

ORDINANCE NO. 2010-01

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED PROPERTY OF THE CITY OF TULIA, SWISHER COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE THE HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS AND GRANTING THE INHABITANTS THEREOF ALL OF THE RIGHTS AND PRIVILEGES OF THE CITIZENS OF THE CITY OF TULIA, TEXAS, WHO SHALL BE BOUNDS BY THE ACTS AND ORDINANCES MADE IN CONFORMITY THERETO.

WHEREAS, the City Council of the City of Tulia desires to extend the boundaries of said City to include the property described on Exhibit "A", attached hereto and incorporated for all purposes, the legal and equitable Owners of the property having petitioned for annexation pursuant to Section 43.028 of the Texas Local Government Code on March 10, 2010, said property being a tract less than one-half mile in width, being contiguous to the City of Tulia, Texas, and being occupied by its owners, George and Leticia Serna being the only occupants of the property;

WHEREAS, the City Council of the City of Tulia, pursuant to Section 43.028 of the Texas Local Government Code, after having heard the petition and arguments for and against the petition, granted the petition of the Owners to annex the area on March 16, 2010;

WHEREAS, the City Council held public hearings to consider said annexation at the location of the Property on 29th day of April, 2010, at 6:00 p.m. and in the City Council Chambers of the City Hall of the City of Tulia, Texas, at 127 SW 2nd Street, Suite 300, Tulia, TX, on the 4th day of May, 2010, at 6:00 p.m.;

WHEREAS, all notices of said hearings required by law were duly made in accordance with the law;

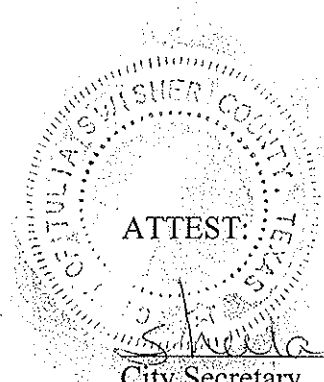
WHEREAS, the service plan required by law is attached as Exhibit "B" to this Ordinance annexing the area is approved as a part of this Ordinance;


NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Tulia, Texas:

That the property described on Exhibit "A" attached hereto and incorporated herein for all purposes be and the same is hereby annexed to the City of Tulia, Swisher County, Texas, and that the boundary limits of the City of Tulia, Texas, be and the same are hereby extended to include the above described territory within the city limits of the City of Tulia, Texas, and the same shall hereafter be included within the territorial limits of said City. The inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City of Tulia, Texas, and shall be bound by the acts and ordinances made in conformity thereto.


The City Secretary is directed to file with the County Clerk of Swisher County, Texas, a certified copy of this Ordinance.

ATTESTED, APPROVED AND ADOPTED by an affirmative vote of all members of the City Council present this 1st day of June, 2010, a quorum of the City Council being present.





City Secretary



ROSS JAMES, Mayor Pro Tem

All that portion of the East Sixty (60') feet of a 3 acre tract of land out of Section No. 27, Block W-1, Abstract No. 268, Original Grantee H&OB RR Co., Certificate No. 221, Patented to B.H. Wisdom, Assignee, on March 20, 1978, Patent No. 29, Vol. 39, Swisher County, Texas, not currently within the city limits of the City of Tulia, Texas, said 3 acre tract of land being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a point 30 feet North and 617.5 feet East of the Northeast corner of Block No. 18, of the Rush Addition to the Town of Tulia, Swisher County, Texas, same being the Northeast corner of the Edmondson Subdivision;

THENCE East 372.11 feet, the Northeast corner of this tract;

THENCE South 383.4 feet along old fence line to a prior point in the North right-of-way line of Highway 86, said point being 989.8 feet East of the Southwest corner of the Edmondson Subdivision;

THENCE West along the North right-of-way line of Highway 86, 376 feet to a point for the Southwest corner of this tract and the Southeast corner of the Edmondson Subdivision;

THENCE North along the East boundary line of the Edmondson Subdivision 383.4 feet to the **PLACE OF BEGINNING**;

SAVE AND EXCEPT a tract 166.65 x 176 feet out of the Southwest corner of said 3 acre tract heretofore conveyed to Harold Ray Caraway by Harlan Vanderzee, et us, in deed dated January 6, 1966, recorded in Vol. 182, page 505, Deed Records, Swisher County, Texas, to which reference is here made for all purposes.

CITY OF TULIA, TEXAS
SERVICE PLAN FOR EXTENSION OF CITY
SERVICES INTO AN AREA TO BE ANNEXED

The City Manager, in conjunction with each department head concerned with the services hereinafter designated, has developed the following plan for the extension of city services, upon annexation, to the property more particularly described in Exhibit "A", which is attached herein and incorporated herein by reference for all purposes:

1. Police Protection. Police protection will be provided to the area annexed immediately upon annexation to the same extent as provided to all areas of the City, including patrol and radio dispatch.
2. Fire Protection. Fire protection will be provided to the area annexed immediately upon annexation to the same extent as provided to all areas of the City. Said fire protection will be on a permanent basis as opposed to the present contractual arrangements with the County for such area.
3. Animal Control Services. Animal control services will begin to the area annexed immediately upon annexation to the same extent as provided for other areas of the City. The services will include the patrolling for stray dogs and animals.
4. Vector Control Services. Spraying for flies and mosquitoes for control of health hazards will be provided to the area annexed immediately upon annexation to the same extent as provided for other areas of the city.
5. Sanitation Services. Garbage and trash pickup services will be available to the area annexed immediately upon annexation.
6. Land Fill. Citizens of the area annexed will immediately upon annexation to have access to the City solid waste land fill on a permanent basis.
7. Code Enforcement Services. Citizens of the area annexed will immediately upon annexation have availability of inspections for water, sewer, electrical, plumbing and other code enforcement services to the same extent provided for citizens in other areas of the City.
8. Street and Road Maintenance. Streets and roads in the area annexed will be maintained immediately upon annexation to the same extent as other areas of the City.
9. Water and Sewer Services. Water and sewer services availability adequate to serve the area are to be provided to the area no later than 1 year after the effective date of the annexation. Water and sewer services will then be maintained to the same extent as provided for citizens in other areas of the City.

0597

FILED

200 JUN -4 P 2:57

RECORDED & INDEXED
JUN 4 2006
CLERK'S OFFICE
SWISHER COUNTY, TEXAS
Brenda Hudson
CLERK



STATE OF TEXAS)
COUNTY OF SWISHER) OFFICIAL PUBLIC RECORD

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the volume and page of the named record of Swisher County, Texas, as stamped hereon by me.

Brenda Hudson
BRENDA HUDSON
COUNTY AND DISTRICT CLERK
SWISHER COUNTY, TEXAS

BY *[Signature]* Deputy

ORDINANCE NO. 2010-01

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED PROPERTY OF THE CITY OF TULIA, SWISHER COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE THE HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS AND GRANTING THE INHABITANTS THEREOF ALL OF THE RIGHTS AND PRIVILEGES OF THE CITIZENS OF THE CITY OF TULIA, TEXAS, WHO SHALL BE BOUNDS BY THE ACTS AND ORDINANCES MADE IN CONFORMITY THERETO.

WHEREAS, the City Council of the City of Tulia desires to extend the boundaries of said City to include the property described on Exhibit "A", attached hereto and incorporated for all purposes, the legal and equitable Owners of the property having petitioned for annexation pursuant to Section 43.028 of the Texas Local Government Code on March 10, 2010, said property being a tract less than one-half mile in width, being contiguous to the City of Tulia, Texas, and being occupied by its owners, George and Leticia Serna being the only occupants of the property;

WHEREAS, the City Council of the City of Tulia, pursuant to Section 43.028 of the Texas Local Government Code, after having heard the petition and arguments for and against the petition, granted the petition of the Owners to annex the area on March 16, 2010;

WHEREAS, the City Council held public hearings to consider said annexation at the location of the Property on 29th day of April, 2010, at 6:00 p.m. and in the City Council Chambers of the City Hall of the City of Tulia, Texas, at 127 SW 2nd Street, Suite 300, Tulia, TX, on the 4th day of May, 2010, at 6:00 p.m.;

WHEREAS, all notices of said hearings required by law were duly made in accordance with the law;

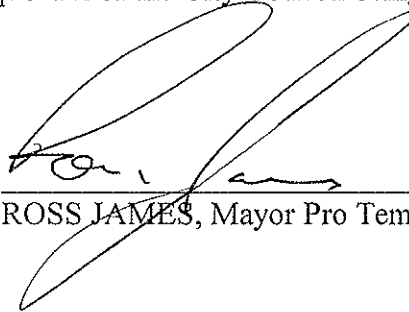
WHEREAS, the service plan required by law is attached as Exhibit "B" to this Ordinance annexing the area is approved as a part of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Tulia, Texas:

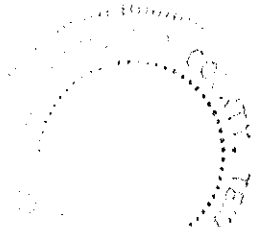
That the property described on Exhibit "A" attached hereto and incorporated herein for all purposes be and the same is hereby annexed to the City of Tulia, Swisher County, Texas, and that the boundary limits of the City of Tulia, Texas, be and the same are hereby extended to include the above described territory within the city limits of the City of Tulia, Texas, and the same shall hereafter be included within the territorial limits of said City. The inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City of Tulia, Texas, and shall be bound by the acts and ordinances made in conformity thereto.

The City Secretary is directed to file with the County Clerk of Swisher County, Texas, a certified copy of this Ordinance.

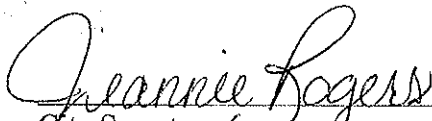
ATTESTED, APPROVED AND ADOPTED by an affirmative vote of all members of the City Council present on the 1st day of June, 2010, a quorum of the City Council being present.



ROSS JAMES, Mayor Pro Tem



ATTEST:



Jeannie Rogers
City Secretary (ACTING)

EXHIBIT "A"

Being a 0.5945 acre tract out of the east part of a 2.179 acre tract out of the southeast part of the northeast quarter of Survey No. 21, Block W-1, Swisher County, Texas:

BEGINNING at a 5/8 inch steel rod found for the southeast corner of a 2.179 acre tract, and the northeast corner of Lot 1, Block 2, Pete Raymond Addition, Tulia, Swisher County, Texas, said rod being 2880.2 feet S.0°05'E. and 40 feet N.88°26'40"W. of the northeast corner of Survey No. 21, Block W-1, Swisher County, Texas;

THENCE N.88°26'40"W. 159.5 feet along the south line of said 2.179 acre tract and the north line of said Pete Raymond Addition to a ½ inch steel rod set in the west line of an alley for the northeast corner of Lot 9, Block 2, of said addition, and also the southeast corner of a tract conveyed to Billy Rhodes as recorded in Volume 212, page 658 of the Swisher County Deed Records;

THENCE N.°04'24"W. along the east line of said Rhodes Tract, at 159.54 feet pass a ½ inch steel rod found for the northeast corner of said tract, in all, 160.28 feet to a point in fence in the north line of said 2.179 acre tract;

THENCE East 159.39 feet along the north line of said tract to a point 0.05 feet East and 0.15 feet South of steel fence corner for the northeast corner of this tract;

THENCE S.0°05'E. 164.61 feet along the west right-of-way line of F.M. Highway No. 146 (Dallas Ave.) to the POINT OF BEGINNING and containing 0.5945 acres.

EXHIBIT "B"

CITY OF TULIA, TEXAS
SERVICE PLAN FOR EXTENSION OF CITY
SERVICES INTO AN AREA TO BE ANNEXED

The City Manager, in conjunction with each department head concerned with the services hereinafter designated, has developed the following plan for the extension of city services, upon annexation, to the property more particularly described in Exhibit "A", which is attached herein and incorporated herein by reference for all purposes:

1. Police Protection. Police protection will be provided to the area annexed immediately upon annexation to the same extent as provided to all areas of the City, including patrol and radio dispatch.
2. Fire Protection. Fire protection will be provided to the area annexed immediately upon annexation to the same extent as provided to all areas of the City. Said fire protection will be on a permanent basis as opposed to the present contractual arrangements with the County for such area.
3. Animal Control Services. Animal control services will begin to the area annexed immediately upon annexation to the same extent as provided for other areas of the City. The services will include the patrolling for stray dogs and animals.
4. Vector Control Services. Spraying for flies and mosquitoes for control of health hazards will be provided to the area annexed immediately upon annexation to the same extent as provided for other areas of the city.
5. Sanitation Services. Garbage and trash pickup services will be available to the area annexed immediately upon annexation.
6. Land Fill. Citizens of the area annexed will immediately upon annexation to have access to the City solid waste land fill on a permanent basis.
7. Code Enforcement Services. Citizens of the area annexed will immediately upon annexation have availability of inspections for water, sewer, electrical, plumbing and other code enforcement services to the same extent provided for citizens in other areas of the City.
8. Street and Road Maintenance. Streets and roads in the area annexed will be maintained immediately upon annexation to the same extent as other areas of the City.
9. Water and Sewer Services. Water and sewer services availability adequate to serve the area are to be provided to the area no later than 1 year after the effective date of the annexation. Water and sewer services will then be maintained to the same extent as provided for citizens in other areas of the City.

0747

FILED

2008 JUL 20 P 2:54

RECEIVED
COUNTY CLERK
SWISHER COUNTY, TX

Brenda Hudson



STATE OF TEXAS } OFFICIAL PUBLIC
COUNTY OF SWISHER } RECORD

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the volume and page of the named record of Swisher County, Texas, as stamped hereon by me.

Brenda Hudson
BRENDA HUDSON
COUNTY AND DISTRICT CLERK
SWISHER COUNTY, TEXAS

Brenda Hudson Deputy