

ORDINANCE NO. 668A

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF HOWE, GRAYSON COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF THE 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 OF THE ACTS AND ORDINANCES OF THE SAID CITY.

WHEREAS, a petition for annexation has been duly signed and acknowledged by each and every person or corporation having an interest in the following described territory, to-wit:

BEING a tract of land situated in the E. REYNOLDS SURVEY, ABSTRACT NO. 1008, the J. ARMENDARIS SURVEY, ABSTRACT NO. 39, the J.C. MARSHALL SURVEY, ABSTRACT NO. 825, and the C. MASON SURVEY, ABSTRACT NO. 859, in Grayson County, Texas, said tract being a portion of a called 470.575 acre tract of land described in a deed to AP Howe Limited Partnership, recorded in Volume 3705, Page 905, Deed Records, Grayson County, Texas and a portion of a called 17.500 acre tract of land described in a deed to AP Howe Limited Partnership, recorded in Volume 4147, Page 436 (Instrument No. 2006-00027866) of said Deed Records and being more particularly described as follows:

BEGINNING at a 60D Nail found in the approximate center of Davis Road (undedicated public road) for the northeast corner of said 17.500 acre tract;

THENCE South 26 degrees 30 minutes 31 seconds East, along the east boundary of said 17.500 acre tract, a distance of 11.13 feet to a point;

THENCE over and across said 17.500 acre tract, the following courses and distances:

South 89 degrees 31 minutes 33 seconds West, a distance of 340.73 feet to a point;

North 89 degrees 56 minutes 50 seconds West, passing the common boundary between said tracts at 160.44 feet and continuing for a total distance of 160.61 feet to a point;

THENCE over and across said 470.575 acre tract, the following courses and distances:

North 89 degrees 56 minutes 45 seconds West, a distance of 3,117.48 feet to a point;

South 33 degrees 34 minutes 50 seconds West, a distance of 983.74 feet to a point;

South 34 degrees 38 minutes 57 seconds West, a distance of 2,571.33 feet to a point;

South 00 degrees 57 minutes 32 seconds East, a distance of 2,564.02 feet to a point;

South 89 degrees 13 minutes 54 seconds West, a distance of 10.00 feet to a point in the approximate center of Farmington Road (undedicated public road) on the west boundary of said 470.575 acre tract, from which a Rail Road Spike found at the intersection of the center of Hall Cemetery Road (undedicated public road) and the center of said Farmington Road bears South 00 degrees 57 minutes 32 seconds East, a distance of 10.00 feet for the southwest corner of said 470.575 acre tract;

THENCE North 00 degrees 57 minutes 32 seconds West, along the approximate center of said Farmington Road and the west boundary of said 470.575 acre tract, a distance of 2,567.20 feet to a 1-inch iron pipe found for the most westerly northwest corner of said 407.575 acre tract;

THENCE North 34 degrees 38 minutes 57 seconds East, along the northwesterly boundary of said 407.575 acre tract, a distance of 2,574.44 feet to a 1-inch iron pipe found at an angle point in the approximate center of said Davis Road;

THENCE North 33 degrees 34 minutes 50 seconds East, continuing along said northwesterly boundary and the approximate center of said Davis Road, a distance of 989.01 feet to a 1-inch iron pipe found at an angle point in said road for the most northerly northwest corner of said 407.575 acre tract;

THENCE South 89 degrees 56 minutes 45 seconds East, along the approximate center of said Davis Road and along the north boundary of said 407.575 acre tract, a distance of 3,122.85 feet to a 60D Nail found for the northwest corner of said 17.500 acre tract;

THENCE continuing along the approximate center of said Davis Road and the north boundary of said 17.500 acre tract, the following courses and distances:

South 89 degrees 56 minutes 50 seconds East, a distance of 160.56 feet to a Rail Road Spike found for corner;

North 89 degrees 31 minutes 33 seconds East, a distance of 335.80 feet to the **POINT OF BEGINNING** and containing 97,439 square feet, or 2.237 acres of land, more or less.

WHEREAS, the above described property is owned by AP Limited Partnership,
and

WHEREAS, the property lies adjacent to and adjoins the present boundary line of the City of Howe, Texas; and

WHEREAS, said tract of land is contiguous and adjacent to the City of Howe, Texas and is not more than one-half mile in width; and

WHEREAS, said petition was presented to the City Council on the 28th day of April, 2009, such date being not less than five and not more than 30 days from the date hereof; and

WHEREAS, after hearing such petition and the arguments for and against the same and making findings that surrounding the territory is in the public interest, the City Council has voted to grant such petition and to annex said territory to the City of Howe, Texas.

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

1. That the above recitals are hereby found to be true and correct and incorporated herein for all purposes.
2. That the land and territory more specifically described herein as Exhibit "A" attached hereto and made a part hereof, and containing 2.237 acres which is adjacent to and adjoining the present boundaries of the City of Howe, Texas, is hereby added and annexed to the City of Howe, Texas, and said territory as described herein shall hereafter be included within the boundary limits of the City of Howe, Texas, and the present boundary limits of the City at the various points contiguous to the areas as described above, are altered and amended so as to include said area within the corporate limits of the City of Howe, Texas.
3. That the boundary limits of the City of Howe, Texas be and are hereby extended to include the territory described in Exhibit "A" within the city limits of the City of Howe, Texas, and the same shall hereinafter be included within the territorial limits of said city, and the inhabitants thereof, if any, shall be entitled to all of the rights and privileges of all citizens and shall be bound by the acts, ordinances, resolutions and regulations of the City of Howe, Texas.
4. That the official map of the City of Howe is hereby amended to reflect the addition of the property described herein.
5. That this ordinance shall take effect immediately from and after its passage and approval.
6. The City Secretary is hereby directed to file with the County Clerk of Grayson County, Texas a certified copy of this ordinance.

EXHIBIT A TO ORDINANCE NUMBER 668A

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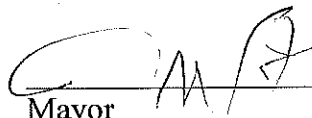
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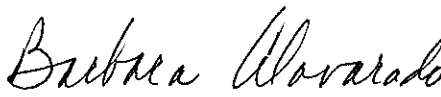
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APPROVED on this the 15th day of December 2009.



Mayor

ATTEST:



City Secretary