

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.

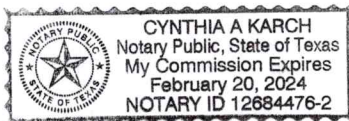
Signed: Mercy Rushing - MED CEO
Signed: Gordon Tiner, President
Signed: Bob Smith vice president

THE STATE OF TEXAS

COUNTY OF WOOD

BEFORE ME, the undersigned authority, on this day personally appeared Mercy Rushing, Gordon Tiner, and Bob Smith, 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 17th day of October, 2023.



Cynthia Karch
Notary Public in and for
WOOD County, Texas.

BENT PINE SURVEYING, INC
214 N NEWSOM
MINEOLA, TEXAS 75773
FIRM # 10194326
903-569-1776



Bent Pine Surveying, Inc.
Job # 2306017
July 18, 2023
Field Notes for Davis Whisenhunt
6.3661 Acres
A Hamilton Survey A-285
Wood County, Texas

GENERAL DESCRIPTION

All that certain tract lot or parcel of land, a part of the A Hamilton Survey A-285, Wood County, Texas, and also being a part of the Residue of that certain called 165.00 acres tract of land that is described in an Instrument from Royce E. Wisenbaker, Trustee, to Susan Mary Wisenbaker that is recorded in Volume 635 Page 913 dated April 22, 1971 and recorded in Volume 719 Page 250 dated April 22, 1976 of the Deed Records of County, Texas, and being more completely described as follows to wit;

METES AND BOUNDS DESCRIPTION

Beginning at a ½ Iron Rod found for corner at the S.W.C. of the certain tract to Southwestern Electric Power Company (Vol 840 Pg 245) and in the N.B.L. of NE Loop 564;

Thence South 86 Degrees 09 Minutes 49 Seconds West, along the S.B.L. of said tract and N.B.L. of said Loop for at 230.32 feet pass a Concrete R.O.W. Monument and continue for a total distance of 475.52 feet to a ½ Inch Iron Rod found for corner at the S.W.C. of said tract;

Thence North 08 Degrees 17 Minutes 10 Seconds West, along the E.B.L. of that certain tract to TX DOT (Vol 1135 Pg 631) for a distance of 557.57 feet to a ½ Inch Iron Rod found for corner at the N.E.C. of said TX DOT tract;

Thence North 88 Degrees 19 Minutes 49 Seconds East, along the S.B.L. of that certain tract (94421, 08-20-2008, called 57.00 acres) for a distance of 541.68 feet to a 5/8 Inch Iron Pipe found for corner at the N.W.C. of said SWEPCO tract;

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Page 2 of 2
Field Notes for 6.3661 acres cont'd

Thence South 01 Degrees 25 Minutes 45 Seconds East, along the W.B.L. of said SWEPCO tract for a distance of 535.89 feet to the place of beginning containing **6.3661 acres.**

Bearing Source: TX NC NAD83
PLAT PREPARED OF EVEN DATE.

I, **RUBEN GREGG SAXON**, Registered Professional Land Surveyor No. 5669, do hereby certify to David Whisenant that the above field notes were prepared from an actual survey made on the ground under my direction and supervision during the month of July 2023.

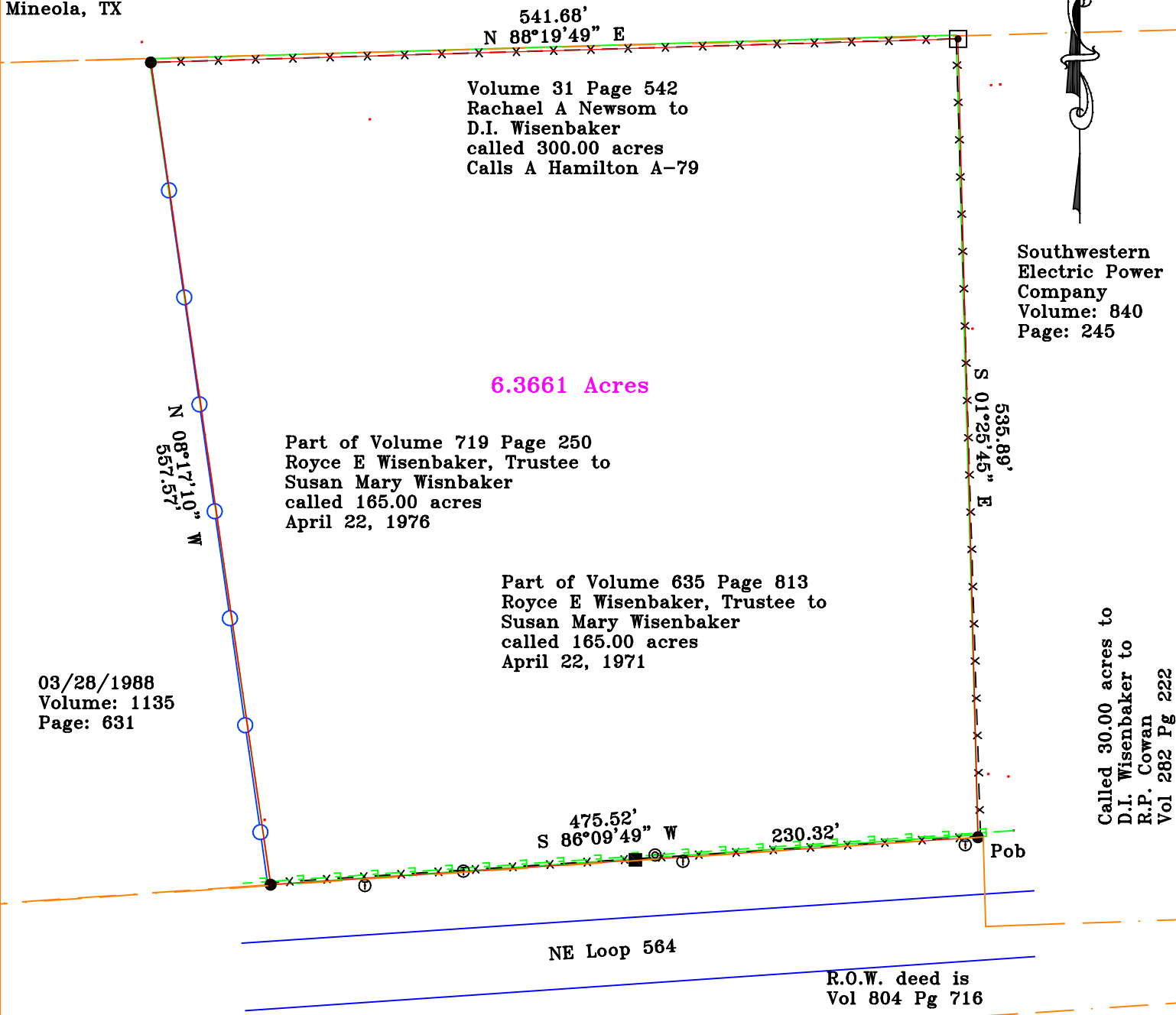
GIVEN UNDER MY HAND AND SEAL, this the 18th day of July 2023.

Ruben Gregg Saxon, R.P.L.S. No. 5669



Address
 Loop 564
 Mineola, TX

08/20/2008
 Number: 94421



**REVISED PLAT OF SURVEY SHOWING
 PART OF THE HAMILTON A SURVEY A-285
 WOOD COUNTY, TEXAS
 SURVEYED JULY 2023
 SCALE 1 INCH = 100.00 FEET**

I, RUBEN GREGG SAXON, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5669, do hereby certify to David Whisenant that the plat shown hereon was prepared from an actual survey made on the ground under my direction and supervision during the month of July 2023. Apparent, above ground, conflicts, protrusions or encroachments, if any, are as shown.

GIVEN UNDER MY HAND AND SEAL, this the 18th day of July 2023.

Ruben Gregg Saxon

REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5669

Bearing Source: (TX NC NAD83)

This survey is protected under copyright. Use of this liscence by parties not certified to will done at your own risk



Surveyor's Note:

PLEASE KEEP ORIGINALS IN A SAFE PLACE. AFTER 30 DAYS MY RECORDS ARE ARCHIVED AND NO COPIES WILL BE PULLED. NO EXCEPTIONS.

Some of the older deeds refer to the Hamilton Survey as A-79 which is obviously incorrect

Date	Revision
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Bent Pine Surveying, Inc.
 P.O. BOX 856
 Mineola, TX 75773
 BentPineSurveying.com
 gregg@BentPineSurveying.com
 FIRM # 10194326

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|---------------|---------------------|-------------|--------------------|
| —E—E—E—E—E—E— | Overhead Power Line | —□—□—□—□—□— | Wood Privacy Fence |
| —x—x—x—x—x—x— | Barbed Wire Fence | —P—P—P—P—P— | Pipeline |
| —○—○—○—○—○— | Chain link Fence | —T—T—T—T—T— | Telephone |
-
- | | | |
|-------------------------|-------------------------|------------------|
| ⊙ = Railroad Spike Fnd. | ■ = Con. Mrkr. Fnd. | Drawn by: R.G.S. |
| ◇ = Railroad Spike Set | ○ = 1/2" Iron Rod Set | Field Work by: |
| ⊕ = point for corner | ○ = utility pole | Book/Page: |
| ● = 1/2" Iron Rod Fnd. | ⊗ = "X" cut | |
| ▲ = 1/2" Iron Pipe Fnd. | □ = 5/8" Iron Pipe Fnd. | |
| ⊗ = 3/8" Iron Rod Fnd. | ⊕ = 60D Nail Fnd. | |
| ⊗ = 1" Iron Pipe Fnd. | □ = 60D Nail Set | |

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF MINEOLA, TEXAS, ACCEPTING AND GRANTING A PETITION FOR ANNEXATION SUBMITTED BY MINEOLA ECONOMIC DEVELOPMENT CORPORATION FOR AN APPROXIMATE TOTAL OF 6.366 ACRES; TO BE ANNEXED BY THE CITY OF MINEOLA; ORDERING THE ANNEXATION PROCESS TO COMMENCE, AUTHORIZING CITY STAFF TO POST AND SEND THE REQUIRED NOTICES, ORDERING THE SCHEDULING OF PUBLIC HEARINGS, DIRECTING CITY STAFF TO PREPARE A SERVICE PLAN FOR THE PROPOSED AREA, DIRECTING CITY STAFF TO PREPARE A DRAFT AN ANNEXATION ORDINANCE FOR CITY COUNCIL'S CONSIDERATION AND DECLARING AN EFFECTIVE DATE.

WHEREAS, Applicant Mineola Economic Development Corporation has requested voluntary annexation of up to 6.366 acres of land described in the attachments to this resolution, incorporated for all purposes; and

WHEREAS, Applicant has submitted the proper petition requesting voluntary annexation to the City of Mineola, Texas; and

WHEREAS, the City Council finds the requirements for the petition are all properly submitted and fully met; and

WHEREAS, the City is authorized to annex an area of land upon the request of the land owners; and

WHEREAS, upon the filing of such a petition for voluntary annexation the City shall consider the reasoning for or against the annexation and to accept or reject the petition, and if accepting, set forth the process of scheduling public hearings, ordering notice be published and otherwise complying with the annexation statute for voluntary annexations; and

WHEREAS, the area proposed for annexation is contiguous to the city limits of the City; and

WHEREAS, the area proposed for annexation, if annexed, would not exceed the maximum amount of area allowed for annexation per year by the City; and

WHEREAS, the annexation process is controlled by subchapter C-3 of chapter 43 of the Texas Local Government Code entitled Annexation of Area on Request of Owners; and

WHEREAS, the City Council finds that accepting the annexation petition by the Applicant and proceeding forward with the annexation process is in the best interest of the public and the City.

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

SECTION 1.

The Council hereby adopts and finds to be true the recitals set out in the preamble to this resolution and they are incorporated for all purposes giving effect to this resolution.

SECTION 2.

Council finds the “Petition Requesting Annexation” submitted by the Applicant along with its attached exhibits are incorporated into this resolution for all purposes.

SECTION 3.

Council expressly grants, accepts and approves the “Petition Requesting Annexation” and hereby declares Council’s intention to commence the annexation process.

SECTION 4.

Council authorizes and orders city staff to give written notice of the proposed annexation to each property owner located in the area proposed for annexation, as indicated by appraisal district records, each public entity or private entity that provides services in the area proposed for annexation, and any railroad company that serves the City if the railroad company’s right-of-way is in the area proposed for annexation.

SECTION 5.

Council authorizes and orders city staff to schedule one (1) public hearing to allow for the opportunity of persons interested in the proposed annexation to be heard.

SECTION 6.

Council authorizes and orders city staff to post notice of one (1) scheduled public hearing in a newspaper of general circulation in the municipality and area proposed for annexation as well as on the City’s web site.

SECTION 7.

Council authorizes and orders city staff to prepare a service plan that provides for municipal services to be extended to the area proposed for annexation;

DULY PASSED AND APPROVED, on the 23rd day of October, 2023 at a regular meeting of the City Council of Mineola, Texas, which was held in compliance with the Open Meetings Act, Tex. Gov’t Code § 551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF MINEOLA, TEXAS

Jayne Lankford, *Mayor*

ATTEST:

Cindy Karch, *City Secretary*

APPROVED:

Blake Armstrong, *City Attorney*