

ORDINANCE NUMBER 17-05-22 D

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF MINEOLA, TEXAS, AND EXTENDING THE BOUNDARY 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 THE ACTS AND ORDINANCES OF SAID CITY.

WHEREAS, the City is authorized to annex territory in accordance with Texas Local Government Code § 43.001, *et seq.*; and

WHEREAS, said territory proposed to be annexed is within the City's extraterritorial jurisdiction, is contiguous to the City, is one-half mile or less in width, and fewer than three qualified voters reside on the territory; and

WHEREAS, the City has received a petition (attached hereto as **Exhibit A**) in writing to annex the hereinafter described territory; and

WHEREAS, after hearing arguments for and against the same, the governing body has voted to annex said territory into the City under the authority of § 43.028 of the Texas Local Government Code.

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

SECTION 1.

That the heretofore described property, more specifically described in **Exhibit B** attached to this Ordinance, is hereby annexed to the City of Mineola, Texas, and that the boundary limits of the City of Mineola be, and the same are hereby, extended to include the above-described territory within the City Limits of the City of Mineola, and the same shall hereafter be included within the territorial limits of said City, and the inhabitants thereof shall hereinafter be entitled to all the rights and privileges of other citizens of the City of Mineola and they shall be bound by the acts, ordinances, resolutions, and regulations of said City.

SECTION 2.


That the City Secretary is hereby directed to file with the County Clerk and other appropriate officials and agencies, as required by state and federal law and applicable annexation procedures, a certified copy of this Ordinance, and the petition requesting this annexation previously referenced herein.

SECTION 3.

Should the annexation of any property of this Ordinance be held unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect, impair or invalidate the annexation of any other property or portion of property thereof, which is included in and subject to this annexation Ordinance.

PASSED AND APPROVED by the City Council, City of Mineola, Texas, this 22
day of may, 2017.

APPROVED BY:



Rodney Watkins, Mayor
KEVIN White

ATTEST:



Cindy Karch, City Secretary

APPROVED AS TO FORM:

Blake E. Armstrong, City Attorney

EXHIBIT A
Petition/Written Request of Landowner

EXHIBIT "A"



PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

TO THE MAYOR OF THE GOVERNING BODY OF MINEOLA, TEXAS:

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby petition your Honorable Body to extend the present city limits so as to include as part of the City of Mineola, Texas, the following described territory, to wit:

See Attachment A

We certify that the above described tract of land is contiguous and adjacent to the City of Mineola, Texas, is not more than one-half mile in width, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: [Signature]

Signed: _____

Signed: _____

THE STATE OF MISSISSIPPI

COUNTY OF Jones

BEFORE ME, the undersigned authority, on this day personally appeared Bob Billingsley, _____, and _____, known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Sworn to and subscribed before me this 1st day of May, 2017.



Jennifer M. Ulmer
Notary Public in and for
Jones County, Mississippi.

EXHIBIT B
Legal Description

Property Annexation Map



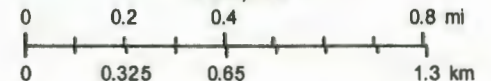
May 18, 2017

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries

- Parcels
- Abstracts

** CITY TO ANNEX 72.07 ACRES
AND ZONE I-INDUSTRIAL*

1:24,075



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Wood County Appraisal District & BIS Consulting - www.bisconsultants.com

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THIS CONVEYANCE, SUBJECT TO THE EASEMENTS DESCRIBED IN THE
 1. The County of Wood, Texas, County Clerk
 2. The County of Wood, Texas, County Clerk
 3. The County of Wood, Texas, County Clerk

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 2. The County of Wood, Texas, County Clerk
 3. The County of Wood, Texas, County Clerk



*INSIDE CITY
LIMITS
165 ACRES*

** 72.07
ACRES
(TO ANNEX)*

LEGEND

These additional symbols and abbreviations will be found on this drawing

- ▲ GUY WIRE
- POWER POLE
- ⊕ TELEPHONE FERRIS
- ⊖ OVERHEAD ELECTRIC
- ⊙ UNDERGROUND ELECTRIC
- ⊠ CONTROL SIGNPOST

1	of	1
SHEET NO.		
DATE		
DRAWN BY		
CHECKED BY		
APPROVED BY		

Plot of Survey Showing
 237.07 Acres
 Sarah English Survey, A-185
 Wood County, Texas

Kilgore & Company, Inc.
 www.kilgore.com

6712 Pelacy Drive
 Tyler, Texas 75703
 (903)581-7800
 Fax (903)581-3756

**SURVEYING
PLANNING
MAPPING**
 TPLS REG NO. 1884-0820

DESIGNED BY:	
CHECKED BY:	R.K.K.
DATE:	March 21, 2017
SCALE:	1" = 200'

** CITY TO ANNEX 72.07 ACRES*

EXHIBIT "A"
237.07 Acre Tract

Being a **237.07 acre tract of land** situated in the Sarah English Survey, Abstract No. 185, Wood County, Texas, and being all of a called 239.0 acre tract of land described in a Deed from Paul T. Hughes, a/k/a Paul Thompson Hughes and wife, Kimberly Denise Hughes a/k/a Kim Hughes a/k/a Kimberly Denise Brower; and Deborah Lynne Hughes a/k/a Debbie Hughes Tiner, a single woman to Tommy Warren and Brandy Warren recorded under Instrument No. 2015-00013872 of the Official Public Records of Wood County, Texas, (O.P.R.W.C.T.), said 237.07 acre tract being more completely described by metes and bounds as follows:

Beginning at a 3" pipe fence corner post found for the Southwest corner of said 239.0 acre tract and said Sarah English Survey and the Southeast corner of a called 147.187 acre tract, (Tract One) described in a Deed from Agriland, FLCA, a federal land credit association to Tom W. Jones and Sharon J. Jones, husband and wife recorded in Volume 1947, Page 747 of the Deed Records of Wood County, Texas, (D.R.W.C.T.) and the J. E. White Survey, Abstract No. 612, also being in the North boundary line of a called 172.259 acre tract, (Tract Three) described in a Deed from Agriland, FLCA, a federal land credit association to Tom W. Jones and Sharon J. Jones, husband and wife recorded in Volume 1947, Page 747, (D.R.W.C.T.)

Thence North 01 degree 46 minutes 32 seconds West, a distance of 4702.54 feet along the West boundary line of said 239.0 acre tract and the East boundary line of said 147.187 acre Jones Tract One and generally along the West boundary line of said Sarah English Survey and the East boundary line of said J. E. White Survey to a 1/2" iron rod with cap stamped "K.L.K. #4687" set in the South right of way line of the Union Pacific Railway (variable width right of way), said iron rod set being 100.0 feet perpendicular distance South of the center of the railroad track at this point from which a 1/2" iron rod found for the Northeast corner of said 147.187 acre Jones Tract One bears South 53 degrees 19 minutes 27 seconds West, a distance of 0.40 feet and another 1/2" iron rod found bears North 01 degree 46 minutes 32 seconds West, a distance of 52.00 feet;

Thence South 76 degrees 43 minutes 38 seconds East, a distance of 937.11 feet along the South right of way line of said Union Pacific Railway to a 1/2" iron rod with cap stamped "K.L.K. #4687" set, being 100.0 feet perpendicular distance South of the center of aforesaid railroad track;

Thence South 13 degrees 16 minutes 22 seconds West, a distance of 49.70 feet continuing along said South right of way line of Union Pacific Railway to a 1/2" iron rod with cap stamped "K.L.K. #4687" set, being 149.7 feet perpendicular distance South of the center of said railroad track;

Thence South 76 degrees 43 minutes 38 seconds East, a distance of 683.50 feet continuing along said railroad South right of way line to a railroad iron found, being 149.7 feet perpendicular distance South of the center of said railroad track;

Thence North 00 degrees 38 minutes 24 seconds West, a distance of 51.21 feet continuing along said railroad South right of way line to a 1/2" iron rod with cap stamped "K.L.K. #4687" set, being 100.0 feet perpendicular distance South of the center of said railroad track;

Thence South 76 degrees 43 minutes 38 seconds East, a distance of 1172.80 feet continuing along said railroad South right of way line to a 1/2" iron rod with cap stamped "K.L.K. #4687" set, being 100.0 feet perpendicular distance South of the center of said railroad track, also being in the East boundary line of said 239.0 acre tract and the North boundary line of a called 16.984 acre tract described in a Deed from Debbie Hughes Tiner, a single woman to Paul Thompson Hughes and Kimberly Denise Hughes recorded under Instrument No. 2015-00013455, O.P.R.W.C.T.;

Thence North 80 degrees 54 minutes 19 seconds West, a distance of 329.92 feet along the East boundary line of said 239.0 acre tract and the North boundary line of said 16.984 acre Hughes tract to a 1/2" iron rod with cap stamped "1684" found for a North corner of said 16.984 acre Hughes tract;

Thence South 55 degrees 42 minutes 00 seconds West, a distance of 482.14 feet continuing along the East boundary line of said 239.0 acre tract and the North boundary line of said 16.984 acre Hughes tract to a 1/2" iron rod with cap stamped "1684" found for the Northwest corner of said 16.984 acre Hughes tract;

Thence South 10 degrees 21 minutes 03 seconds East, a distance of 104.78 feet continuing along the East boundary line of said 239.0 acre tract and along the West boundary line of said 16.984 acre Hughes tract to a 6" fence post found;

Thence South 03 degrees 00 minutes 22 seconds East, a distance of 765.99 feet continuing along the East boundary line of said 239.0 acre tract and the West boundary line of said 16.984 acre Hughes tract to a 1/2" iron rod with yellow cap found for the Southwest corner of said 16.984 acre Hughes tract;

Thence South 80 degrees 57 minutes 13 seconds East, a distance of 137.43 feet continuing along the East boundary line of said 239.0 acre tract and the West boundary line of said 16.984 acre Hughes tract to a 1/2" iron rod found for the Southeast corner of said 16.984 acre Hughes tract, also being in the West boundary line of a called 25 acre tract described in a Deed from Chris H. Forstik and Emily J. Forstik, husband and wife to Michael Davis and Nancy Davis, husband and wife recorded under Instrument No. 2015-00007632, O.P.R.W.C.T.;

Thence South 01 degree 52 minutes 40 seconds East, a distance of 495.08 feet continuing along the East boundary line of said 239.0 acre tract and along the West boundary line of said 25 acre Davis tract to a 1/2" iron rod with cap stamped "BEASLEY MORTY, TX" found for the Southwest corner of said 25 acre Davis tract;

Thence North 88 degrees 06 minutes 39 seconds East, a distance of 1072.60 feet along an Easterly North boundary line of said 239.0 acre tract and the South boundary line of said 25 acre Davis tract to a 1/2" iron rod found;

Thence South 01 degree 54 minutes 31 seconds East, a distance of 548.66 feet along the East boundary line of said 239.0 acre tract and the West boundary line of said 25 acre Davis tract to a 1/2" iron rod with cap stamped "TxDOT 903-510-9111" found for the Southeast corner of said 239.0 acre tract and the South corner of said 25 acre Davis tract, also being in the North right of way line of Farm to Market Highway No. 564, (F.M. 564), (variable width right of way);

Thence along the South boundary line of said 239.0 acre tract, the North right of way line of said F.M. 564, and a curve to the right with a delta angle of 07 degrees 38 minutes 18 seconds, a radius of 2618.10 feet, an arc length of 349.03 feet, a chord bearing of South 27 degrees 15 minutes 24 seconds West, and a chord length of 348.77 feet to a TxDOT Type II flush concrete monument with brass cap found;

Thence South 58 degrees 13 minutes 55 seconds East, a distance of 6.55 feet continuing along said South boundary line and said North right of way line to a TxDOT Type II flush concrete monument with brass cap found;

Thence continuing along said South boundary line and said North right of way line and along a curve to the right with a delta angle of 18 degrees 17 minutes 40 seconds, a radius of 2624.67 feet, an arc length of 838.05 feet, a chord bearing of South 40 degrees 12 minutes 18 seconds West, and a chord length of 834.49 feet to a TxDOT Type II flush concrete monument with brass cap found;

Thence South 49 degrees 32 minutes 59 seconds West, a distance of 114.46 feet continuing along said South boundary line and said North right of way line to a TxDOT Type II flush concrete monument with brass cap found;

Thence South 35 degrees 19 minutes 46 seconds West, a distance of 67.73 feet continuing along said South boundary line and said North right of way line to a 1/2" iron rod with cap stamped "DAI" found;

Thence South 49 degrees 22 minutes 46 seconds West, a distance of 196.94 feet continuing along said South boundary line and said North right of way line to a TxDOT Type II flush concrete monument with brass cap found;

Thence South 82 degrees 44 minutes 48 seconds West, a distance of 78.31 feet continuing along said South boundary line and said North right of way line to a 1/2" iron rod with cap stamped "DAI" found;

Thence South 49 degrees 20 minutes 56 seconds West, a distance of 590.66 feet continuing along said South boundary line and said North right of way line to a 1/2" iron rod with cap stamped "K.L.K. #4687" set;

Thence South 16 degrees 18 minutes 49 seconds West, a distance of 78.27 feet continuing along said South boundary line and said North right of way line to a 1/2" iron rod with cap stamped "DAI" found;

Thence South 49 degrees 21 minutes 48 seconds West, a distance of 315.63 feet continuing along said South boundary line and said North right of way line to a 1/2" iron rod with cap stamped "DAI" found for the Northeast corner of a called 172.259 acre tract, (Tract Three) described in a Deed from Agriland, FLCA, a federal land credit association to Tom W. Jones and Sharon J. Jones, husband and wife recorded in Volume 1947, Page 747 of the Deed Records of Wood County, Texas, (D.R.W.C.T.), and being in the South boundary line of said Sarah English Survey and the North boundary line of the S. Yarborough Survey, Abstract No. 659;

Thence South 87 degrees 28 minutes 38 seconds West, a distance of 1383.68 feet along the South boundary line of said 239.0 acre tract, generally along the South boundary line of said Sarah English Survey, along the North boundary line of said 172.259 acre Jones Tract Three and generally along the North boundary line of said S. Yarborough Survey to the **place of beginning** containing 237.07 acres of land.

Bearing basis is the Texas State Plane Coordinate System, Grid North Central Zone, NAD 83, (feet), based on the 1993 adjustment of the NAD 83 System. The Control Monument is TJC1-Tyler, Leica Geosystems Smartnet of North America.

i, Kevin L. Kilgore, Registered Professional Land Surveyor No. 4687, Texas, do hereby certify that the above field note description was prepared from an actual on-the-ground survey made under my direction and supervision during the month of March, 2017.

GIVEN UNDER MY HAND AND SEAL, This the 21st day of March, 2017.



Kevin L. Kilgore, R.P.L.S. 4687

