

**'CITY OF TIOGA, TEXAS  
ORDINANCE NO. 394**

**AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF TIOGA, GRAYSON COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE A CERTAIN 113.315 ACRE TRACT OR TRACTS OF LAND SITUATED IN THE JAMES MCKINNEY SURVEY, ABSTRACT NO. 853, GRAYSON COUNTY, TEXAS WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE TOWN; ADOPTING A SERVICE PLAN; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Tioga is a Type A General Law Municipality located in Grayson County, Texas created in accordance with the provisions of the Texas Local Government Code, the Texas Constitution and operating pursuant to the enabling legislation of the state of Texas; and

**WHEREAS**, Chapter 43 of the Texas Local Government Code of the City of Tioga, Texas, an incorporated city, authorizes the annexation of territory, subject to the laws of this state; and

**WHEREAS**, the owners of the property described on Exhibit A petitioned the City for voluntary annexation; and

**WHEREAS**, the procedures prescribed by the Texas Local Government Code and the laws of this state have been duly followed with respect to the following described territory more particularly described in Exhibit "A" which is attached hereto and incorporated herein.

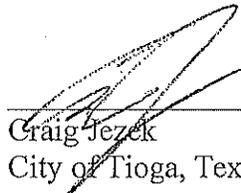
**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TIOGA, TEXAS:**

1. That the heretofore described property is hereby annexed to the City of Tioga, Grayson County, Texas, and that the boundary limits of the City of Tioga be and the same are hereby extended to include the above described territory within the City limits of the City of Tioga, and the same shall hereafter be included within the territorial limits of said Town, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the City of Tioga and they shall be bound by the acts, ordinances, resolutions, and regulations of said Town.
2. A service plan for the area is hereby adopted and attached as Exhibit "B."
3. This property will receive the zoning designation A- Agriculture district at the time of annexation.
4. The City Secretary is hereby directed to file with the County Clerk of Grayson County, Texas, a certified copy of this ordinance.

5. This ordinance shall become effective from and after its date of adoption and publication as provided by law, and it is so ordained.

**AND IT IS SO ORDAINED.**

**PASSED AND APPROVED** by the City Council of the City of Tioga, Texas, this 13<sup>th</sup> day of April, 2020.

  
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Craig Jezek  
City of Tioga, Texas

ATTEST:

  
\_\_\_\_\_  
Donna Carney, City Secretary  
City of Tioga, Texas

[SEAL]

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney  
City of Tioga, Texas

*EXHIBIT A*

Being a tract of land situated in the James McKinney Survey, Abstract No. 853, Grayson County, Texas and being part of a called 165,177 acre tract of land described in Deed to Edward F. Reynolds as recorded in Volume 2919, Page 74, Deed Records, Grayson County, Texas and being part of a called 10.027 acre tract of land described in Deed to Ed F. Reynolds as recorded in Volume 1307, Page 256, said Deed Records and being more particularly described herein as follows:

BEGINNING at a 1/2 inch iron rod found in the West line of a called 175.7 acre tract of land described in Deed to Benny Charles Reynolds as recorded in Volume 2919, Page 66, said Deed Records for the Southeast corner of a called 20.0 acre tract of land described in Deed to Ed W. Reynolds as recorded in Volume 2933, Page 59, said Deed Records and being the most Easterly Northeast corner of the herein described tract;

THENCE South 02 degrees 25 minutes 33 seconds West, with the East line of said 165.177 acre tract and the West line of said 175.7 acre tract, a distance of 1,619.36 feet to a 5/8 inch capped iron rod found for the Northeast corner of Lot 1, Block 1, Smotherman Place Addition as recorded in Document No. 2017-3275, Plat Records, Grayson County, Texas and being the Northerly Southeast corner of the herein described tract;

THENCE North 86 degrees 37 minutes 20 seconds West, with the South line of said 165.177 acre tract and the North line of said Smotherman Addition, a distance of 249.83 feet to a 2 inch steel fence corner post found for the Northwest corner of said Smotherman Addition and an ell corner of the herein described tract;

THENCE South 02 degrees 27 minutes 45 seconds West, with the East line of said 165.177 acre tract and the West line of said Smotherman Addition, a distance of 348.50 feet to a "Mag" nail found at or near the centerline of Buck Creek Road (a public road) for the Southwest corner of said Smotherman Addition and the Southerly Southeast corner of the herein described tract;

THENCE North 86 degrees 26 minutes 24 seconds West, with the South line of said 165.177 acre tract, along said Buck Creek Road, a distance of 1,388.11 feet to a "Mag" nail found for the Southeast corner of a called 11.000 acre tract of land described in Deed to James A. Coffey and Merrie Brooke Coffey as recorded in Volume 5799, Page 158, said Official Records and being the Southwest corner of the herein described tract;

THENCE North 02 degrees 22 minutes 04 seconds East, with the West line of said 165.177 acre tract and the East line of said Coffey tract, a distance of 775.78 feet to a 1/2 inch capped iron rod found for the Northeast corner of said Coffey tract and an ell corner of the herein described tract;

THENCE North 86 degrees 28 minutes 50 seconds West, with the South line of said 165.177 acre tract and the North line of said Coffey tract, a distance of 550.88 feet to a 1 00D nail found at the base of a 6 inch wood fence corner post for the Northwest corner of said Coffey tract and an angle point of the herein described tract, said point also being an angle point of a called 15.77 acre tract

of land (Tract No. 1800-1) described in Deed to United States of America as recorded in Volume 1805, Page 500, said Deed Records;

THENCE with the common line between said 165.177 acre tract and said USA tract, along or near a fence the following courses and distances: North 14 degrees 22 minutes 41 seconds West, a distance of 383.42 feet to a 100D nail found at the base of a 6 inch wood fence corner post for an angle point; North 25 degrees 39 minutes 11 seconds West, a distance of 432.13 feet to a 6 inch wood fence corner post found for the Northeast corner of said USA tract and an ell corner of the herein described tract; South 89 degrees 32 minutes 59 seconds West, a distance of 233.91 feet to a 1/2 inch iron rod found at the base of a 6 inch wood fence corner post for the Northwest corner of said USA tract and an ell corner of the herein described tract, said point also being the Southeast corner of a called 26.725 acre tract of land described in Deed to Allai Weiss as recorded in Volume 5581, Page 526, said Official Records;

THENCE North 02 degrees 51 minutes 41 seconds East, with the, West line of said 165.177 acre tract and the East line of said Weiss tract, a distance of 1,152.83 feet to a 5/8 inch iron rod with plastic cap stamped "PLS, INC" (typical) set for the Southwest corner of a called 1.29 acre tract of land described in Deed to Sherri Wineberg as recorded in Volume 5775, Page 158, said Official Records and being the Northwest corner of the herein described tract;

THENCE South 87 degrees 38 minutes 19 seconds East, with the North line of said 165.177 acre tract and the South line of said Wineberg tract, a distance of 463.86 feet to a 5/8 inch iron rod set for the Southeast corner of said Wineberg tract and an ell corner of the herein described tract;

THENCE North 04 degrees 42 minutes 52 seconds East, with the West line of said 165.177 acre tract and the East line of said Wineberg tract, a distance of 134.53 feet to a 1/2 inch iron rod found in the South Right-of-Way line of F.M. HWY 121 (a public road) for the Northeast corner of said Wineberg tract and an ell corner of the herein described tract;

THENCE South 87 degrees 45 minutes 28 seconds East, with the North line of said 165.177 acre tract, along the said South line of F.M. HWY 121, a distance of 89.73 feet to a 5/8 inch iron rod set for an ell corner of the herein described tract and the Northwest corner of a called 10.50 acre tract (Tract 2) described in Deed to Richard Chrisman and Deborah Cortez as recorded in Volume 5668, Page 111, said Official Records;

THENCE with the common line between said 165.177 acre tract and said Tract 2 the following courses and distances: South 02 degrees 25 minutes 47 seconds West, a distance of 1,235.38 feet to a 5/8 inch iron rod set for an ell corner of the herein described tract and the Southwest corner of said Tract 2;

South 89 degrees 20 minutes 10 seconds East, a distance of 444.33 feet to a 1/2 inch capped iron rod found for an ell corner of the herein described tract and the Southeast corner of said Tract 2; North 02 degrees 25 minutes 47 seconds East, a distance of 1,213.04 feet to a 1/2 inch capped iron rod found in the South line of said F.M. HWY 121 for the Northeast corner of said Tract 2 and an ell corner of the herein described tract;

THENCE South 87 degrees 50 minutes 53 seconds East, with the North line of said 165.177 acre tract, along the South line of said F.M. HWY 121, a distance of 489.46 feet to a 5/8 inch capped iron rod found for the Northwest corner of a called 2.066 acre tract of land described in Deed to The City of Tioga as recorded in Volume 5771, Page 375, said Official Records and being an ell corner of the herein described tract;

THENCE South 02 degrees 13 minutes 56 seconds West, with the East line of said 165.177 acre tract and the West line of said Tioga tract, a distance of 299.84 feet to a 5/8 inch capped iron rod found for the Southwest corner of said Tioga tract and an ell corner of the herein described tract;

THENCE South 87 degrees 49 minutes 00 seconds East, with the North line of said 165.177 acre tract and the South line of said Tioga tract, a distance of 299.90 feet to a 1/2 inch capped iron rod found at a 3 inch steel fence corner post in the West line of said 20.0 acre tract for the Southeast corner of said Tioga tract and an ell corner of the herein described tract;

THENCE South 02 degrees 12 minutes 45 seconds west, with the East line of said 165.177 acre tract and the West line of said 20.0 acre tract, a distance of 573 .05 feet to a 1/2 inch iron rod found for the Southwest corner of said 20.0 acre tract and fill ell corner of the herein described tract;

THENCE South 87 degrees 46 minutes 34 seconds East, with the North line of said 165.177 acre tract and the South line of said 20.0 acre tract, a distance of 932.96 feet to the POINT OF BEGINNING and containing, within the metes and bounds herein recited, 113.315 acres of land, more or less.



**EXHIBIT B**  
**CITY OF TIOGA SERVICE PLAN**  
**FOR ANNEXED AREA**

DATE OF ANNEXATION ORDINANCE:

ACREAGE ANNEXED: 113.315

**PROPERTY DESCRIPTION:** See Exhibit(s) attached to the annexation ordinance.

**A. POLICE PROTECTION:**

Police personnel and equipment from the Tioga Police Department shall be provided to the areas annexed, at a level consistent with current methods and procedures presently provided to similar areas, on the effective date of this ordinance.

**B. FIRE PROTECTION/EMERGENCY MEDICAL SERVICES:**

Fire protection and Emergency Medical Services (EMS) from the City of Tioga shall be provided to the areas annexed, at a level consistent with current methods and procedures presently provided to similar areas, on the effective date of this ordinance.

**C. FIRE PREVENTION:**

The services of the City of Tioga Fire Department shall be provided to the areas on the effective date of this ordinance.

**D. SOLID WASTE COLLECTION:**

Solid waste collection shall be provided to the areas annexed upon request on the effective date of this ordinance. The collection of refuse from individual properties shall be made in accordance with the usual scheduling.

**E. WATER SERVICE:**

Connection to existing City water mains for water service will be provided in accordance with existing City policies. Upon connection to existing mains, water will be provided at rates established by City ordinances.

Maintenance of private lines will be the responsibility of the owner or occupant.

Operation and maintenance of water facilities in the annexed area that are within the service area of another water utility will be the responsibility of that utility.

**F. SANITARY SEWER SERVICE:**

Connection to existing City sanitary sewer mains for sewage service will be provided in accordance with existing City policies. Upon connection to existing mains, sanitary sewer collection will be provided at rates established by City ordinances.

Operation and maintenance of wastewater facilities in the annexed areas that are within the service area of another water utility will be the responsibility of that utility.

Operation and maintenance of private wastewater facilities in the annexed area will be the responsibility of the owner or occupant.

**G. STREETS:**

Emergency street maintenance shall be provided for publicly dedicated streets or roads within these areas on the effective date of this ordinance. Routine maintenance will be scheduled as part of the City's annual street maintenance program in accordance with the then current policies and procedures.

**H. PARKS AND RECREATION:**

Residents within the areas annexed may utilize all existing park and recreation facilities, on the effective date of this ordinance. Fees for such usage shall be in accordance with current fees established by ordinance.

**I. ENVIRONMENTAL HEALTH AND CODE ENFORCEMENT SERVICES:**

Enforcement of current environmental health ordinances and regulations, including but not limited to, weed and brush ordinances, junked and abandoned vehicles ordinances and animal control ordinances, shall begin within these areas within sixty (60) days of the effective date of this ordinance.

Inspection services, including but not limited to, the review of building plans, the issuance of permits and the inspection of all buildings, plumbing, mechanical, and electrical work to ensure compliance with City codes and ordinances will be provided within sixty (60) days of the effective date of this ordinance.

THE STATE OF TEXAS  
COUNTY OF GRAYSON

I, Donna Carney, City Secretary of the City of Tioga, Grayson County, Texas, hereby certifies that the attached document is a true and correct copy on an annexation passed and approved by the City Council of the City of Tioga, Texas at a meeting held on April 13, 2020 as it appears in minutes of record of said meeting.

WITNESS MY HAND AND SEAL OF SAID OFFICE, THIS 14<sup>TH</sup> DAY OF APRIL, 2020.

  
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Donna Carney, TRMC  
City Secretary  
City of Tioga