

**CITY OF TIOGA, TEXAS  
ORDINANCE NO. 395**

**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 11 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.

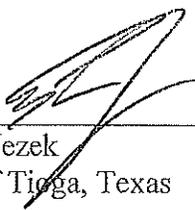
**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TIOGA, TEXAS:**

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.

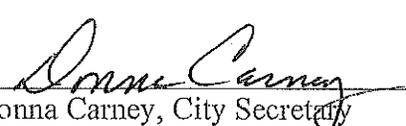
5. This ordinance shall become effective from and after its date of adoption and publication as provided by law, and it is so ordained.

**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.

  
\_\_\_\_\_  
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*

Field notes to all that certain tract or parcel of land situated in the James McKinney survey, abstract no. 853, Grayson county, Texas, being a part of that certain called 165.177 acre tract of land described in deed to Edward F. Reynolds, recorded in volume 2919, page 74, deed records, Grayson County, Texas and being more particularly described as follows:

Beginning at a pk nail set in the approximate centerline of Buck Creek road, on the south line of said 165.177 acre tract of land and the north line of that certain tract of land described in deed to John P. Turner and wife, Mary Turner, recorded in volume 1432, page 347, deed records, Grayson County, Texas for the southeast corner of the tract herein described, from which a 5/8-inch iron rod found for the northeast corner of that certain called 14.139 acre tract of land described in deed to David O'dell and Karla Blond, recorded in volume 5222, page 49, official public records, Grayson County, Texas bears south 86 degrees 29 minutes 04 seconds east, a distance of 1786.86 feet, same being the northeast corner of said Turner tract;

Thence north 86 degrees 29 minutes 04 seconds west along said centerline, with the south line of said 165.177 acre tract of land and the north line of said turner tract, a distance of 685.05 feet to a pk nail set for the northeast corner of that certain called 50.98 acre tract of land described as tract 1801 in deed to the United States of America, recorded in volume 1765, page 156, deed records, Grayson County, Texas, the southeast corner of that certain called 15.77 acre tract of land described as tract 1800-1 in deed to the United States of America, recorded in volume 1805, page 500, deed records, Grayson County, Texas, the northwest corner of said Turner tract, the southwest corner of said 165.177 acre tract of land and the southwest corner of said tract herein described;

Thence north 12 degrees 14 minutes 25 seconds east, with the east line of said 15.77 acre tract of land and the west line of said 165.177 acre tract of land, a distance of 784.70 feet to a wood fence corner post for the northwest corner of said tract herein described, from which a 1/2-inch iron rod found for the northwest corner of said 15.77 acre tract of land bears north 34 degrees 18 minutes 02 seconds west, a distance of 919.57 feet;

Thence south 86 degrees 29 minutes 04 seconds east, severing said 165.177 acre tract of land, a distance of 550.51 feet to a capped iron rod set for the northeast corner of said tract herein described;

Thence south 02 degrees 22 minutes 13 seconds west, severing said 165.177 acre tract of land, a distance of 775.77 feet to the point of beginning and containing 11.000 acres of land, more or less.



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

DATE OF ANNEXATION ORDINANCE:

ACREAGE ANNEXED: 11

**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