

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON, TEXAS, SETTING A DATE, AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF E. RYAN ROAD, EAST OF THE INTERSECTION OF E. RYAN ROAD AND ANDREW AVENUE BY THE CITY OF DENTON, TEXAS, AUTHORIZING AND DIRECTING THE CITY SECRETARY TO PUBLISH NOTICE OF SUCH PUBLIC HEARINGS. (A18-0001)

WHEREAS, pursuant to Section 43.061, Subchapter C-1, Texas Local Government Code, a home rule city is authorized to annex certain areas that are not required to be in an annexation plan; and

WHEREAS, the applicant, Thomas Fletcher, on behalf of the property owner DD Creekside Ltd., submitted a petition for annexation to annex the Creekside Addition, a 47.466 acre subdivision situated in the T. Lobar Survey, Abstract Number 779, in Denton County, Texas and more particularly described in **Exhibit A** attached hereto and incorporated herein (collectively, the “Property”); and

WHEREAS, on February 21, 2017, the City Council adopted Ordinance 2017-071 to provide for Periphery Development Annexation Criteria in order to define and clarify when a property in the City’s Extra-territorial Jurisdiction (ETJ) should be considered for annexation through enumerated criteria; and

WHEREAS, the property owner consents to the annexation and the Property qualifies under these criteria as it will require connection to City public services and the Property is located within the City’s CCN boundary for water, wastewater, and electric service; and

WHEREAS, the Denton City Council hereby deems it to be in the best interests of the citizens of the City of Denton to pursue annexation of the Properties and to set public hearings in this matter for this purpose; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1. On the **12th day of June 2018** and the **19th day of June 2018** in the City of Denton City Council Chambers of City Hall, **215 E. McKinney Street, Denton, Texas**, the City Council will hold Public Hearings giving all interested persons the right to appear and be heard on the proposed annexation by the City of Denton, Texas, of the Properties, more particularly described in **Exhibit A**.

SECTION 2. The City Secretary of the City of Denton, Texas, or her designee, is hereby authorized and directed to cause notice of such public hearings to be published once in the newspaper having general circulation in the City and in the above described territory not more than twenty days nor less than ten days prior to the date of such public hearings and to publish the dates, times, and locations of the public hearings on the City’s website, in accordance with Chapter 43 of the Texas Local Government Code.

SECTION 3. Effective Date.

This Ordinance shall become effective immediately upon its passage and approval.

The motion to approve this ordinance was made by _____
and seconded by _____, the ordinance was passed and
approved by the following vote [____ - ____]:

Mayor Chris Watts: _____

Gerard Hudspeth, District 1: _____

Keely G. Briggs, District 2: _____

Don Duff, District 3: _____

John Ryan, District 4: _____

Dalton Gregory, At Large Place 5: _____

Sara Bagheri, At Large Place 6: _____

PASSED AND APPROVED this the _____ day of _____, 2018.

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
AARON LEAL, CITY ATTORNEY

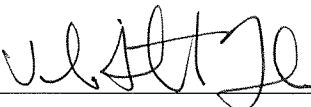
BY: 

EXHIBIT "A"

PROPERTY DESCRIPTION

BEING a tract of land situated in the N. Britton Survey, Abstract No. 51, and the T. Lobar Survey, Abstract No. 779, Denton County, Texas, also being a portion of a called 82.453 acre tract of land described in a deed to Creekside on Ryan Road, LLC, as recorded in Instrument No. 2016-125294, Official Records of Denton County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with plastic cap stamped "Alliance" found for the southwest corner of said 82.453 acre tract, common to the southeast corner of Thistle Hills Estates, Phase II, according to the plat thereof recorded in Cabinet X, Page 147 of the Plat Records of Denton County, Texas, same being on the northerly right-of-way line of Creekdale Drive, a variable width right-of-way;

THENCE North 00°52'54" West, departing the northerly right-of-way line of said Creekdale Drive, along the westerly line of said 82.453 acre tract, the easterly line of said Thistle Hills Estates, Phase II and the easterly line of Thistle Hills Estates, according to the plat thereof recorded in Cabinet R, Page 122 of the Plat Records of Denton County, Texas, a distance of 2,567.75 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the northwest corner of said 82.453 acre tract, common to the northeast corner of said Thistle Hills Estates, same being on the southerly right-of-way line of Ryan Road, an apparent public right-of-way (No Record Found);

THENCE along the southerly right-of-way line of said Ryan Road and the northerly line of said 82.453 acre tract, the following courses:

South 89°58'03" East, a distance of 89.98 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 89°24'07" East, a distance of 174.86 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 88°55'01" East, a distance of 278.32 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

THENCE departing the southerly right-of-way line of said Ryan Road and the northerly line of said 82.453 acre tract, and crossing said 82.453 acre tract, the following courses:

South 41°25'28" East, a distance of 227.52 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 89°56'58" East, a distance of 107.34 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 14°39'52" East, a distance of 125.32 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 39°50'14" East, a distance of 184.25 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 03°41'43" East, a distance of 103.02 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 19°24'07" East, a distance of 123.20 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 25°20'49" East, a distance of 135.03 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 03°36'06" West, a distance of 91.55 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 15°02'28" East, a distance of 209.26 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 02°10'18" East, a distance of 147.36 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 36°09'59" East, a distance of 288.89 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner;

South 04°41'39" East, a distance of 461.90 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for corner on the southerly line of said 82.453 acre tract and the northerly line of Ryan Ranch Phase II, according to the plat thereof recorded in Cabinet T, Page 333 of the Plat Records of Denton County, Texas;

THENCE South 88°35'43" West, along the southerly line of said 82.453 acre tract and the northerly line of said Ryan Ranch Phase II, a distance of 1,205.32 feet to a 1/2 inch iron rod found for the northwest corner of said Ryan Ranch Phase II, common to a re-entrant corner on the easterly line of said 82.453 acre tract;

THENCE South 00°35'38" East, along the easterly line of said 82.453 acre tract and the westerly line of said Ryan Ranch Phase II, a distance of 624.46 feet to a 5/8 inch iron rod with plastic cap stamped "KHA" set for the southerly southeast corner of said 82.453 acre tract, common to the southwest corner of said Ryan Ranch Phase II, same being on the northerly right-of-way line of aforesaid Creekdale Drive;

THENCE North 88°16'54" West, along the southerly line of said 82.453 acre tract and the northerly right-of-way line of said Creekdale Drive, a distance of 80.57 feet to the **POINT OF BEGINNING** and containing 47.466 acres (2,067,627 square feet) of land, more or less.