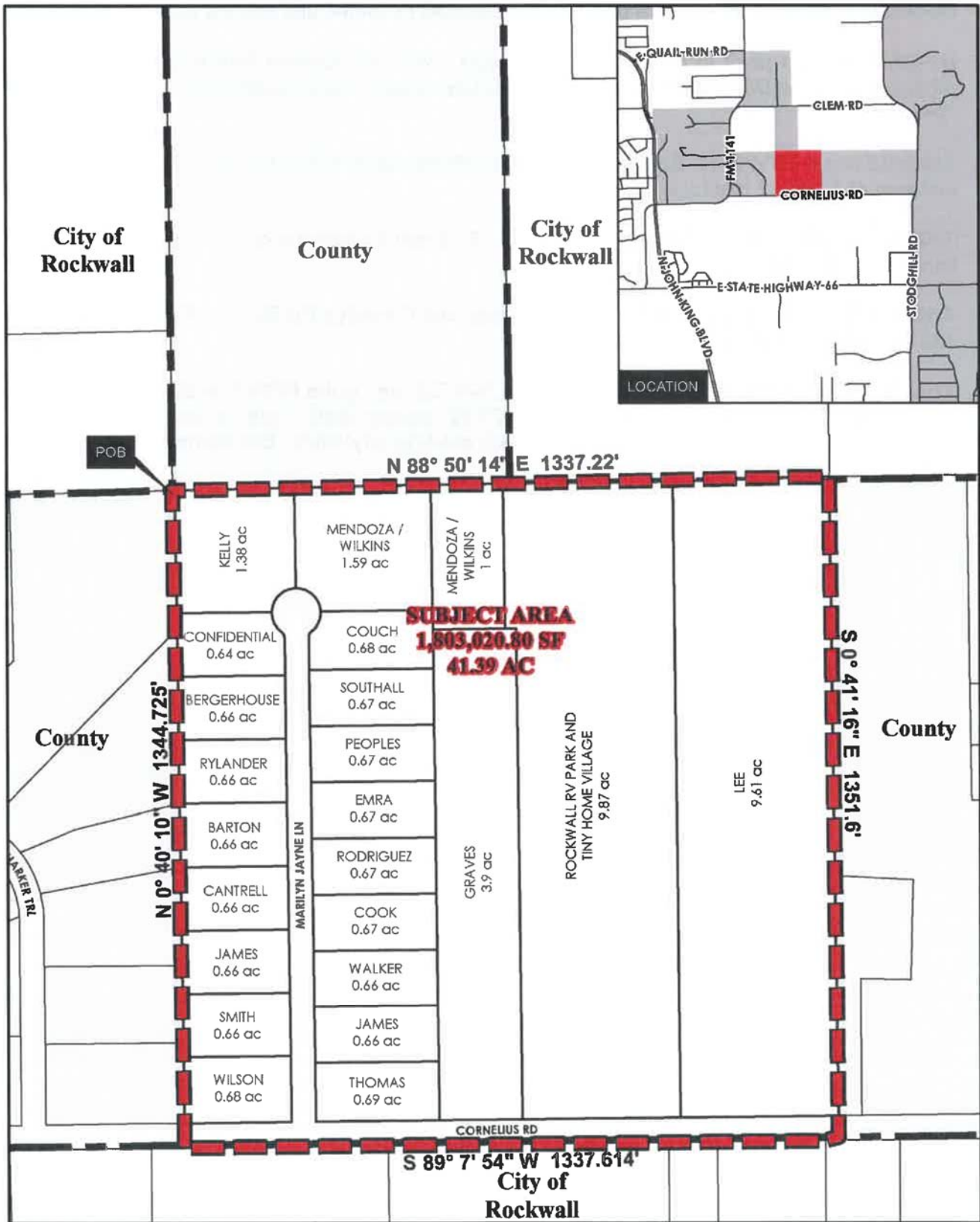


Exhibit 'B'
Service Plan

SERVICE PLAN FOR ANNEXED AREA

Annexation Case No. A2019-001

City and County of Rockwall, Texas

Acreage Annexed: 41.39-acres

Survey Abstract and County: Lots 1-19, Maytona Ranch Estates Addition and Tracts 22-01, 22-02, 22-6 & 22-07 of the W. M. Dalton Survey, Abstract No. 72, Rockwall County, Texas

Date of Adoption of Annexation Ordinance: March 2, 2020

Municipal Services. 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, within the limits of existing personnel and equipment, will be provided within 60-days of 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, within the limitations of available water and distances from existing fire stations, will be provided to this area within 60-days of 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

Exhibit 'B'
Service Plan

- 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, Unified Development Code (UDC) [*i.e. Zoning Ordinance*], and Municipal 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. Such properties will be allowed to continue private service for a period of two (2) years from the effective date of annexation at which time the property will be required to begin service with a franchised solid waste contractor within the City of Rockwall.

(G) Streets

- (1) The City of Rockwall's existing policies with regard to streets, roads and street/roadway lighting maintenance, applicable throughout the entire City, shall apply to this property beginning immediately as 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 public streets and roadways within this property that have been accepted by the City of Rockwall as is provided to like

Exhibit 'B'
Service Plan

City streets and roadways throughout the City.

(H) Water Services

- (1) Connection to existing City water mains for water services for domestic, commercial and industrial use within this property will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinance for such services throughout the City.
- (2) Water mains of the City will be extended in accordance with provisions of the Municipal Code of Ordinances and other applicable ordinances and regulations. City participation in the costs of these extensions shall be in accordance with applicable City ordinances and regulations and will be provided as otherwise available in other parts of the City with topography, land uses, population densities similar to those reasonably contemplated or projected in the annexed area.
- (3) Water mains which are within the annexed area and are owned and operated by the City shall be maintained beginning with the effective date of the annexation ordinance or upon acquisition by the City.
- (4) Private water lines within this property shall be maintained by their owners, in accordance with existing policies applicable throughout the City.

(I) Sanitary Sewer Services

- (1) Connections to existing City sanitary sewer mains for sanitary sewage service in this area will be provided in accordance with the existing City policies. Upon connection, sanitary sewage service will be provided at rates established by City ordinances for such services throughout the City.
- (2) Sanitary sewer mains and/or lift stations which are within the annexed area and are connected to City mains shall be maintained by the City of Rockwall beginning with the effective date of the annexation ordinance or upon acquisition by the City.
- (3) Sanitary sewer mains of the City will be extended in accordance with the provisions of the Municipal Code of Ordinances and 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 and will be provided as otherwise available in other parts of the City with topography, land uses, and population densities similar to those reasonably contemplated or projected in the area.
- (4) Previously granted exceptions to the requirements of connections to the City's sanitary sewer treatment system or Off-Site Sanitary Sewer Facilities (OSSF) constructed prior to annexation shall be continued until such alternate systems are determined to no longer function to meet the sanitary sewer needs of the subdivision granted the exception or for systems installed prior to annexation.

(J) Public Utilities.

- (1) Other public utilities will be provided by the City's franchisee or a provider holding a Certificate of Convenience and Necessity (CCN) 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.

Exhibit 'B'
Service Plan