

ORDINANCE NO. 83-65

AN ORDINANCE OF THE CITY OF ROCKWALL, TEXAS, ANNEXING THE HEREAFTER DESCRIBED TERRITORY TO THE CITY OF ROCKWALL, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS AND GRANTING TO ALL INHABITANTS AND OWNERS OF PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING INHABITANTS BY ALL THE ACTS, ORDINANCES, AND REGULATIONS OF SAID CITY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the corporation owning the hereinafter described land has filed a petition stating that it desires annexation thereof to the City of Rockwall; and,

WHEREAS, it has presented a written petition to that effect to the City Council and has attached thereto an affidavit that there are no qualified voters in said territory and that the person signing the petition was the agent and attorney-in-fact for the owner of the land in said territory; and,

WHEREAS, after development and presentation of a service plan for said territory and after holding public hearings required under the provisions of Article 970a of the Revised Civil Statutes of the State of Texas; and,

WHEREAS, the following described territory is land adjoining the present City Limits of the City of Rockwall, and the members of the City Council of the City of Rockwall have concluded that said area should be annexed and made a part of the City of Rockwall, Texas, NOW, THEREFORE,

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

SECTION 1. That the following described territory be, and the same is hereby, annexed to the City of Rockwall, Texas, and the boundary limits of the City of Rockwall be, and the same are hereby, extended to include the following described territory within the City Limits, and the same hereafter shall be included within the territorial limits of said City, and the inhabitants thereof hereafter shall be entitled to all rights and privileges of other citizens of the City and shall be bound by all the acts, ordinances and regulations of said City. That the territory annexed hereby is more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes.


SECTION 2. That it is not the intention of the City of Rockwall to annex any territory not legally subject to being annexed by said City, and

should any portion of the territory not be subject to legal annexation of the City of Rockwall, such fact will not prevent the City from annexing said territory which is described in Exhibit "A" and is subject to legal annexation, it being the intention of the City of Rockwall to annex only such territory as may be legally annexed by it within the limits of such area.

SECTION 3. This ordinance shall take effect immediately from and after its passage as the law in such cases provides.

DULY PASSED by the City Council of the City of Rockwall, Texas on the 5th day of December, 1983.

APPROVED:


Mayor

ATTEST:


City Secretary

EXHIBIT "A"

Being a tract or parcel of land situated in the J. D. McFarland Survey, Abstract No. 145, City of Rockwall, Rockwall County, Texas, and being the same tract of land as conveyed to Henry S. Miller Co., Trustee for Interstate 30 South-Rockwall Joint Venture as recorded in Volume 113, Page 393 of the Deed Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a concrete monument for corner in the Easterly right-of-way line of Interstate Highway No. 30 (300' R.O.W. at this point), said monument being the most Westerly corner of the above referenced tract, (i.e. Volume 113, Page 393); said monument also being the beginning of a non-tangent curve to the left having a central angle of $14^{\circ} 51' 03''$, a radius of 3,969.72 feet and a chord bearing North $43^{\circ} 12' 35''$ East, 1,026.06 feet.

THENCE, along said curve and with said right-of-way line, an arc distance of 1,028.94 feet to a concrete monument for point of tangency;

THENCE, North $35^{\circ} 47' 03''$ East, continuing with said right-of-way, a distance of 436.28 feet to an iron pin set for corner in an old fence line;

THENCE, South $45^{\circ} 28' 05''$ East, with an old fence and hedgerow, a distance of 2,650.64 feet to an iron pin found for corner at a fence corner;

THENCE, South $24^{\circ} 05' 05''$ West, with a fence most of the way, a distance of 1,486.14 feet to an iron pin found for corner in the center of a public road;

THENCE, North $47^{\circ} 25' 21''$ West, with said public road, a distance of 149.22 feet to an iron pin set for corner in the edge of said public road at an old fence post;

THENCE, North $78^{\circ} 12' 18''$ West, crossing and departing said public road, a distance of 273.09 feet to an iron pin found for corner;

THENCE, North $45^{\circ} 33' 16''$ West, passing the edge of said public road at 125.00 feet, a total distance of 1,227.33 feet to an iron pin set for corner in the center of said public road;

THENCE, North $44^{\circ} 21' 25''$ East, departing the centerline of said public road and passing an iron pin found at 16.35 feet, a total distance of 210.39 feet to an iron pin found for corner;

THENCE, North $45^{\circ} 38' 00''$ West, a distance of 208.76 feet to an iron pin found for corner;

THENCE, South $44^{\circ} 17' 45''$ West, passing an iron pin found at 194.05 feet; a total distance of 210.10 feet to an iron pin set for corner in the center of a public road;

THENCE, North $45^{\circ} 33' 16''$ West, with the centerline of a public road, a distance of 493.89 feet to an iron pin found for corner;

THENCE, North $43^{\circ} 56' 45''$ East, departing the centerline of a public road and passing a wooden right-of-way post at 14.90 feet, a total distance of 350.86 feet to an iron pin set for corner at a fence corner;

THENCE, North $45^{\circ} 27' 50''$ West, with a fence, a distance of 645.48 feet to an iron pin set for corner at a fence corner;

THENCE, South $43^{\circ} 50' 30''$ West, with a fence, a distance of 304.42 feet to a concrete monument for corner;

THENCE, North $25^{\circ} 54' 25''$ West, a distance of 133.50 to the point of beginning and containing 94.084 acres, more or less. (4,098,293 sq. ft.)


94.084 ACRE DEVELOPMENT SERVICE PLAN

The area in question is undeveloped land and is not occupied and it is being annexed on a petition from the Henry S. Miller Company.

Police and Fire protection will be available upon annexation of the property, and the provision of adequate access. Solid waste collection will be available upon development of the property and the construction of adequate streets. All capital improvements, including streets, water facilities, and wastewater facilities, will be constructed by the developer at the developer's expense as required for all subdivisions within the City. Maintenance of roads, streets, and street lighting shall be provided by the City upon construction, dedication and acceptance by the City. The City shall maintain all parks, playgrounds, and other City owned facilities or services which it may construct in the area in the future. At this time there are no municipally owned facilities in this area.

This service plan was approved as a part of Ordinance No. 83-65 annexing the area described therein, and is hereby approved as a part of this ordinance on this 5th day of December, 1983.

APPROVED:



Mayor

ATTEST:



City Secretary