

ANNEXATION ORDINANCE

ORDINANCE NO. 7-2007

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF COMANCHE, COMANCHE COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF 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:

PARCEL 1:

TRACT 1:

All that certain lot, tract or parcel of land lying and being situated in Comanche County, Texas, and being out of and a part of the John Duncan Survey No. 2, Abstract No. 257, the part herein conveyed being the East part of a tract of land described in a deed executed by O. G. Jones, et ux, et al, to Lonita Steele, dated January 23, 1942, and recorded in Volume 217, Page 222, of the Deed Records of Comanche County, Texas, the lot herein conveyed being described as follows:

BEGINNING in the North line of Highway No. 10 (now Highway No. 67) and in the S line of said Lonita Steele tract, at a point 94 feet N 86° 39' E from the SW corner of said Steele tract, for the SW corner of this tract;

THENCE N 121 feet to the S line of North Main Street for the NW corner of this tract;

THENCE E with the S line of North Main Street, 158 feet for the NE corner of this tract;

THENCE S 115 feet for the SE corner of this tract in N line of said Highway No. 10 (now Highway No. 67);

THENCE in a Southwesterly direction with the N line of said Highway No. 10 (now Highway No. 67) 149 feet to the place of beginning.

TRACT 2:

All that certain lot, tract or parcel of land lying and being situated in Comanche County, Texas, and being out of and part of the John Duncan Survey No. 2, Abstract No. 257, and described as follows:

BEGINNING at the Southwest corner of a tract conveyed by Lonita Steele by O. G. Jones, et al by Warranty Deed dated January 23, 1942, recorded in Volume 217, Page 222, Deed Records of Comanche County, Texas, for the Southwest corner of this tract;

THENCE N 86° 39' East with the North line of State Highway No. 67, 94 feet for the Southeast corner of this tract;

THENCE N 121 feet to a point in the South line of North Main Street, for the NE corner of this tract;

THENCE W with the S line of North Main Street, 84 feet, more or less, for the Northwest corner of this tract, same being also the Northwest corner of said tract conveyed to Lonita Steele by O. G. Jones, et al;

THENCE S 127 feet to the place of beginning and being the same land described in Deed recorded in Volume 232, Page 35, Deed Records of Comanche County, Texas, to which Deed and record thereof reference is here made for all purposes.

Being the same land and premises described in Warranty Deed dated November 22, 2005, from Sara Moffatt Moore d/b/a Color Wagon, to Melanee Schwartz, recorded in Volume , Page , Deed Records of Comanche County, Texas, to which record reference is here made for all purposes.

PARCEL 2:

Being 10.659 acres, situated in Comanche County, Texas, out of the **JOHN DUNCAN SURVEY NUMBER 2, ABSTRACT NUMBER 257**, and being part of a 10.00 acre Third Tract described in a deed from Troy V. Baxter to C. B. Baxter, recorded in Volume 319, at Page 4, Deed Records of Comanche County, Texas, and being all the First Tract, described in said Volume 319, at Page 4, and being all of a tract of land described in a deed from H. A. Hall, et ux, to C. B. Baxter, recorded in Volume 217, at Page 18, said Deed Records, and being part of a tract described in a deed from H. A. Hall, et ux, to C. B. Baxter, recorded in Volume 223, at Page 271, said Deed Records and being a part of an Old Road Not Open, and further described as follows:

BEGINNING, at an iron rod set in a fence corner at the Northeast corner of said 10.00 acre Third Tract, for the Northeast corner of this tract;

THENCE, S 00 degrees 00' 00" E 608.56 feet, with a fence to an iron rod set in a fence corner for a corner of this tract;

THENCE, S 89 degrees 40' 35" E 62.56 feet, with a fence, to an iron rod set in a fence corner for a corner of this tract;

THENCE, S 00 degrees 37' 39" E 113.38 feet, with a fence to an iron rod set in the North Right-of-Way of Highway 67, and being the Southwest corner of a tract of land described in a deed to Mrs. Ethel McDonald, recorded in Volume 268, at Page 213, said Deed Records, for the Southeast corner of this tract;

THENCE, S 86 degrees 16' 26" W 423.82 feet, with the North Right-of-Way line of Highway 67, to an iron rod set at the Southwest corner of said First Tract of land described in Volume 319, at Page 4, and being in the East line of a County Road, for a corner of this tract;

THENCE, N 01 degrees 00' 04" W 140.43 feet, with the East line of said County Road, to an iron rod set, for a corner of this tract;

THENCE, S 89 degrees 51' 36" W 309.91 feet, with a fence and the North line of a County Road, to an iron rod set in a fence corner, for a corner of this tract;

THENCE, with a fence on the East line of a County Road as follows, N 00 degrees 11' 46" W 517.50 feet, to an iron rod set, N 16 degrees 54' 18" E 37.10 feet, to an iron rod set, and N 41 degrees 36' 03" E 88.63 feet, to an iron rod set, for the Northwest corner of this tract;

THENCE, S 89 degrees 12' 22" E 310.38 feet, with a fence, to an iron rod set in a fence corner, and S 89 degrees 03' 53" E 293.32 feet, with a fence to the point of beginning and containing 10.659 acres of land.

PARCEL 3:

Such portion of County Road lying and being situated between Parcel 1 and Parcel 2, described hereinabove.

WHEREAS, said tract of land is contiguous and adjacent to the City of Comanche, Texas, and is not more than one-half (1/2) mile in width, and

WHEREAS, said petition was presented to the City Council on May 11, 2007, June 15, 2007, and July 3, 2007, and

WHEREAS, after hearing such petition and the arguments for and against the same the City Council has voted to grant such petition and to annex said territory to the City of Comanche, Texas;

NOW, THEREFORE, be it ordained by the City Council to the City of Comanche, Texas:

That the following described property, to-wit:

PARCEL 1:

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O. G. Jones, et ux, et al, to Lonita Steele, dated January 23, 1942, and recorded in Volume 217, Page 222, of the Deed Records of Comanche County, Texas, the lot herein conveyed being described as follows:

BEGINNING in the North line of Highway No. 10 (now Highway No. 67) and in the S line of said Lonita Steele tract, at a point 94 feet N 66° 39' E from the SW corner of said Steele tract, for the SW corner of this tract;

THENCE N 121 feet to the S line of North Main Street for the NW corner of this tract;

THENCE E with the S line of North Main Street, 158 feet for the NE corner of this tract;

THENCE S 115 feet for the SE corner of this tract in N line of said Highway No. 10 (now Highway No. 67);

THENCE in a Southwesterly direction with the N line of said Highway No. 10 (now Highway No. 67) 149 feet to the place of beginning.

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THENCE W with the S line of North Main Street, 84 feet, more or less, for the Northwest corner of this tract, same being also the Northwest corner of said tract conveyed to Lonita Steele by O. G. Jones, et al;

THENCE S 127 feet to the place of beginning and being the same land described in Deed recorded in Volume 232, Page 35, Deed Records of Comanche County, Texas, to which Deed and record thereof reference is here made for all purposes.

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in said Volume 319, at Page 4, and being all of a tract of land described in a deed from H. A. Hall, et ux, to C. B. Baxter, recorded in Volume 217, at Page 18, said Deed Records, and being part of a tract described in a deed from H. A. Hall, et ux, to C. B. Baxter, recorded in Volume 223, at Page 271, said Deed Records and being a part of an Old Road Not Open, and further described as follows:

BEGINNING, at an iron rod set in a fence corner at the Northeast corner of said 10.00 acre Third Tract, for the Northeast corner of this tract;

THENCE, S 00 degrees 00' 00" E 608.56 feet, with a fence to an iron rod set in a fence corner for a corner of this tract;

THENCE, S 89 degrees 40' 35" E 62.56 feet, with a fence, to an iron rod set in a fence corner for a corner of this tract;

THENCE, S 00 degrees 37' 39" E 113.38 feet, with a fence to an iron rod set in the North Right-of-Way of Highway 67, and being the Southwest corner of a tract of land described in a deed to Mrs. Ethel McDonald, recorded in Volume 268, at Page 213, said Deed Records, for the Southeast corner of this tract;

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THENCE, N 01 degrees 00' 04" W 140.43 feet, with the East line of said County Road, to an iron rod set, for a corner of this tract;

THENCE, S 89 degrees 51' 36" W 309.91 feet, with a fence and the North line of a County Road, to an iron rod set in a fence corner, for a corner of this tract;

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PARCEL 3:

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be and the same is hereby annexed to the City of Comanche, Comanche County, Texas, be and the same are hereby extended to include the above described territory within the city limits of the City of Comanche, Texas, and the same shall hereafter be included within the territorial limits 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 Comanche, Texas, and shall be bound by the acts and ordinances of said city.


The City Clerk is hereby directed to file with the County Clerk of Comanche, Texas, a certified copy of this ordinance.

13th PASSED by an affirmative vote of all members of the City Council, this day of August, 2007.

APPROVED:


Raymond Stepp, MAYOR

ATTEST:


William A. Flannery, City Secretary