

ORDINANCE NO. 3305

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, ANNEXING CERTAIN LAND CONSISTING OF 343.5688 ACRES LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY, GENERALLY LOCATED ACROSS THE EAST FORK OF THE TRINITY RIVER DIRECTLY EAST OF THE NORTH TEXAS MUNICIPAL WASTEWATER TREATMENT PLANT LYING NORTH OF I-20 BETWEEN THE EAST FORK OF THE TRINITY RIVER IN DALLAS COUNTY AND COUNTY ROAD 200 (WISER ROAD) IN KAUFMAN COUNTY, AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF THIS ORDINANCE, EXTENDING THE BOUNDARY LIMITS OF SAID CITY OF MESQUITE, DALLAS COUNTY, TEXAS, GRANTING THE INHABITANTS OF THE AREA ALL RIGHTS AND PRIVILEGES OF OTHER CITIZENS OF THE CITY, AND MAKING APPLICABLE TO SAID TERRITORY ALL OF THE ORDINANCES AND REGULATIONS OF SAID CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE PUBLICATION AND FILING OF SAID ORDINANCE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Mesquite has heretofore adopted a Home Rule Charter authorizing it to annex territory and extend the corporate limits of the City; and

WHEREAS, the property described in Exhibit "A" attached hereto and made a part of this ordinance, is contiguous to the present city limits of the City of Mesquite; and

WHEREAS, such area of land is within the extraterritorial jurisdiction of the City; and

WHEREAS, there are no inhabitants of said property; and

WHEREAS, a service plan for the property has been prepared as required by state law; and

WHEREAS, at least two (2) public hearings, pursuant to the requirements of state law, have been held by the City Council; and

WHEREAS, the City Council of the City of Mesquite has concluded that said area of land should be annexed.

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

Kaufman Co. 1384 Pg 546 Filed 8-2-99

Dallas Co. 99157 00593 Filed 8/12/99


SECTION 1. That the property consisting of 343.5688 acres of land within the City's Extraterritorial Jurisdiction, generally located across the East Fork of the Trinity River directly east of the North Texas Municipal Wastewater Treatment Plant, lying north of I-20 between the East Fork of the Trinity River in Dallas County and County Road 200 (Wiser Road) in Kaufman County, and more particularly described in the attached Exhibit "A" is hereby annexed for all municipal purposes to the City of Mesquite, Dallas County, Texas, and the boundary limits of the City of Mesquite be and are hereby extended to include the territory described in Exhibit "A" within the city limits of the City of Mesquite, and the same shall hereafter be included within the territorial limits of said City and residents of the area shall have the rights and privileges of other citizens of the City and all City of Mesquite ordinances, resolutions and regulations shall be applicable to the described territory.

SECTION 2. That the service plan attached hereto as Exhibit "B" and made a part of this ordinance is hereby approved and adopted as the service plan for the territory described herein in accordance with state law.


SECTION 3. That should any portion of the territory described in Exhibit "A" not be subject to legal annexation by the City of Mesquite, such fact shall not prevent the City from annexing such territory which is subject to legal annexation by the City, and it is the intention of the City of Mesquite to annex only such territory as may be legally annexed by it within the limits of the area.

SECTION 4. That this ordinance shall take effect immediately upon its passage.


DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 6<sup>th</sup> day of July, 1999.

  
 Mike Anderson  
 Mayor

ATTEST:

  
 Ellen Williams  
 City Secretary

APPROVED:

  
 B. J. Smith  
 City Attorney

99157 00594

BEING a 343.5688 acre tract of land situated in the William Latham Survey, Abstract No. 837, the Swing & Laws Survey, Abstract No. 1404, the Isaac Edwards Survey, Abstract No. 1658, the J.S. Ramsey Survey, Abstract No. 1189, and the Hannah Wicker Survey, Abstract No. 1757, all in Dallas County, Texas, and part of the J.S. Ramsey Survey, Abstract No. 414, the J.C. Robertson Survey, Abstract No. 441, and the Hannah Wicker Survey, Abstract No. 234, all in Kaufman County, Texas, said tract being a part of that tract conveyed to GKD Partnership I, Ltd., by Warranty Deed recorded in Volume 95202, Page 5367, Deed Records Dallas County, Texas and in Volume 1187, Page 259, Real Property Records of Kaufman County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod set for corner in the north line of Interstate Highway 20 (450' R.O.W.), said corner being the southeast corner of Tract 2 of the said GKD tract and a corner of the Levi J. King tract as recorded in Volume 427, Page 540, Deed Records, Kaufman County, Texas;

THENCE S 87°05'37" W, along said north line, a distance of 3913.51 feet to a point for corner at the beginning of a curve to the right having a central angle of 02°00'59", a radius of 5504.58 feet and a chord bearing and distance of S 88°06'06" W, 193.71 feet;

THENCE continuing along said north line and with said curve to the right, an arc distance of 193.72 feet to a point for corner in the present centerline of the east fork of the Trinity River;

THENCE departing said north line and along said present centerline the following bearings and distances:

- N 34°15'41" E, 207.27 feet to a point for corner;
- N 06°49'00" E, 222.50 feet to a point for corner;
- N 22°34'00" E, 207.00 feet to a point for corner;
- N 11°34'00" E, 170.80 feet to a point for corner;
- N 32°04'00" E, 144.90 feet to a point for corner;
- N 39°39'00" E, 186.30 feet to a point for corner;
- N 23°24'00" E, 196.60 feet to a point for corner;
- N 03°06'00" W, 227.70 feet to a point for corner;
- N 11°24'00" E, 103.50 feet to a point for corner;
- N 24°24'00" E, 227.70 feet to a point for corner;
- N 06°09'00" E, 186.30 feet to a point for corner;
- N 02°39'00" E, 170.80 feet to a point for corner;
- N 31°54'00" E, 56.90 feet to a point for corner;
- N 67°39'00" E, 82.80 feet to a point for corner;
- N 87°24'00" E, 103.50 feet to a point for corner;
- N 66°39'00" E, 129.40 feet to a point for corner;
- N 17°24'00" E, 72.40 feet to a point for corner;
- N 30°51'00" W, 82.80 feet to a point for corner;
- N 72°21'00" W, 191.50 feet to a point for corner;
- N 55°51'00" W, 181.10 feet to a point for corner;
- N 25°06'00" W, 134.60 feet to a point for corner;
- N 08°39'00" E, 191.50 feet to a point for corner;
- N 32°09'00" E, 134.60 feet to a point for corner;
- N 52°24'00" E, 258.80 feet to a point for corner;

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THENCE departing the said centerline N 83°06'35" E a distance of 5235.51' feet to a 5/8" iron rod set for corner and also being in the northwest line of a tract conveyed to Jimmy Smith in Volume, 1139, Page 229, Deed Records, Kaufman County, Texas;

THENCE S 44°53'02" W, along the northwest line of said Smith tract and then the northwest line of a tract conveyed to Kieth Brooks in Volume 1337, Page 495, Deed Records, Kaufman County, Texas, a distance of 1230.22' feet to a 5/8" iron rod set for corner at the most westerly corner of said Brooks tract;

THENCE S 44°08'41" E, along the southwest line of said Brooks tract and then the southwest line of the Cason tract a distance of 1071.12 feet to a 5/8" iron rod set for corner at the north corner of the aforementioned Levi J. King tract;

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THENCE along said Levi J. King tract the following:

THENCE S 44°08'11" W, a distance of 2085.80 feet to a 5/8" iron rod set for corner;

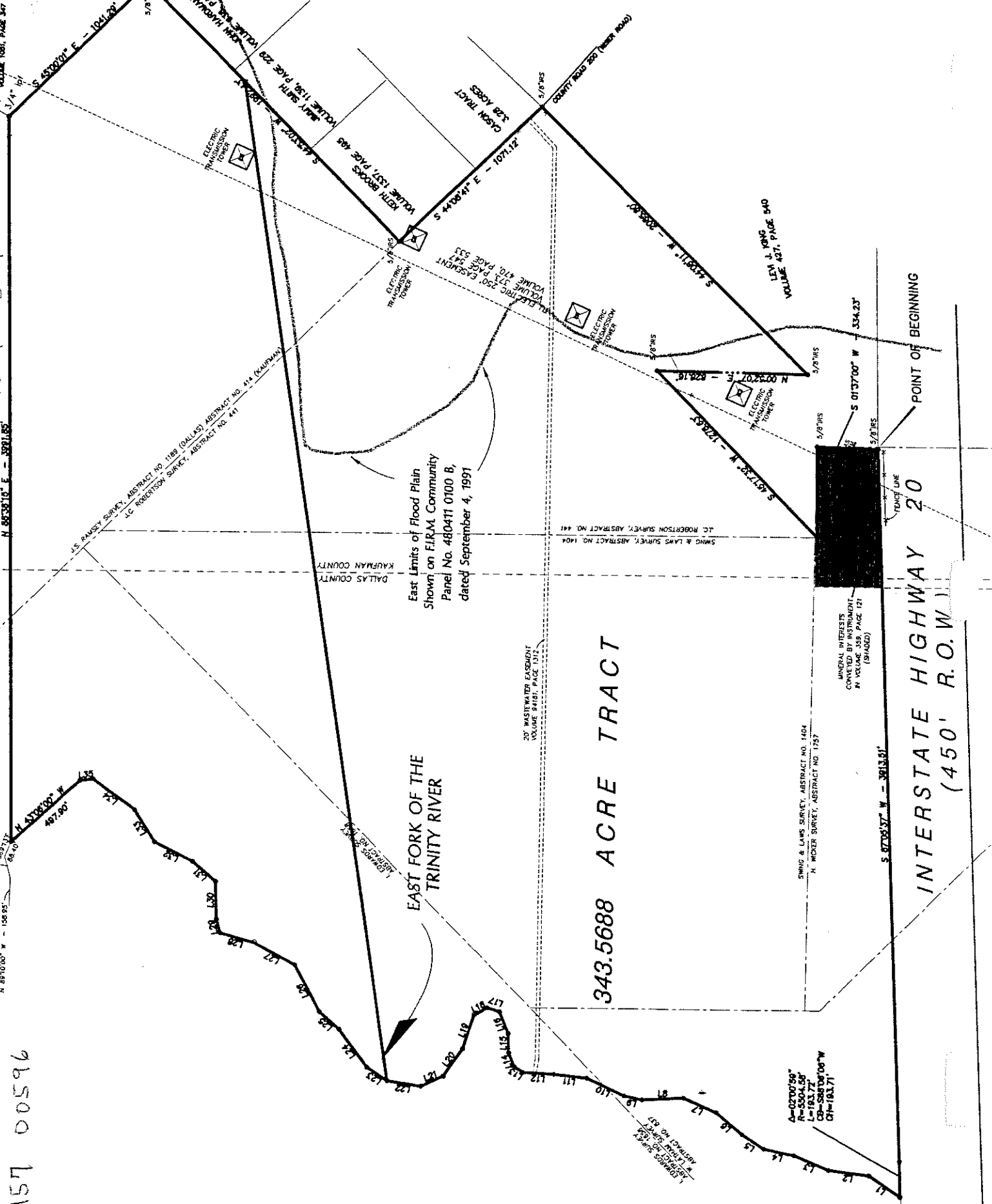
THENCE N 00°52'07" E, a distance of 828.16 feet to a 5/8" iron rod set for corner;

THENCE S 45°17'32" W, a distance of 1278.63 feet to a 5/8" iron rod set for corner;

THENCE N 88°41'54" E, a distance of 499.94 feet to a 5/8" iron rod set for corner;

THENCE S 01°37'00" W, a distance of 334.23 feet to the POINT OF BEGINNING and containing 343.5688 acres of land, more or less.

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*SERVICE PLAN*  
*for*  
*Duke Energy Tract*  
*Proposed Annexation (I-20/Kaufman County)*

The following Service Plan is prepared in accordance with the requirements of the *Texas Local Government Code, Section 43.056*, for the property described below.

***PROPERTY DESCRIPTION***

The property proposed for annexation by the City of Mesquite is described as approximately 345 acres of land within Mesquite's Extra-Territorial Jurisdiction, generally located across the East Fork of the Trinity River directly east of the North Texas Municipal Wastewater Treatment plant, lying north of I-20 between the East Fork of the Trinity River in Dallas County and County Road 200 in Kaufman County. The proposed annexation includes only property under the ownership of GKD Partnership I, Ltd.

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***SCHEDULE OF MUNICIPAL SERVICES***

***A. Police Protection***

Police enforcement and protection services are to be provided by response from the Mesquite Police Department to individual requests beginning on the effective date of the annexation ordinance.

***B. Fire Protection (including Emergency Ambulance)***

Fire protection personnel and equipment, and emergency medical personnel and equipment, shall be provided to the annexed area upon request beginning on the effective date of the annexation ordinance.

***C. Solid Waste Collection***

Solid waste collection service is to be provided to the annexed area in accordance with City of Mesquite ordinance, resolutions, and regulations beginning on the effective date of the annexation ordinance.

***D. Water Service***

1. Water service is to be provided to the annexed area in accordance with City of Mesquite ordinances, resolutions, and regulations beginning on the effective date of the annexation ordinance.
2. There are no individual residents in the annexed area, requiring extension of water mains.
3. As development and construction of subdivisions commence within the annexed area, water mains are to be extended with City participation in the costs of these extension in accordance with City of Mesquite ordinances, resolutions, and regulations.

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E. Sanitary Sewer Service

1. Wastewater service is to be provided to the annexed area in accordance with City of Mesquite ordinances, resolutions, and regulations beginning on the effective date of the annexation ordinance.
2. There are no individual residents in the annexed area, requiring extension of sanitary sewer mains.
3. As development and construction of subdivisions commence within the annexed area, sanitary sewer mains are to be extended with City participation in the costs of these extension in accordance with City of Mesquite ordinances, resolutions, and regulations.

F. Maintenance of Roads and Streets

1. Street maintenance and other street services are to be provided to the annexed area in accordance with City of Mesquite ordinances, resolutions, and regulations beginning on the effective date of the annexation ordinance.
2. As streets are constructed in undeveloped portions of the annexed area, the City is to participate in the cost of construction, acceptance upon completion, maintenance, and other services in accordance with City of Mesquite ordinances, resolutions, and regulations.

G. Parks and Recreation

All of the City of Mesquite parks and recreation facilities are to be available for use by residents/owners of the annexed area beginning on the effective date of the annexation ordinance.

H. Library Services

All of the City of Mesquite library facilities are to be available for use by residents/owners of the annexed area beginning on the effective date of the annexation ordinance.

I. Street Lighting

The City of Mesquite is to provide for the placement of street lights in the annexed area in accordance with practices in all other areas of the City.

J. Traffic Engineering

Necessary traffic studies are to be performed to determine the need for installation of street identification signs and proper traffic control devices within the annexed area in accordance with City of Mesquite ordinances, resolutions, and regulations.

K. Planning and Zoning

The planning and zoning jurisdiction, including subdivision platting processes, of the City of Mesquite extend into the annexed area on the effective date of the annexation ordinance.

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L. Storm Drainage (including Flood Plain Regulation)

Drainage ordinance jurisdiction, including regulation of the flood plain, of the City of Mesquite extend into the annexed area on the effective date of the annexation ordinance.

M. Capital Improvements

The City of Mesquite will initiate the acquisition or construction of capital improvements necessary for providing services adequate to serve the area annexed within two years after the effective date of the annexation ordinance. Any necessary capital improvements will be substantially completed within 4-1/2 years after the effective date of the annexation ordinance.

N. Miscellaneous

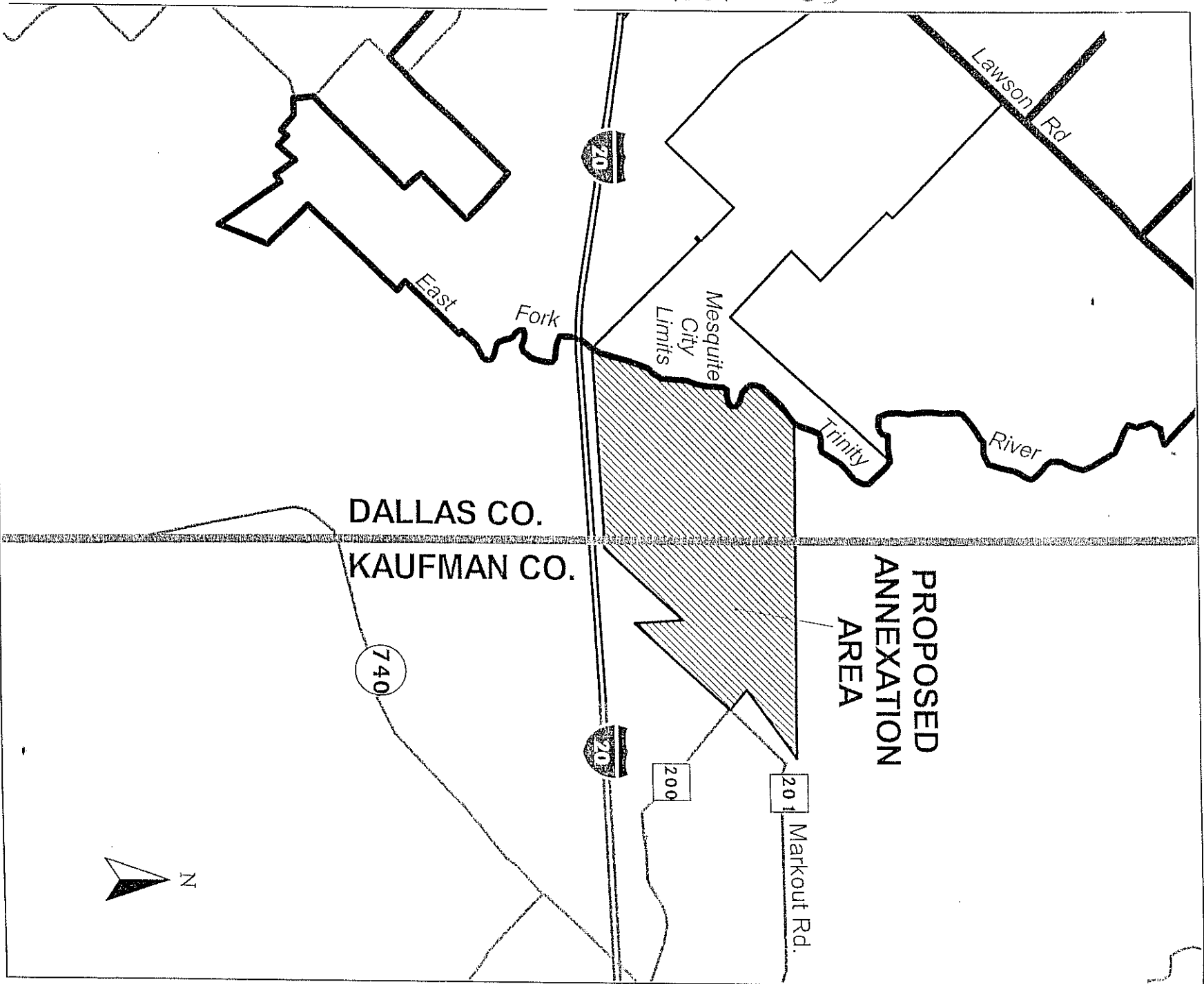
General municipal administration and code enforcement services of the City of Mesquite will be provided to the annexed area beginning on the effective date of the annexation ordinance.

This Service Plan for annexation of property to the City of Mesquite has been prepared by the Department of Development Services, with assistance from other departments, in conformance with the requirements of *Texas Local Government Code, Section 43.056* and the *Mesquite City Charter*.

Prepared: May 26, 1999

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