

ORDINANCE NO. _____

AN ORDINANCE ANNEXING TERRITORY ADJACENT AND CONTIGUOUS TO THE CITY OF MINEOLA TERRITORIAL AND JURISDICTIONAL BOUNDARIES CONSISTING OF A 13.849 ACRE TRACT, DESCRIBED HEREIN, PROVIDING FOR DEFAULT ZONING REGULATION, AND EXTENDING THE BOUNDARY LIMITS OF THE CITY OF MINEOLA SO AS TO INCLUDE THE HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY'S TERRITORIAL AND JURISDICTIONAL BOUNDARIES, AND GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; AND ADOPTING A SERVICE PLAN.

WHEREAS, the City has received and has accepted the voluntary petition for annexation of a property owner whose property is adjacent to the City's territorial and jurisdictional boundaries; and

WHEREAS, the property owner was offered and declined a development agreement consistent with Texas Local Government Code §43.016; and

WHEREAS, upon request to annex territory eligible for a property owner voluntary request for annexation, but for the lack of contiguity, the City is authorized, pursuant to Texas Local Government Code §43.028(g) to additionally annex a public right-of-way of a road or highway in order to achieve contiguity; and

WHEREAS, all procedural and substantive prerequisites to annexation have occurred; and

WHEREAS, the property owner petition for voluntary annexation still desires such annexation.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINEOLA, TEXAS THAT: THE BELOW IDENTIFIED PROPERTY IS HEREBY ANNEXED BY THE CITY OF VENUS AS FOLLOWS:

SECTION 1. Territory: 13.849 Acres, S. English Survey, A-188 Wood County

Pursuant to the authority granted by Chapter 43 of the Texas Local Government Code, the City of Mineola hereby annexes to the City of Mineola the territory described in **Attachment A** by metes and bounds and incorporated by reference herein. Such annexation is for full purposes including all privileges and liabilities extended to inhabitants of such territory.

That the boundary limits of the City of Mineola be and the same are hereby extended to include the above described territory as well as all public rights-of-way annexed as part of said 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 hereafter 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 the City.

SECTION 2. Service Plan: A service plan for the area is hereby adopted and attached as Attachment B.

SECTION 3. Zoning: Pursuant to City ordinances, newly annexed territory shall be zoned as agricultural. The territory herein described an annexed is hereby zoned by default and shall remain as such until properly altered by the City Council.

SECTION 4. Savings Clause: Should any part of this Ordinance be declared invalid by a court of competent jurisdiction, it shall not affect or vary the remaining parts of the ordinance.

SECTION 5. Effective Date: This ordinance shall be in full force and effect from and after five days after its publication. The City Secretary is hereby directed to file with the County Clerk of Wood County, Texas, a certified copy of this ordinance.

II. CUMULATIVE CLAUSE

That this Ordinance shall be cumulative of all provisions of the City of Mineola, except where the provisions of this Ordinance are in direct conflict with the provisions of such other ordinance, in which event the conflicting provisions of such other ordinance are hereby repealed, while leaving the remainder of such other ordinance intact. To the extent of any conflict, this Ordinance is controlling.

III. SEVERABILITY

That it is hereby declared to be the intention of the City Council of the City of Mineola. that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional or invalid by final judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional or invalid phrases, sentences, paragraphs, or sections.

IV. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government

DULY PASSED AND APPROVED, on the ____ day of _____, 20__, at a regular meeting of the City Council of the City of Mineola, Texas, which was held in compliance with the Open Meetings Act, 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

Attachment A - Territory

[Metes and Bounds of full property including property of landowner and property annexed including any ROW.]



**SURVEYED 13.849 ACRES
S. ENGLISH SURVEY, A-188
WOOD COUNTY, TEXAS
J23-0931**

August 1st, 2023

Field Note description for a 13.849 acre tract, being located in the S. ENGLISH SURVEY, Abstract No. 188, Wood County, Texas, and being all of a called 13.130 acre tract, and a called 0.723 acre tract vested to Shirley Raper in Document No. 2018-00006417 of the Official Public Records of Wood County, Texas, and being described in Document No. 2015-00011082 of the Official Public Records of Wood County, Texas, said 13.849 acre being more particularly described as follows;

BEGINNING at a 1/2" Iron Rod found in the East right-of-way of Loop 564 for the Southwest corner of the herein described tract, same being the Southwest corner of said 13.130 acre tract, and being the Northwest corner of a called 63.618 acre tract of land conveyed to Mineola Independent School District as described and recorded in Volume 916, Page 845;

THENCE North 01 deg. 39 min. 44 sec. West along the East right of way of Loop 564 and the West line of said 13.130 acre tract, a distance of 353.05 feet to a 5/8" Iron Rod found for an angle break in the West line of the herein described tract and an angle break in the West line of said 13.130 acre tract, said point being the P.C of a curve turning to the right;

THENCE Northeasterly with the East right-of-way of Loop 564 and a curve turning to the right with an arc length of 203.95 feet, a radius of 1849.86 feet, a chord bearing of North 01 deg. 11 min. 42 sec. East, and a chord length of 203.85 feet to a 1/2" iron rod found for the Northwest corner of herein described tract, same being the Northwest corner of said 13.130 acre tract and being the Southwest corner of a called 3.740 acre tract conveyed to John F. Vancompennolle and Sharon A. Vancompennolle as described and recorded in Document No. 2020-00012106;

THENCE North 89 deg. 35 min. 00 sec. East along the North line of said 13.130 acre tract, the South line of said 3.740 acre tract, and generally along and with a fence, a distance of 807.92 feet to a 1/2" Iron Rod found for an interior ell corner of the herein described tract, same being the Southeast corner of said 3.740 acre tract and the Southwest corner of said 0.723 acre tract;

THENCE North 01 deg. 07 min. 22 sec. East along the East line of said 3.740 acre tract, the West line of said 0.723 acre tract, and generally along and with a fence, a distance of 144.20 feet to a 1/2" Iron Rod found for the most Northerly Northwest corner of the herein described tract, same being the Northwest corner of said 0.723 acre tract, and being a Southwest corner of the residue of a called 3.065 acre tract of land conveyed to Cecil Stults as described and recorded in Document No. 2017-00005404;

THENCE North 89 deg. 44 min. 34 sec. East along the South line of said 3.065 acre tract, the North line of said 0.723 acre tract, and generally along and with a fence, a distance of 214.95 feet to a 1/2" Iron Rod Found for the Northeast corner of the herein described tract, same being the Northeast corner of said 0.723 acre tract, the Southeast corner of said 3.065 acre tract, and being in the West line of a called 2.500 acre tract of land conveyed to Brandy Warren as described in Document No. 2015-00008321 of the Official Public Records of Wood County, Texas;

THENCE South 01 deg. 59 min. 25 sec. East along the East line of said 0.723 acre tract, the West line of said 2.500 acre tract, the West line of a called 5.883 acre tract of land conveyed to Christopher Jack Castleberry as described and recorded in Document No. 2019-00004980, and generally along and with a fence, a distance of 144.11 feet to a 3/8" Iron Rod found for an angle break in the East line of the herein described tract, same being the Southeast corner of said 0.723 acre tract and the Northeast corner of said 13.130 acre tract;

THENCE South 01 deg. 40 min. 46 sec. East along the East line of said 13.130 acre tract, the West line of said 5.883 acre tract, and generally along and with a fence, a distance of 542.73 feet to a 1/2" Iron Rod found for the Southeast corner of the herein described tract, same being the Southeast corner of said 13.130 acre tract and being in the North line of said 63.618 acre tract;

THENCE South 88 deg. 49 min. 58 sec. West along the South line of said 13.130 acre tract and the North line of said 63.618 acre tract, a distance of 1040.81 feet to the **POINT OF BEGINNING AND CONTAINING 13.849 ACRES.**

Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, N.A.D. 1983.

I, Casey Jordan, do hereby state that these Field Notes represent an on the ground survey made under my supervision in July 2023, and is being submitted along with a Plat of said tract herein described.

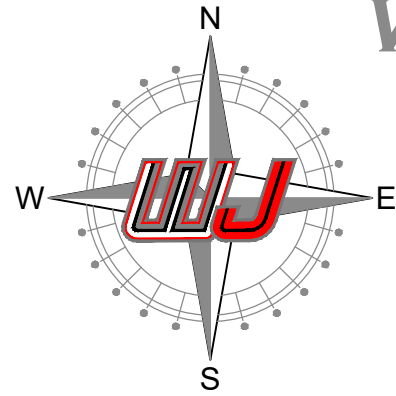


Casey Jordan
Registered Professional Land Surveyor
State of Texas No. 6789



SURVEYED: 13.849 ACRES - LOOP 564 - MINEOLA, TEXAS

WOOD COUNTY, TX



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	1849.86'	203.95'	203.85'	N 01°11'42" E	6°19'01"

JOHN F. VANCOMPENOLLE &
SHARON A. VANCOMPENOLLE
CALLED 3.740 ACRES
Doc. No. 2020-00012106

CECIL STULTS
RESIDUE OF A
CALLED 3.065 ACRES
Doc. No. 2017-00005404

BRANDY WARREN
CALLED 2.580 ACRES
Doc. No. 2015-00008321

- VESTING -
SHIRLEY RAPER
Doc. No. 2018-00006417
- DESCRIPTION -
CALLED 0.723 ACRES
Doc. No. 2015-00011082

CHRISTOPHER JACK CASTLEBERRY
CALLED 5.883 ACRES
Doc. No. 2019-00004980

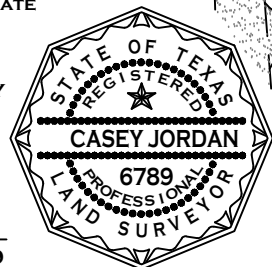
- VESTING -
SHIRLEY RAPER
Doc. No. 2018-00006417
- DESCRIPTION -
CALLED 13.130 ACRES
Doc. No. 2015-00011082

SURVEYED: 13.849 ACRES

TARRY TITLE, INC.
GF No. 23-3911CWK
SCHEDULE B ITEMS:
ALL VISIBLE AND APPARENT EASEMENTS ARE SHOWN.
NO PORTION OF THIS PROPERTY LIES WITHIN THE BOUNDARIES OF ANY KNOWN ROADWAY.
ANY ENCROACHMENTS OR PROTRUSIONS THAT WERE FOUND TO ADVERSELY AFFECT THIS PROPERTY ARE SHOWN.
DOES AFFECT ~ 134/291 (BLANKET), 647/487, 709/371, 709/373, 718/765 (BLANKET), 1636/305, 1732/739 (BLANKET),
DOES NOT AFFECT: 711,386

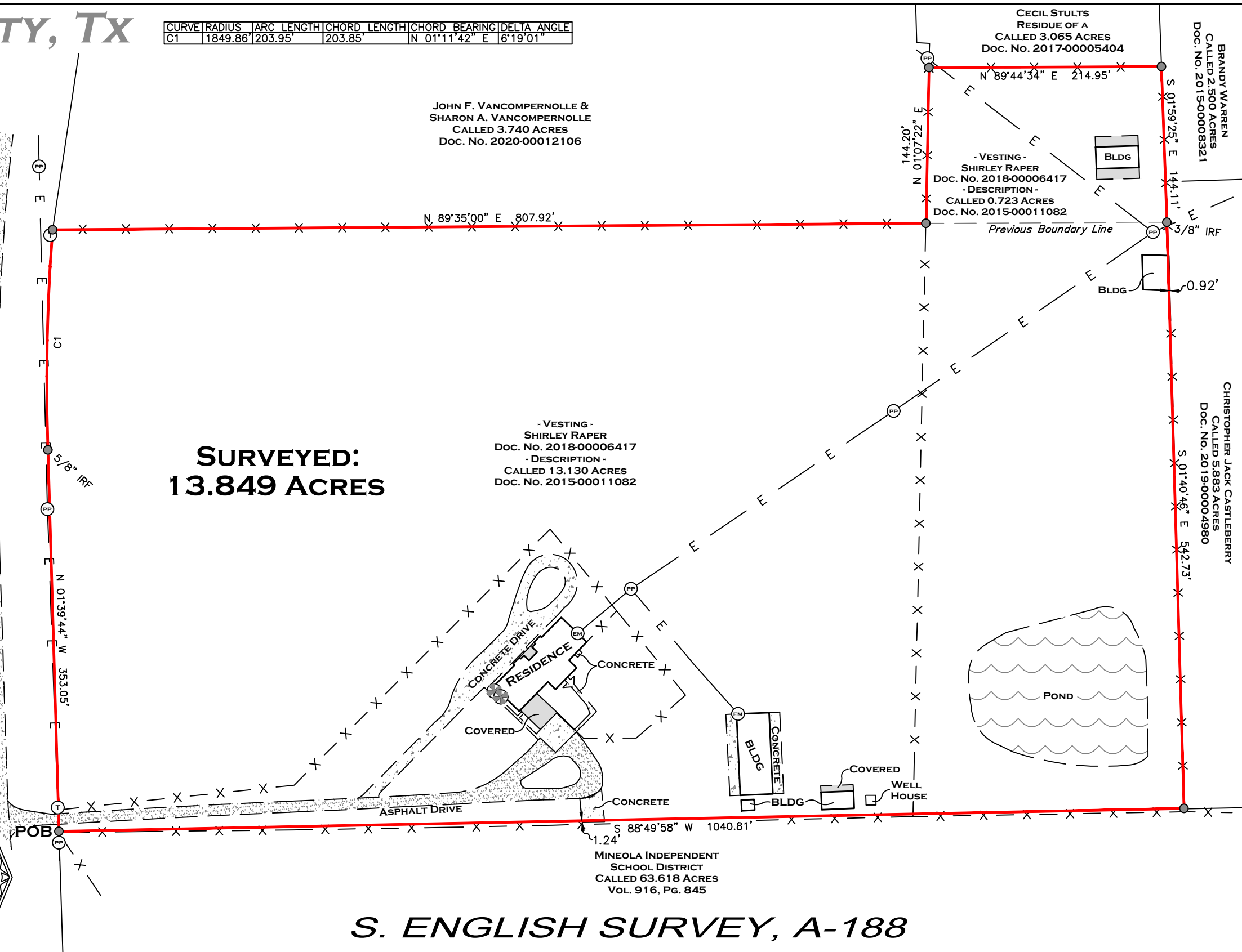
NOTE: BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE 4202, N.A.D. 1983.

I, CASEY JORDAN, DO HEREBY STATE THAT THIS PLAT REPRESENTS AN ON THE GROUND SURVEY MADE UNDER MY DIRECT SUPERVISION ON JULY 27TH, 2023.



REGISTERED PROFESSIONAL LAND SURVEYOR No. 6789

LOOP 564



S. ENGLISH SURVEY, A-188



10819 US HWY 69 N
TYLER, TX 75706
903-534-9000

MANAGER: ACJ	CREW CHIEF: C.P
ADDRESS: 1371 LOOP 564	
CITY/COUNTY: MINEOLA / WOOD	
SURVEY/ABSTRACT No.: ENGLISH / A-188	
SUBDIVISION: NA	
LOT/BLOCK No.: NA	
CLIENT: MINEOLA ISD	

PREPARED BY: C.L.A ON AUG. 1, 2023

Job No. 23-0931

100 0 100

SCALE: 1" = 100'

<ul style="list-style-type: none"> ●/● = COTTON SPINDLE FOUND/SET ●/● = 1/2" IRON ROD FOUND/SET — X — X — X — X — = FENCE — E — = OVERHEAD ELECTRIC LINE WM = WATER METER PP = POWER POLE 	<ul style="list-style-type: none"> ⊗ = IRRIGATION VALVE ⊗ = WATER VALVE MH = MANHOLE GM = GAS METER EM = ELECTRIC METER T = TELE. PEDESTAL PL = PIPELINE MARKER FH = FIRE HYDRANT S = SEPTIC LID/EQUIPMENT PROP = PROPANE TANK ⊗ = AIR CONDITIONER ○ = POINT FOR CORNER
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Attachment B
[Service Plan]