

ORDINANCE 15 - 19

AN ORDINANCE ANNEXING CERTAIN PROPERTY AND TERRITORY TO THE CITY OF COMMERCE, TEXAS, AND EXTENDING THE CORPORATE LIMITS OF THE CITY OF COMMERCE TO INCLUDE AND EMBRACE SAID TERRITORY WHICH IS ADJACENT TO AND CONTENTIOUS WITH THE PRESENT CORPORATE LIMITS OF THE CITY OF COMMERCE AND IS NOT WITHIN THE CITY LIMITS OF ANY OTHER CITY AND LIES SOLELY WITHIN THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF COMMERCE; SAID TERRITORY BEING HEREINAFTER FULLY DESCRIBED BY METES AND BOUNDS IN SECTION 1 OF THIS ORDINANCE; PROVIDING A SERVICE PLAN, SAME BEING ATTACHED HERETO AND MADE A PART HEREOF; PLACING SUCH INHABITANTS ON EQUAL FOOTING WITH PRESENT INHABITANTS OF THE CITY OF COMMERCE; CONTAINING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATIONS.

WHEREAS, in pursuant to Vernon's Texas Code Annotated, Local Government Code, Section 43.052, two public hearings were held giving all interested persons the right to appear and be heard on the proposed annexation of the property and territories described in Section 1 of this ordinance. The first such hearings was held at City Hall on the September 15, 2015 which date is not more than forty (40) nor less than twenty (20) days prior to the institution of annexation proceedings, the second public hearing was held at City Hall on the September 21, 2015, which date is not more than forty (40) nor less than ten (10) days prior to the institution of annexation proceedings; and

WHEREAS, notice of each public hearing was published in a newspaper having general circulation in the City of Commerce, Texas and in the hereinafter described territory. The notice of each hearing was published at least once in such newspaper not more than twenty (20) days nor less than ten (10) days prior to each hearing; and

WHEREAS, each notice informed inhabitants of the area of the existence of a service plan prepared by the Community Development Department of the City of Commerce, Texas and informed inhabitants of the availability of such service plan for inspection as well as the availability of the director to explain such plan to inhabitants of the area of proposed annexation and in accordance with Vernon's Texas Code Annotated, Local Government Code, Section 43.052, said service plan marked Exhibit "A" and made a part hereof as if copied herein verbatim, and being approved by this ordinance; and

WHEREAS, the hereinafter describer territory lies with the extraterritorial jurisdiction of the City of Commerce, Texas, solely; and

WHEREAS, the territory hereinafter described contains a total of 24.845 acres; and

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

SECTION 1: TRACT DESCRIPTION: The following tracts of land located in Hunt County, Texas be and the same is hereby ordered to be annexed and to be included with the corporate limits of the City of Commerce, Texas, the corporate limits be extended so as to include said tracts of land in Hunt County, Texas, the same being described as a 13.69 acres tract of land and an 11.155 acre tract of land; all situated in Hunt County, Texas, and that same tracts of land being further described in attached Exhibit "A:.

SECTION 2: The above described territory and the area so annexed shall be a part of the City of Commerce, Texas, and the property so added hereby shall bear its pro rata part of the taxes levied by the City of Commerce, Texas, and the inhabitants thereof shall be entitled to all the rights and privileges of all citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Commerce.

SECTION 3: That if any section, subsection, word, sentence or phrase of this ordinance is held invalid, it shall not affect the remaining part of this ordinance.

SECTION 4: The City Secretary is hereby authorized and directed to publish a copy of this ordinance in accordance with the terms and provisions of the charter of the City of Commerce and the laws of the State of Texas.

PASSED AND APPROVED on the FIRST READING at a regular meeting of the City Council of the City of Commerce, Texas, on this the 20th day of October 2015.

PASSED AND APPROVED on the SECOND READING at a regular meeting of the City Council of the City of Commerce, Texas, on this the 17th day of November, 2015.

ATTEST:

Becky Pattillo
Becky Pattillo, Acting City Secretary

(seal)

CITY OF COMMERCE:

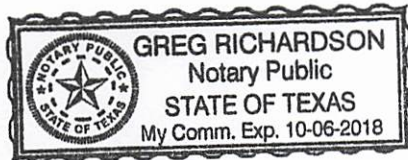
Richard Hill
Richard Hill, Mayor Pro Tem

I, Becky Pattillo, Acting City Secretary of the City of Commerce Texas, do hereby certify that the above is a true and correct copy of an Ordinance, and that the same has not been repealed and is in full force and effect.

Becky Pattillo
Becky Pattillo, Acting City Secretary

(seal)

Sworn to and subscribed before me, on this the 20th day of November 2015, to certify which witness my hand and seal of office.



(seal)

Greg Richardson
Notary Public, State of Texas

FIELD NOTES
Commerce Economic Development Corporation
13.69 Acres
Hunt County, Texas
February 2007

Being 13.69 acres of land, situated N 54° E 14.8 miles from the City of Greenville, County of Hunt, State of Texas, being a part of the Samuel Swartout Survey A-1022, and part of a called 46.052 acre tract as conveyed from Commerce Industrial Development Association to Commerce Economic Development Corporation on January 29, 1999 and recorded in Volume 547, Page 200, of the Official Public Records of said county. The said 13.69 acre tract being more fully described by metes and bounds as follows:

Beginning at a ½ inch iron rod found for the Southeast corner of said 13.69 acre tract, said rod also being the Southwest corner of a called 20.00 acre tract of land conveyed to Alliance Carpet Cushion, Co., from Commerce Economic Development Corporation on December 20, 2000 and recorded in Volume 712, Page 422 of the Official Public Records of said county, and being the Southeast corner of a called 2.45 acre access and utility easement, and said rod also being in the centerline of County Road Number 4220;

Thence N 89°21'45" W, a distance of 134.31 feet to an X found chiseled in concrete, said X being located in the right-of-way line of State Highway No. 11;

Thence N 01°09'54" E, along the right-of-way line of State Highway No. 11 a distance of 40.00 feet to a ½ inch iron rod found for the Southeast corner of a called 10.01 acre tract of land as conveyed to Jacoby Family Limited Partnership No. V from Brad D. Jacoby and his wife, Catherine G. Jacoby on June 24, 2005 and recorded in Volume 1347, Page 100 of the Official Public Records of said county;

Thence N 30°57'00" E, along the East boundary of the aforementioned called 10.01 acre Jacoby tract a distance of 600.70 feet to a ½ inch iron rod found at the Northeast corner of the aforementioned called 10.01 acre Jacoby tract;

Thence N 64°36'06" W, along the North boundary line of the aforementioned called 10.01 acre Jacoby tract a distance of 654.62 feet to a ½ inch capped iron rod set for the most Northern Southwest corner of said 13.69 acre tract, said rod also being in the East boundary line of a called 58.766 acre tract of land conveyed to Wallace Murray Corporation from Commerce Industrial Development Association on June 16, 1982 and recorded in Volume 898, Page 630 of the Deed Records of said county, said rod also being located N 27°54'42" E a distance of 557.25 feet from a ½ inch capped iron rod found at the Southeast corner of said Wallace Murray Corporation Tract;

Thence N 27°54'42" E, along the East boundary line of the aforementioned Wallace Murray Corporation Tract a distance of 743.72 feet to a 2 inch iron pipe found, said pipe being the Northeast corner of said Wallace Murray Corporation Tract, and the Northwest corner of the aforementioned called 2.45 acre access and utility easement, and said pipe also being located in the South right-of-way line of St. Louis & Southwestern Railroad;

Thence S 64°42'17" E, along the South right-of-way line of the St. Louis & Southwestern Railroad a distance of 754.94 feet to a ½ inch iron rod found at the Northwest corner of the aforementioned called 20.00 acre Alliance Carpet tract;

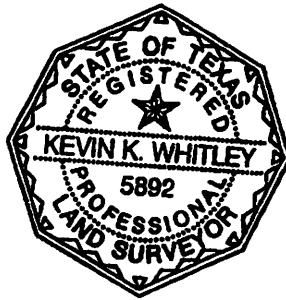
Thence S 30°58'00" W (Reference Bearing), along the West boundary line of the aforementioned called 20.00 acre Alliance Carpet tract a distance of 1295.01 feet to a ½ inch iron rod found;

Thence N 89°46'41" E, a distance of 51.48 feet to a ½ inch iron rod found;

Thence S 00°03'22" E, a distance of 61.83 feet to the point of beginning and containing 13.69 acres of land.

I, KEVIN K. WHITLEY, REGISTERED PROFESSIONAL LAND SURVEYOR, #5892, STATE OF TEXAS, HEREBY CERTIFY THE ABOVE IS TAKEN FROM MEASUREMENTS MADE UPON THE GROUND.

K. K. Whitley
FEB 01 2007



OWNERS CH
STATE OF TEXAS
COUNTY OF HUNT

Being 13.50 acres of land, situated N 54° E 14.5 miles from the City of Commerce, County of Hunt, State of Texas, being a part of the Bureau Survey A-1022, and part of a called 44.00 acre tract as conveyed from Commerce Industrial Development Association to Commerce Economic Development Corporation on January 29, 1990 and recorded in Volume 547, Page 202, of the Official Public Records of said county. The said 13.50 acre tract being more fully described by name and bounds as follows:

Beginning at a 1/4 inch iron rod found at the Southeast corner of said 13.50 acre tract, said rod also being the Southeast corner of a called 20.00 acre tract of land conveyed to Alliance Carpet Cushion Co. from Commerce Economic Development Corporation on December 20, 2000 and recorded in Volume 712, Page 422 of the Official Public Records of said county, and being the Southeast corner of a called 2.47 acre utility easement, and said rod also being the corner of County Road Number 4220;

Thence N 69°21'45" W, a distance of 134.31 feet to an X found obtained in concrete, said X being located in the right-of-way line of State Highway No. 11;

Thence N 01°09'34" E, along the right-of-way line of State Highway No. 11 a distance of 40.00 feet to a 1/4 inch iron rod found at the Southeast corner of a called 10.01 acre tract of land as conveyed to Jacoby Family Limited Partnership No. V from David D. Jacoby and his wife, Catherine G. Jacoby on June 24, 2003 and recorded in Volume 1347, Page 100 of the Official Public Records of said county;

Thence N 30°57'00" E, along the East boundary line of the aforementioned called 10.01 acre Jacoby tract a distance of 688.70 feet to a 1/4 inch iron rod found at the Northeast corner of the aforementioned called 10.01 acre Jacoby tract;

Thence N 64°50'00" W, along the North boundary line of the aforementioned called 10.01 acre Jacoby tract a distance of 604.62 feet to a 1/4 inch iron rod found at the Northeast corner of said 13.50 acre tract, said rod also being the East boundary line of a called 24.700 acre tract of land conveyed to Wallace Murray Corporation from Commerce Industrial Development Association on June 14, 1992 and recorded in Volume 598, Page 630 of the Official Public Records of said county, said rod also being located N 27°54'42" E a distance of 227.25 feet from a 1/4 inch iron rod found at the Southeast corner of said Wallace Murray Corporation Tract;

Thence N 27°54'42" E, along the East boundary line of the aforementioned Wallace Murray Corporation Tract a distance of 743.32 feet to a 1/4 inch iron pipe found, said pipe being the Northeast corner of said Wallace Murray Corporation Tract, and the Northeast corner of the aforementioned called 2.47 acre utility easement, and said pipe also being located in the South right-of-way line of St. Louis & Southwestern Railroad;

Thence S 64°42'17" E, along the South right-of-way line of the St. Louis & Southwestern Railroad a distance of 754.94 feet to a 1/4 inch iron rod found at the Northeast corner of the aforementioned called 20.00 acre Alliance Carpet tract;

Thence S 30°52'00" W (Reference Bearing), along the West boundary line of the aforementioned called 20.00 acre Alliance Carpet tract a distance of 1295.01 feet to a 1/4 inch iron rod found;

Thence N 69°40'41" E, a distance of 51.48 feet to a 1/4 inch iron rod found;

Thence S 00°43'22" E, a distance of 61.83 feet to the point of beginning and containing 13.50 acres of land.

NOW, THEREFORE, KNOWN ALL MEN BY THESE PRESENTS:

That Commerce Economic Development Corporation acting lawfully by and through its duly authorized officers, does hereby adopt this plat designating the lands above described property as CEDC Industrial Park, Block A, Lot 1, in addition to the City of Commerce, Texas, and does hereby dedicate, in the simple, to the public use forever, the streets and alleys shown thereon. The streets and alleys are dedicated for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Commerce. In addition, utility easements may also be used for the natural use and accommodation of all public utilities desiring to use or using the same within the easement limits shown as shown, as dedicated, for the public use forever, for the purposes indicated on this plat. No buildings, fences, trees, shrubs or other improvements or growths shall be constructed or placed upon, over or across the easements as shown, except that landscape improvements may be placed in landscape easements, if approved by the City of Commerce. In addition, utility easements may also be used for the natural use and accommodation of all public utilities desiring to use or using the same within the easement limits shown as shown, as dedicated, for the public use forever, for the purposes indicated on this plat. The City of Commerce and public utility entities shall have the right to remove and keep recovered all or parts of any buildings, fences, trees, shrubs or other improvements or growths which may in any way endanger or interfere with the construction, maintenance, or efficiency of their respective systems in said easements. The City of Commerce and public utility entities shall at all times have the full right of ingress and egress to or from their respective easements for the purposes of constructing, reconstructing, inspecting, patching, maintaining, sealing cracks, and adding to or removing all or parts of their respective systems without the necessity at any time procuring permission from anyone.

This plat approved subject to all planning ordinances, rules, regulations and resolutions of the City of Commerce, Texas.

WITNESS, my hand, this 27 day of October, 2011.

Robert W. Clark
Authorized Signature or Owner

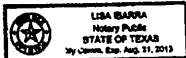
Robert W. Clark, President
Printed Name and Title

STATE OF TEXAS
COUNTY OF HUNT

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Robert W. Clark, President Commerce Economic Development Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office, this 27 day of October, 2011.

Lisa Barba
Notary Public in and for the State of Texas



SURVEYOR'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS:

That I, Kevin E. Whitley, Registered Professional Land Surveyor for the State of Texas, R.P.L.S. #5292, do hereby certify that the plat shown herein represents an actual on-the-ground survey supervised by me, completed on February 1, 2007 and field verified by me on October 11, 2011.

K. Whitley
Kevin E. Whitley, R.P.L.S. #5292

10/11/2011
Date



STATE OF TEXAS
COUNTY OF LAMAR

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Kevin E. Whitley, Surveyor, known to me to be the person whose name is subscribed to this plat.

Given under my hand and seal of office, this 14th day of October, 2011.

Mary Jo Dove
Notary Public in and for the State of Texas



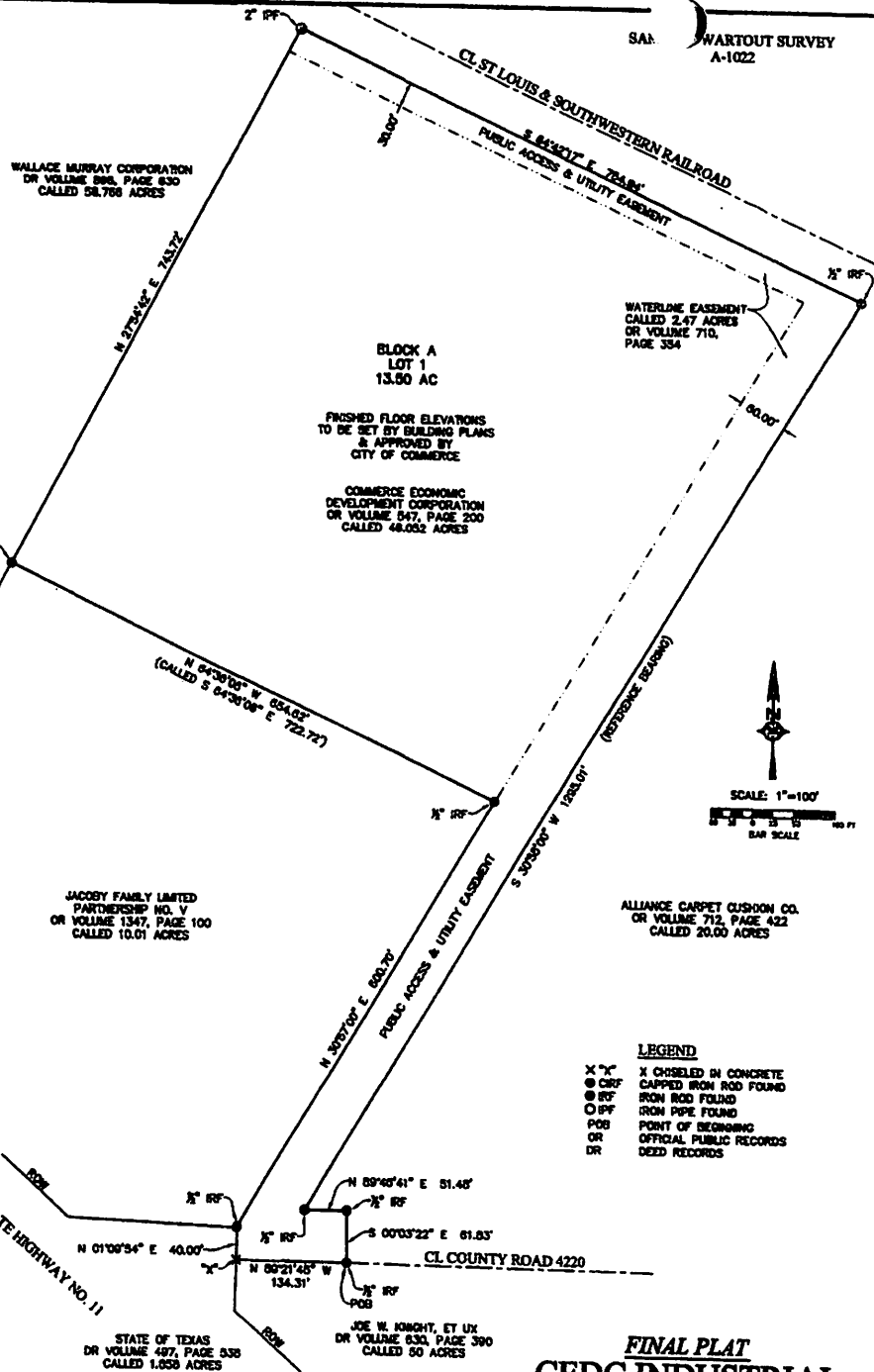
APPROVED: Director of Community Development and City Manager, City of Commerce, TX.

Michael M. Dove
Director of Community Development
Acting City Manager

11-4-11
Date
11/8/11
Date

ATTEST: City Secretary, City of Commerce, TX.

Theresa C. Law
City Secretary
11-8-11
Date



LEGEND
X "X" X CHISELED IRON ROD FOUND
CRF CAPPED IRON ROD FOUND
RF IRON ROD FOUND
RP IRON PIPE FOUND
POB POINT OF BEGINNING
OR OFFICIAL PUBLIC RECORDS
OR DEED RECORDS

SCALE: 1"=100'
BAR SCALE

FINAL PLAT
CEDC INDUSTRIAL
PARK BLOCK A, LOT 1
City of Commerce, Hunt County, Texas
13.50 Acres



CG
SL 127

FIELD NOTES
11.155 Acres
Commerce Industrial Development Association
Samuel Swartout Survey, A-1022
Hunt County, Texas
February 2004

Being 11.155 acres of land, situated N 54° E, a distance of 14.8 miles from the City of Greenville, County of Hunt, State of Texas, a part of the Samuel Swartout Survey, Abstract No. 1022, also being a part of a called 46.183 acre tract of land conveyed to the Commerce Industrial Development Association, recorded in Vol. 408. Page 446 of the Deed Records of said County. The said 11.155 acre tract of land being described more particularly in metes and bounds as follows:

Beginning at a found iron rod at the Southeast corner of the said 11.155 acre tract of land, said corner also being in the South boundary line of the said 46.183 acre tract of land, said corner also being in the centerline of a county road;

Thence N 87°50'01"W, with the South boundary line of the said 11.155 acre tract of land and the centerline of the said country road, a distance of 388.03 feet to a found iron rod;

Thence N 89°10'11" W, continuing with the South boundary line of the said 11.155 acre tract of land and the centerline of said county road, a distance of 458.38 feet to a set iron rod at the Southwest corner of the said 11.155 acre tract of land;

Thence N 30°58'00"E, with the West boundary line of the said 11.155 acre tract of land, a distance of 985.72 feet to a set iron rod at the Northwest corner of the said 11.155 acre tract of land, said corner also being in the South right-of-way line of the St. Louis & Southwestern Railroad;

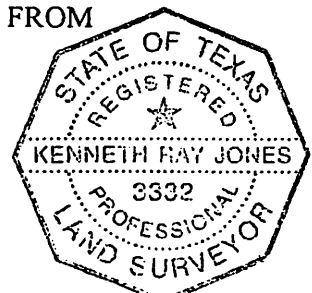
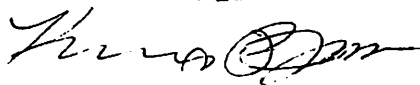
Thence S 64°45'05"E, with the North boundary line of the said 11.155 acre tract of land and the said South right-of-way line, a distance of 390.67 feet to a found iron rod at the Northeast corner of the said 11.155 acre tract of land;

Thence S 1°09'00"W, with the East boundary line of the said 11.155 acre tract of land, a distance of 669.95 feet to a found iron rod;

Thence S 1°54'53"W, continuing with the East boundary line of the said 11.155 acre tract of land, a distance of 30.09 feet to the point of beginning, containing 11.155 acres of land.

I, KENNETH RAY JONES, REGISTERED PROFESSIONAL LAND SURVEYOR, #3332, STATE OF TEXAS, HEREBY CERTIFY THE ABOVE IS TAKEN FROM MEASUREMENTS MADE UPON THE GROUND.

FEB 16 2004



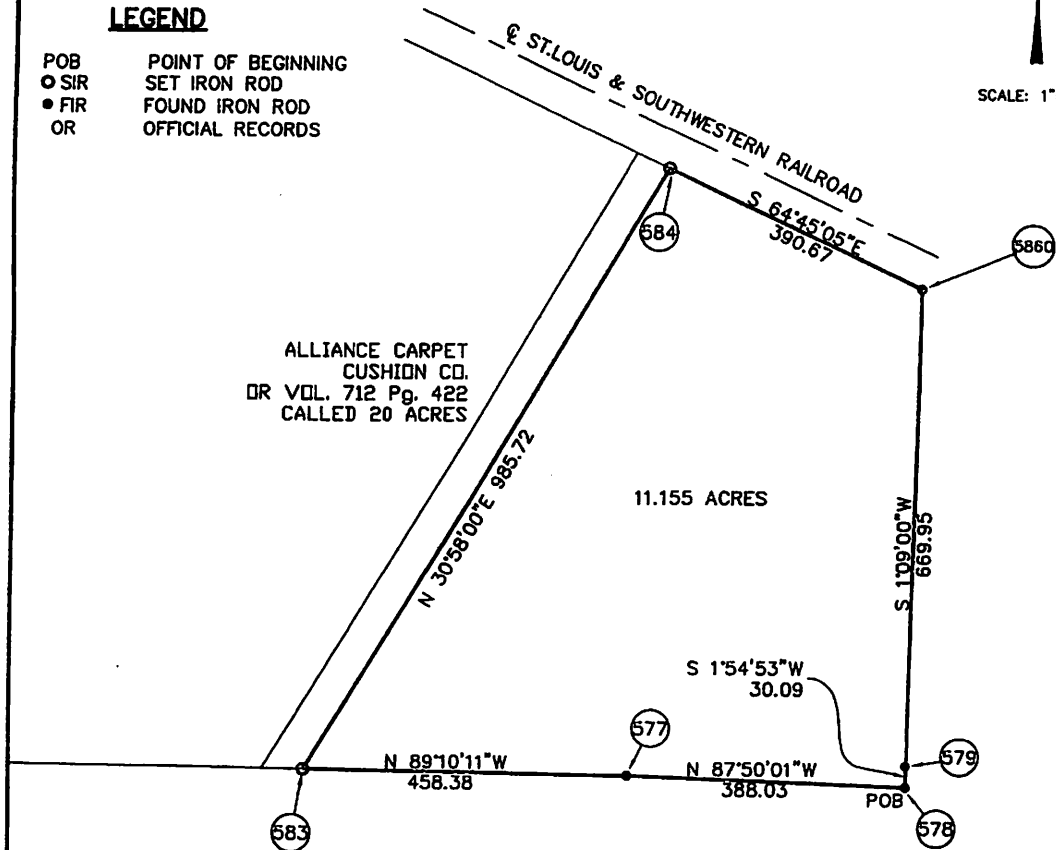
SAMUEL SWARTOUT SURVEY ABSTRACT 1022



SCALE: 1"=200'

LEGEND

POB POINT OF BEGINNING
 ○ SIR SET IRON ROD
 ● FIR FOUND IRON ROD
 OR OFFICIAL RECORDS



COORDINATE LIST

PT#	NORTHING	EASTING	DESCRIPTION
587	4938.0148	5790.6278	SE CORNER 11.155 ACRE TRACT
577	4952.6831	5402.8720	INTERIOR CORNER 11.155 ACRE TRACT
583	4959.3245	4944.5383	SW CORNER 11.155 ACRE TRACT
584	5804.5469	5451.7302	NW CORNER 11.155 ACRE TRACT
586	5637.9369	5805.0944	NE CORNER 11.155 ACRE TRACT
579	4968.0922	5791.6333	INTERIOR CORNER 11.155 ACRE TRACT

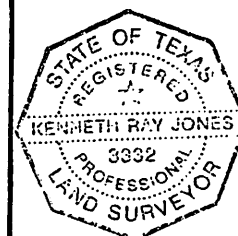
**COMMERCE INDUSTRIAL
DEVELOPMENT ASSOCIATION
11.155 ACRES
HUNT COUNTY, TEXAS
FEBRUARY 2004**

I, KENNETH RAY JONES, REGISTERED PROFESSIONAL LAND SURVEYOR FOR THE STATE OF TEXAS, RPLS #3332, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREIN REPRESENTS AN ACTUAL ON-THE-GROUND SURVEY CONDUCTED BY MYSELF. THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION II SURVEY.

FEB 16 2004

Kenneth Ray Jones

MEYER
ENGINEERING
INCORPORATED
CONSULTANTS PLANNERS ENGINEERS
4445 S.E. LOOP 286 PARIS, TEXAS



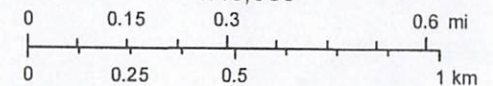
Annexation Service Plan

The City of Commerce will provide full Municipal Service to the property as it is developed.

Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

-  Parcels
-  Abstracts
-  Citations

1:18,056



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and

Hunt County Appraisal District & BIS Consulting - www.bisconsultants.com
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