CITY OF TIOGA, TEXAS
ORDINANCE NO. 2020-399

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 0.399 ACRE TRACT OR TRACTS OF LAND SITUATED IN THE D.C. BAILEY SURVEY, ABSTRACT NO. 94, 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; APPROVING 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 City of Tioga owns the land described on Exhibit A; 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 approved and attached as Exhibit "B."

3. The City Secretary is hereby directed to file with the County Clerk of Grayson County, Texas, a certified copy of this ordinance.

4. 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 Town Council of the City of Tioga, Texas, this 14th day of September, 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

PROPERTY DESCRIPTION

Being a tract of land situated in the D.C. Bailey Survey, Abstract No. 94, Grayson County, Texas and being part a called 68.904 acres tract of land described in Deed to El Rancho Costa Plenti, LLC as recorded in Instrument No. 2020-4608, Official Public Records, Grayson County, Texas, and being more particularly described herein as follows:

BEGINNING at a 5/8 inch iron rod with cap stamped "PLS INC" (typical) set in the West line of said Rancho tract and the East line of a called 200.000 acres tract of land described in Deed to Gene P. McCutchin as recorded in Volume 5946, Page 359, said Official Records for the Southwest corner of the herein described tract, from which a Mag Nail found in Airport Road (a public road) for the Southwest corner of said Rancho tract bears South 03 degrees 03 minutes 54 seconds West, a distance of 1,102.99 feet;

THENCE North 03 degrees 03 minutes 54 seconds East, with the West line of said Rancho tract and the East line of said McCutchin tract, a distance of 130.12 feet to a 5/8 inch capped iron rod set for the Northwest corner of the herein described tract;

THENCE South 87 degrees 12 minutes 52 seconds East, a distance of 133.18 feet to a 5/8 inch capped iron rod set for the Northeast corner of the herein described tract;

THENCE South 02 degrees 47 minutes 08 seconds West, a distance of 130.12 feet 5/8 inch capped iron rod set for the Southeast corner of the herein described tract;
THENCE North 87 degrees 12 minutes 52 seconds West, a distance of 133.82 feet to the **POINT OF BEGINNING** and containing, within the metes and bounds herein recited, 0.399 of an acre of land, more or less.

30' ACCESS EASEMENT

Being a centerline description of a proposed 30 feet-wide access easement being situated in the D.C. Bailey Survey, Abstract No. 94, and in the Sarah Cross Survey, Abstract No. 210, Grayson County, Texas and being part a called 68.904 acres tract of land described in Deed to El Rancho Costa Plenti, LLC as recorded in Instrument No. 2020-4608, Official Public Records, Grayson County, Texas; said easement being described by a centerline which is bound by lines 15 feet each side of and parallel with said centerline and more particularly described as follows:

BEGINNING at a Mag nail set in Airport Road (a public road) in the South line of said Rancho tract and the North line of a called 13.016 acres tract of land (Exhibit C, Tract Two) described in Deed to Tony Gene Travis as recorded in Volume 4593, Page 816, said Official Records, from which a Mag nail found for the Southwest corner of said Rancho tract bears North 88 degrees 05 minutes 31 seconds West, a distance of 164.22 feet;

THENCE North 02 degrees 47 minutes 08 seconds East, a distance of 1,115.46 feet to a 5/8 inch iron rod with cap stamped "PLS INC" (typical) set for corner;

THENCE North 87 degrees 12 minutes 52 seconds West, a distance of 25.00 feet to a 5/8 inch iron rod set for the **POINT OF TERMINATION** in the East line of the above described 0.399 acre tract, said easement containing 0.785 of an acre of land, more or less.

EXHIBIT B – SERVICE PLAN

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. 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.

F. 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.

G. ENVIRONMENTAL HEALTH AND CODE ENFORCEMENT SERVICES:

Enforcement of current environmental health ordinances and regulations, including buy 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.