

David & Sheila Pogue
Wayne & Joan Morin
8.369 acre tract

ORDINANCE NO. 2002-03-01

AN ORDINANCE OF THE CITY OF WESTON, COLLIN COUNTY TEXAS, PURSUANT TO SECTION 43.025 OF THE TEXAS LOCAL OF GOVERNMENT CODE ANNEXING THE HEREINAFTER DESCRIBED 8.369 ACRE TRACT INTO THE CITY OF WESTON, COLLIN COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, GRANTING SAID TERRITORY AND TO ALL INHABITANTS OF SAID TERRITORY ALL OF THE RIGHTS AND PRIVILIGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF THE SAID CITY, AND PROVIDING FOR A SERVICE PLAN, AN EFFECTIVE DATE, AND FILING INSTRUCTIONS.

WHEREAS, a petition for annexation has been filed with the City by the landowners of an area described as follows:

BEING a tract of land in the L.B. Hamm Survey, Abstract No. 446, Collin County Texas, and being part of a 269.67 acre tract of land as described in a deed from Hank Dickerson, Trustee to Colonial House, Inc., dated April 6, 1972. Recorded in Vol. 817, page 20 of the deed records, Collin County Texas, and being more particularly described as follows:

COMMENCING at the south, southeast corner of said 269.67 acre tract, thence N42° 08' 23"W., a distance of 1571.68 feet to a point on the east line of F.M. Road 543, for the place of beginning, a 1/2" iron stake found for corner.

THENCE, N23° 31'W, along the east line of F.M. Road No. 543, for the place of beginning, a 1/2" iron stake found for corner.

THENCE, N23° 31' W., along the east line of F.M. Road No. 543, leaving the east line of F.M. Road 543, a distance of 549.39 feet to a 1/2" iron stake found for corner. THENCE along the meanders of a branch, the following:

S79° 20' 58" E., a distance of 83.69 feet to a point for corner.

S18 39' 32" W., a distance of 83.29 feet to a point for corner.

S50° 21' 12" W., a distance of 75.89 feet to a point for corner.

S38° 49' 26" E., a distance of 113.82 feet to a point for corner.

S33° 47' 10" E., a distance of 18.06 feet to a point for corner.

S8° 55' 50" W., a distance 49.13 feet to a point for corner.

S37° 49' 02" W., a distance of 112.09 feet to a 1/2" iron stake found for corner.

THENCE, S77° 54' 05" W., leaving said branch, a distance of 402.22 feet to the place of beginning and containing 4.271 acres of land; and,

SITUATED in the State of Texas, County of Collin, being part of the L.B. Hamm Survey, Abstract No. 446, being the resurvey of a 4.098 acre tract recorded under County Clerk No. 95-0082922 of the Collin County Deed of Records with said premises being more particularly described by metes and bounds as follows:

BEGINNING at a 3/4" iron pipe found in the east right-of-way line of F.M. Highway 543 marking the northwest corner of said 4.098 acre tract and the southwest corner of a 4.00 acre tract recorded under County Clerk No. 96-0079193 of the Collin County deed Records:

THENCE with the north line of said 4.098 acre tract and the south line of said 4.00 acre tract, North 68° 59' 40" East, 491.27 feet to a 5/8" iron rod found in the middle of a creek and the west line of Pecan Creek Farms, an addition to Collin County recorded in Cabinet F, Page 797 of the Collin County Plat Records, said corner being the northeast corner of the 4.098 acre tract and the southeast corner of said 4.00 acre tract;

THENCE with the approximate middle and downstream meanders of said creek along the east line of said 4.098 acre tract and the west line of said Pecan Creek Farms as follows:

S39° 20' 38" E., 64.85 feet.

S13° 59' 18" E., 75.94 feet.

S25° 48' 02" E., 105.96 feet.

N88° 46' 21" E., 117.69 feet.

S15° 40' 28" W., 100.85 feet to a 5/8" iron rod found marking the southeast corner of said 4.098 acre tract and the northeast corner of a 4.271 acre tract recorded under Collin County Clerk No. 94-001123 of the Collin County Deed Records;

THENCE with the south line of said 4.098 acre tract and the north line of said 4.271 acre tract, South 73° 26' 26" West, 549.35 feet to a 3/4" iron pipe found in the east line of the aforementioned F.M. Highway 543 marking the southwest corner of said 4.098 acre tract and the northwest corner of said 4.271 acre tract;

THENCE with the east right-of-way line of F.M. Highway 543 and the west line of said 4.098 acre tract, North 23° 31' 00" West, 320.94 feet to the place of beginning and containing 4.098 acres of land.

WHEREAS, said tracts of land are contiguous and adjacent to the City of Weston;

WHEREAS, after two (2) hearings on the petition and receiving and considering the arguments for and against the same, if any, the City Council has voted to grant such petition and to annex said territory into the City of Weston, Texas; and,

WHEREAS, a service plan has been prepared and approved by the City for the purpose of providing the territory annexed the same level of services provided to the City as a whole within ten (10) days after the adoption of this Ordinance. Attached to this Ordinance a144xhibit "A" is the service plan as approved and adopted and it is included herein for all purposes.

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

Section 1. Annexation:

That the following described territory, to-wit:

BEING a tract of land in the L.B. Hamm Survey, Abstract No. 446, Collin County Texas, and being part of a 269.67 acre tract of land as described in a deed from Hank Dickerson, Trustee to Colonial House, Inc., dated April 6, 1972. Recorded in Vol. 817, page 20 of the deed records, Collin County Texas, and being more particularly described as follows:

COMMENCING at the south, southeast corner of said 269.67 acre tract, thence N42° 08' 23"W., a distance of 1571.68 feet to a point on the east line of F.M. Road 543, for the place of beginning, a 1/2" iron stake found for corner.

THENCE, N23° 31' W., along the east line of F.M. Road No. 543, for the place of beginning, a 1/2" iron stake found for corner.

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BEGINNING at a 3/4" iron pipe found in the east right-of-way line of F.M. Highway 543 marking the northwest corner of said 4.098 acre tract and the southwest corner of a 4.00 acre tract recorded under County Clerk No. 96-0079193 of the Collin County deed Records:

THENCE with the north line of said 4.098 acre tract and the south line of said 4.00 acre tract, North 68° 59' 40" East, 491.27 feet to a 5/8" iron rod found in the middle of a creek and the west line of Pecan Creek Farms, an addition to Collin County recorded in Cabinet F, Page 797 of the Collin County Plat Records, said corner being the northeast corner of the 4.098 acre tract and the southeast corner of said 4.00 acre tract;

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THENCE with the south line of said 4.098 acre tract and the north line of said 4.271 acre tract, South 73° 26' 26" West, 549.35 feet to a 3/4" iron pipe found in the east line of the aforementioned F.M. Highway 543 marking the southwest corner of said 4.098 acre tract and the northwest corner of said 4.271 acre tract; THENCE with the east right-of-way line of F.M. Highway 543 and the west line of said 4.098 acre tract, North 23° 31' 00" West, 320.94 feet to the place of beginning and containing 4.098 acres of land,

be and the same is hereby annexed into the City of Weston, Collin County, Texas, and that the boundary limits of the City of Weston, Texas, be and the same are hereby extended to include the above-described territory within the city limits of the City of Weston, Texas, and the same shall hereafter be included within the territorial rights of said City, and said land and the future inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the city of Weston, Texas, and shall be bound by the acts and ordinances of said City.

Section 2. Service Plan:

The Service Plan attached hereto as Exhibit "A" is hereby adopted and the same shall govern the delivery of Weston's municipal services to the annexed territory.

Section 3. Effective Date:

This Ordinance shall be effective on the date of its adoption.

Section 4. Filing Instructions:

The City Secretary is directed to file a certified copy of this Ordinance with the County Clerk of Collin County, Texas, and with the Collin County Central Appraisal District.

ADOPTED by the City Council of the City of Weston, Texas, on this 12th day of March, 2002.

Patti Harrington
Patti Harrington, Mayor

ATTEST:

Michele Smith
Michele Smith, City Secretary

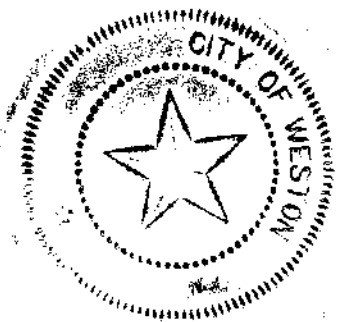


EXHIBIT "A"**SERVICE PLAN**

Within ten (10) days of the effective date of the foregoing ordinance, the City of Weston will provide the following services to the territory or property annexed herein:

1. Emergency Ambulance

Emergency medical service by Medlife, Inc. shall be provided to residents.

2. Fire Protection

Not applicable.

Fire protection is available through the Weston Volunteer Fire Department.

3. Maintenance of Public Facilities**a. Roadways:**

All costs covered by normally budgeted city-wide maintenance funds.

b. Public Buildings:

All cost covered by normally budgeted city-wide maintenance funds.

c. Parks:

Not applicable.

d. Utilities:

Not applicable.

Water and Solid Waste Removal are available through private contractors.

4. Planning and Zoning

Enforcement of any and all zoning ordinances, the Official City Zoning Map, development regulations, building codes and miscellaneous penal ordinances therein.

5. Animal Control

Animal control service by SPCA of McKinney, Texas.

6. Library Services

McKinney Library Services are provided to Weston through an Interlocal Agreement.

After Recording Return to:
Michele Smith
City of Weston
P O Box 248
Weston TX 75097

5375 005167

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE
DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND
UNENFORCEABLE UNDER FEDERAL LAW. (COUNTY OF COLLIN)
(THE STATE OF TEXAS)
I hereby certify that this instrument was FILED in the File Number Sequence on the date
and the time stamped hereon by me, and was duly RECORDED, in the Official Public
Records of Real Property of Collin County, Texas on

MAR 14 2003

Brenda Taylor



Filed for Record in:
Collin County, McKinney TX
Attest: Brenda Taylor
Collin County Clerk

On Mar 14 2003
at 11:49am

Doc/Num : 2003- 2847334

Record type: OK 21.80
Serial #: 9938