

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON ANNEXING APPROXIMATELY 0.375 ACRES OF LAND, GENERALLY LOCATED ON THE NORTH SIDE OF CRAWFORD ROAD, APPROXIMATELY 675 FEET EAST OF I-35W CRAWFORD ROAD ON-RAMP, MORE SPECIFICALLY DESCRIBED IN EXHIBIT "A" AND ILLUSTRATED IN EXHIBIT "B", WHICH AREA ABUTS AND IS ADJACENT TO THE CITY LIMITS SO AS TO INCLUDE THE PROPERTY WITHIN THE CITY LIMITS; GRANTING TO ALL THE INHABITANTS OF THE PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS, AND BINDING THE INHABITANTS TO ALL OF THE ORDINANCES, RESOLUTIONS, ACTS, AND REGULATIONS OF THE CITY; PROVIDING FOR A CORRECTION TO THE CITY MAP TO INCLUDE THE ANNEXED LANDS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 43.028, Texas Local Government Code (the "Statute"), a home rule city is authorized to annex sparsely occupied areas on petition of area landowners; and

WHEREAS, petitioner CHP Holdings, LLC ("Petitioner") owns approximately .375 acres of land in the extraterritorial jurisdiction of the City of Denton, Texas, generally located on the North side of Crawford Road, approximately 675 feet East of IH35W Crawford Road On-Ramp, and is more particularly described in Exhibit A and illustrated in Exhibit B both attached hereto and incorporated by reference herein ("Property"); and

WHEREAS, the Property is one-half miles or less in width, is contiguous to the City, and is vacant and without residents pursuant to Sec. 43.028 (a) of the Statute; and

WHEREAS, the Petitioner submitted a Petition Requesting Annexation by Landowner to the City on June 22, 2016, for the purposes of requesting that the Property be annexed; and

WHEREAS, a public hearing was held with the City Council on August 19, 2016, which was noticed in accordance with the Statute; and

WHEREAS, annexation proceedings were instituted for the Property described herein at the first reading of the ordinance conducted at the City Council meeting on August 2, 2016; and

WHEREAS, this ordinance has been published in full one time in the official newspaper of the City of Denton after annexation proceedings were instituted and thirty days prior to City Council taking final action, as required by the City Charter; and

WHEREAS, a second reading of the ordinance was conducted at the City Council meeting on September 20, 2016, and the City Council finds that annexing the Property is in the best interest of the citizens of the City of Denton and will allow the City to ensure development consistent with the Denton Plan as it is now written or as it may be modified by the City from time to time, NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. The findings and recitations contained in the preamble of this Ordinance are incorporated by reference herein.

SECTION 2. The City hereby ANNEXES the land described and depicted in Exhibit A and Exhibit B, attached hereto and incorporated herein by reference.

SECTION 3. The newly annexed property shall be included within the corporate limits of the City of Denton, Texas, thereby extending the City's corporate limits and granting to all the inhabitants of the newly annexed property all of the rights and privileges of other citizens and binding the inhabitants to all of the ordinances, resolutions, acts, and regulations of the City. A copy of this Ordinance shall be filed in the real property records of the Denton County Clerk and with the Denton County Appraisal District.

SECTION 4. The City Manager is hereby authorized and directed to immediately correct the map of the City of Denton by adding thereto the additional territory annexed by this Ordinance, indicating on the map the date of annexation and the number of this Ordinance, and the ETJ resulting from such boundary extensions.

SECTION 5. Should any paragraph, section, sentence, phrase, clause, or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

SECTION 6. This ordinance shall be effective immediately upon its passage by the City Council, and it is accordingly so ordained.

PASSED AND APPROVED this the ____ day of _____, 2016.

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
ANITA BURGESS, CITY ATTORNEY

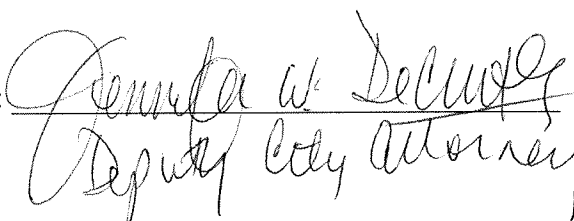
BY: 
Deputy City Attorney

Exhibit A

Metes & Bounds Description

BEING a tract of land situated in the Elizano Pizano Survey, Abstract No. 994, Denton County, Texas, and being all of a called 0.375 acre tract of land as described in the deed to CHP Holdings, LLC, recorded in Document No. 2016-6382, Official Records, Denton County, Texas (ORDCT), and being more particularly described by metes and bounds as follows: (Bearings referenced to the Texas Coordinate System, NAD83 North Central Zone – 4202, as established using GPS Technology in conjunction with the RTK Cooperative Network)

BEGINNING at a 1/2 inch iron rod found for the northeast corner of the said called 0.375 acre tract of land, being common with the easternmost southeast corner of a called 7.605 acre tract of land as described in the deed to CHP Holdings, LLC, recorded in Document No. 2015-93741, Official Records, Denton County, Texas (ORDCT), from which a 6 inch metal fence corner post found for the northeast corner of the said called 7.605 acre tract of land bears North 00°22'53" West, a distance of 459.38 feet.

THENCE South 00°13'21" East, with the east line of the said called 0.375 acre tract of land, passing a 5/8 inch iron rod found at a distance of 149.59 feet, and continuing in all a total distance of 175.03 feet to a "Mag" nail set at the southeast corner of the said called 0.378 acre tract of land, and being in Crawford Road;

THENCE South 89°59'53" West, with the south line of the said called 0.375 acre tract of land, a distance of 94.04 feet to a "Mag" nail set at the southwest corner of the said called 0.375 acre tract of land, being common with the southernmost southeast corner of the said called 7.605 acre tract of land, and being in Crawford Road;

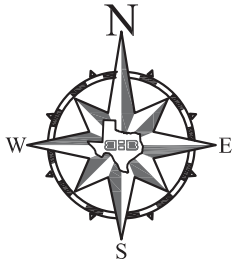
THENCE North 00°14'53" East, with the west line of the said called 0.375 acre tract of land, being a common line with the said 7.605 acre tract of land, passing a 1/2 inch iron rod found at a distance of 25.41 feet, and continuing in all a total distance of 175.00 feet to a 1/2 inch iron rod found for the northwest corner of the said called 0.375 acre tract of land, being common with an interior corner of the said called 7.605 acre tract of land;

THENCE North 89°58'48" East, with the north line of the said called 0.375 acre tract of land, being a common line with the said 7.605 acre tract of land, a distance of 92.61 feet (94.0 feet by deed) to the **POINT OF BEGINNING** and containing 16,350 square feet or 0.375 acres of land more or less.

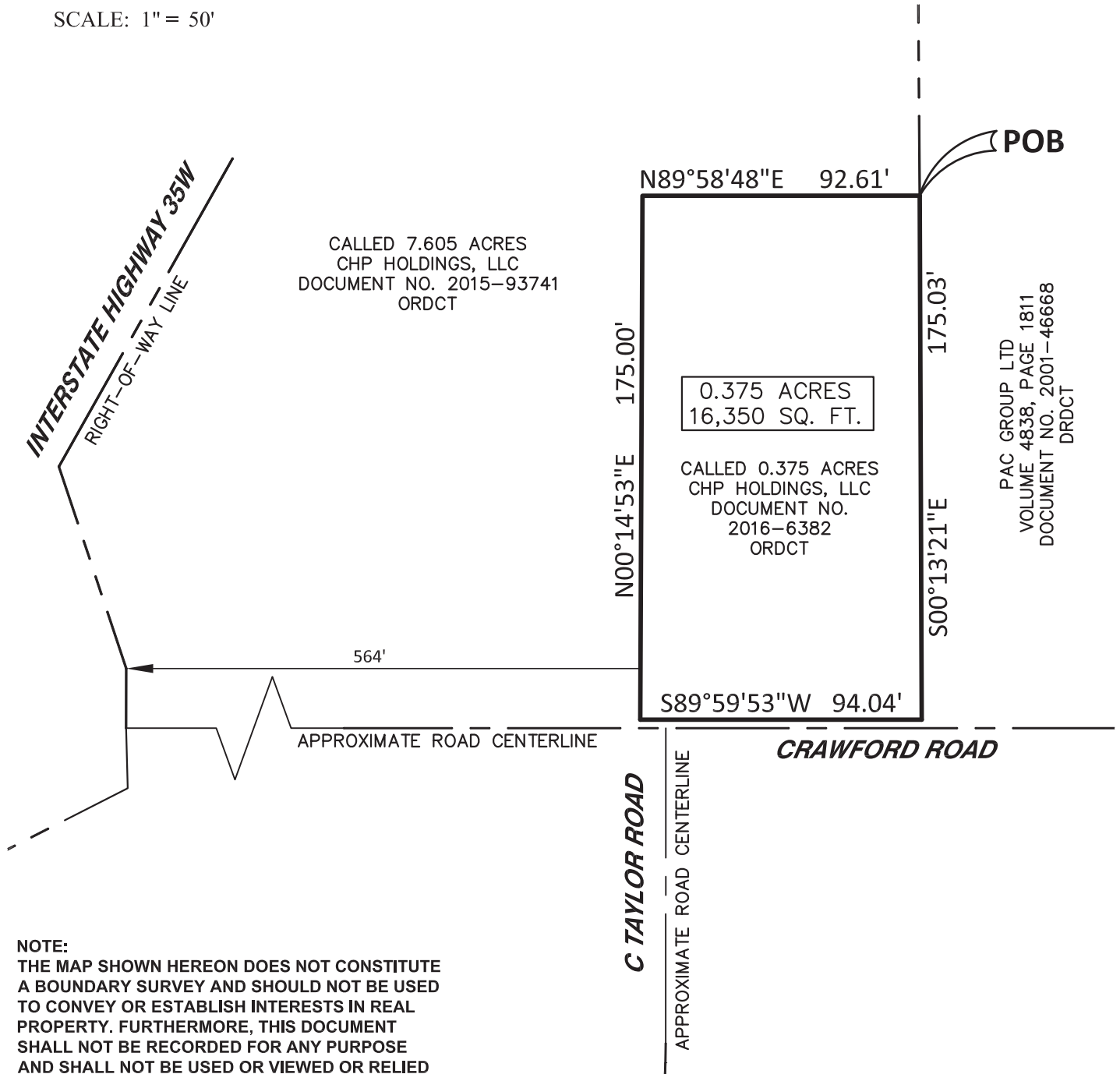
Note:

This metes & bounds is for annexation purposes only and should not be used to convey interests in real property.

EXHIBIT B
MAP OF PROPERTY
0.375 ACRES SITUATED WITHIN THE
ELIZANO PIZANO SURVEY, ABSTRACT NO. 994
DENTON COUNTY, TEXAS



0 50'
SCALE: 1" = 50'



NOTE:
THE MAP SHOWN HEREON DOES NOT CONSTITUTE
A BOUNDARY SURVEY AND SHOULD NOT BE USED
TO CONVEY OR ESTABLISH INTERESTS IN REAL
PROPERTY. FURTHERMORE, THIS DOCUMENT
SHALL NOT BE RECORDED FOR ANY PURPOSE
AND SHALL NOT BE USED OR VIEWED OR RELIED
UPON AS A FINAL SURVEY DOCUMENT. 06-01-16