

ORDINANCE NO. 2016-04

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF MORGAN'S POINT RESORT, BELL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY AND ADOPTING A SERVICE PLAN FOR THE AREA ANNEXED.

WHEREAS, a petition for annexation has been duly signed and acknowledged by each and every person or corporation having an interest in the following described territory, to-wit:

54.050 acres, situated in the H. Kattenhorn Survey, Abstract 505, Bell County, Texas, being a portion of a called 62.158 acre tract conveyed to JT Carothers Holdings, LLC in Document No. 2013-00053705, Official Public Records of Real Property of Bell County, Texas, and being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof for all purposes,

and

WHEREAS, said tract of land is contiguous and adjacent to the City of Morgan's Point Resort, Texas, and is not more than one-half (1/2) mile in width, and

WHEREAS, said petition was filed with the City Secretary on October 28, 2015, and presented to the City Council on November 10, 2015, and

WHEREAS, after hearing such petition and the arguments for and against the same the City Council has voted to grant such petition and to annex said territory to the City of Morgan's Point Resort, Texas;

NOW THEREFORE, be it ordained by the City Council of the City of Morgan's Point Resort, Texas:

1. That the following described property, to-wit:

54.050 acres, situated in the H. Kattenhorn Survey, Abstract 505, Bell County, Texas, being a portion of a called 62.158 acre tract conveyed to JT Carothers Holdings, LLC in Document No. 2013-00053705, Official Public Records of Real Property of Bell County, Texas, and being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof for all purposes,

be and the same is hereby annexed to the City of Morgan's Point Resort, Bell County, Texas, the city limits are hereby extended to include the above described territory within the city limits of the City of Morgan's Point Resort, Texas and the same shall hereafter be included within the territorial limits of said city, and said land and the future inhabitants thereof shall hereafter be entitled to all rights and privileges of the other citizens of the City of Morgan's Point Resort, Texas and shall be bound by the acts and ordinances of said city.

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

3. The Service Plan attached hereto as Exhibit "B" is hereby adopted for the above described tract.


PASSED by an affirmative vote of all members of the City Council, this 26 day of January, 2016.

APPROVED:



Mayor

ATTEST:



City Secretary

FIELD NOTES PREPARED BY ALL COUNTY SURVEYING, INC.

September 22, 2015

Surveyor's Field Notes for RANCHO DEL LAGO:

54.050 ACRES, situated in the H. KATTENHORN SURVEY, ABSTRACT 505, Bell County, Texas, being a portion of a called 62.158 Acre tract conveyed to JT CAROTHERS HOLDINGS, LLC in Document No. 2013-00053705, Official Public Records of Real Property, Bell County, Texas, and being more particularly described as follows:

BEGINNING at a 2" steel fence post found in the south right of way of F. M. 2483 and in the east right of way of Morgan's Point Road, being the northwest corner of said 62.158 acre tract, for the northwest corner of this tract;

THENCE with the north line of said 62.158 acre tract, same being the south right of way of F. M. 2483, the following three (3) courses and distances:

- 1) N. 58° 51' 42" E., 468.09 feet (*Deed N. 57° 00' 26" E., 467.91 feet*), to a ½" iron rod found at the beginning of a curve to the right, for a corner of this tract;
- 2) 1072.55 feet, with said curve to the right (*Deed 1073.08 feet*), having a *radius of 1354.10 feet*, a *delta angle of 45° 22' 58"* and a *chord which bears N. 82° 08' 01" E., 1044.74 feet*, to a ½" iron rod found at the end of said Curve to the right, for a corner of this tract;
- 3) S. 75° 52' 39" E., 1471.95 feet (*Deed S. 77° 46' 04" E.*), to a 5/8" iron rod with "ACS" cap set, for the northeast corner of this tract;

THENCE over and across said 62.158 acre tract the following five (5) courses and distances:

- 1) S. 05° 18' 21" W., 465.99 feet, to a 5/8" iron rod with "ACS" cap set, for an angle corner of this tract;
- 2) N. 75° 56' 11" W., 230.24 feet, to a 5/8" iron rod with "ACS" cap set, for an angle corner of this tract;
- 3) S. 09° 55' 27" W., 50.13 feet, to a 5/8" iron rod with "ACS" cap set, for an angle corner of this tract;
- 4) S. 75° 56' 11" E., 234.33 feet, to a 5/8" iron rod with "ACS" cap set, for an angle corner of this tract;
- 5) S. 05° 18' 12" W., 457.66 feet, to a 5/8" iron rod with "ACS" cap set on the south line of said 62.158 acre tract, for the most easterly, southeast corner of this tract;

THENCE with the south line of said 62.158 acre tract (*Deed N. 74° 30' 20" W.*), the following two (2) courses and distances:

- 1) N. 72° 25' 43" W., 1031.07 feet, to a 1 ½" metal pipe found, for a corner of this tract;
- 2) N. 72° 57' 49" W., 1093.42 feet, to a ½" iron rod found, being an angle corner of said 62.158 acre tract, for an angle corner of this tract;

THENCE with an easterly line of said 62.158 acre tract, the following three (3) courses and distances:

- 1) S. 27° 32' 45" W., 97.56 feet (*Deed S. 25° 44' 51" W., 97.48 feet*), to a ½" iron rod found, for a corner of this tract;
- 2) S. 46° 45' 33" W., 301.19 feet (*Deed S. 44° 56' 57" W., 301.11 feet*), to a ½" iron rod found, for a corner of this tract;
- 3) S. 30° 42' 41" W., 85.80 feet (*Deed S. 28° 55' 05" W., 85.86 feet*), to a ½" iron rod found in the northeast right of way of Morgan's Point Road, being the most southerly, southeast corner of said 62.158 acre tract, for the most southerly, southeast corner of this tract;

THENCE with a northwest line of said 62.158 acre tract, same being the northeast right of way of Morgan's Point Road, the following five (5) courses and distances:

- 1) N. 28° 21' 41" W., 87.18 feet (*Deed N. 30° 11' 13" W., 87.19 feet*), to a 60d nail found, for a corner of this tract;
- 2) N. 36° 41' 52" W., 233.90 feet (*Deed N. 38° 28' 33" W., 233.74 feet*), to a 5/8" inch iron rod found, for a corner of this tract;
- 3) N. 38° 22' 53" W., 300.84 feet (*Deed N. 40° 13' 58" W., 300.94 feet*), to a 2" metal fence post found, for a corner of this tract;
- 4) N. 36° 38' 26" W., 70.81 feet (*Deed N. 38° 29' 53" W., 70.90 feet*), to a 1/2" iron rod found, for a corner of this tract;
- 5) N. 11° 58' 28" W., 124.98 feet (*Deed N. 13° 48' 10" W., 124.87 feet*), to the **POINT OF BEGINNING** and containing 54.050 Acres of Land.

This project is referenced to the City of Temple Coordinate System, an extension of the Texas Coordinate System of 1983, Central Zone. All distances are horizontal surface distances unless noted and all bearings are grid bearings. All coordinates are referenced to City Monument No. 195. The theta angle at City Monument No. 195 is 01° 29' 35". The combined correction factor (CCF) is 0.999851. Grid distance = Surface distance X CCF. Geodetic north = Grid north + theta angle. Reference tie from City monument No. 195 to the northwest corner of this 54.050 acre tract is N 88° 22' 58" W, 7970.71 feet. Published City coordinates for project reference point 195 are N. = 10,392,013.38 E. = 3,203,350.90

This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

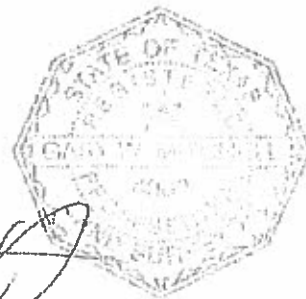
Surveyed August 12, 2014

ALL COUNTY SURVEYING, INC.

1-800-749-PLAT

Tx. Firm Lic. No. 10023600

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Gary W. Mitchell

Gary W. Mitchell
Registered Professional Land Surveyor
Registration No. 4982

EXHIBIT B

Schedule of Municipal Services

a) Police Protection

- 1) Existing services: provided by Bell County, Texas.
- 2) Services to be provided: Police protection personnel and equipment from the city police department shall be provided to residents of the annexed area, beginning on the effective date of the annexation ordinance. Police enforcement and protection services shall be provided through regular patrol activities.

b) Fire Protection

- 1) Existing services: provided by Bell County, Texas through inter-local agreement.
- (2) Services to be provided: Fire protection personnel and equipment from the city fire department shall be provided to the annexed area upon request, beginning on the effective date of the annexation ordinance.

c) Solid Waste Collection

- 1) Existing services: None.
- (2) Services to be provided. Solid waste collection services shall be provided to the annexed area in accordance with existing city ordinances, resolutions, and regulations, beginning on the effective date of the annexation ordinance.

d) Water Service

- 1) Existing services: None.
- 2) Services to be provided:
 - A) Water service shall be provided to the remainder of the annexed area in accordance with existing city ordinances, resolutions, and regulations, beginning on the effective date of the annexation ordinance.
 - B) Extensions of water mains to serve individual owners in the remainder of the annexed area will be commenced in accordance

with existing city ordinances, resolutions, and regulations, beginning on the effective date of the annexation ordinance.

- C) As development and construction of subdivisions commence within the annexed area, water mains will be extended with city participation in the costs of these extensions as established in accordance with existing city ordinances, resolutions, and regulations, beginning on the effective date of the annexation ordinance.

e) Sanitary Sewer Service

- 1) Existing services: None
- 2) Services to be provided: None

f) Maintenance of Roads and Streets

- 1) Existing services: provided by Bell County, Texas.
- 2) Services to be provided:
 - A) Street maintenance and other street services shall be provided to the annexed area in accordance with existing city ordinances, resolutions, and regulations, beginning on the effective date of the annexation ordinance.
 - B) As streets are constructed by the developer in undeveloped portions of the annexed area, the applicable ordinances, resolutions, and regulations of the city with regard to participation in the cost of construction, acceptance upon completion, maintenance, and other street services after completion shall apply.

g) Parks and Recreation

- 1) Existing services: None.
- 2) Services to be provided: All of the city parks and recreational facilities shall be available for use by residents of the annexed area, beginning on the effective date of the annexation ordinance.

h) Library Service

- 1) Existing services: City library facilities are presently available.

- 2) Services to be provided: All of the city library facilities shall be available for use by residents of the annexed area, at no cost beginning on the effective date of the annexation ordinance.
- i) Street Lighting
 - 1) Existing services: None.
 - 2) Services to be provided: The city shall provide to the annexed area the same type services for placement of street lights that are currently provided to any other area of the city.
 - j) Traffic Engineering
 - 1) Existing services: None.
 - 2) Services to be provided: Necessary traffic studies shall be performed to determine the need for installation of street identification signs and proper traffic control devices within the annexed area in accordance with existing city ordinances, resolutions, and regulations, beginning on the effective date of the annexation ordinance.
 - k) Planning and Zoning
 - 1) Existing services: None.
 - 2) Services to be provided: The planning and zoning jurisdictions, including the subdivision platting process of the city will extend to the annexed areas on the effective date of the annexation ordinance. All annexed territory will be temporarily classified as an agricultural district until zoning district designations are given to the area by the city council.
 - l) Storm Drainage (Including Flood Plain Regulations)
 - 1) Existing services: None.
 - 2) Services to be provided:
 - A) Studies have been conducted and the 100-year storm water drainage facilities will be constructed for the annexed area by the developer.
 - B) Studies will be conducted to ascertain the limits of the 100-year storm water drainage facilities for the purpose of recommending the flood plain prefix be applied to appropriate areas within the annexed areas.