

**ORDINANCE NO. 30**

**AN ORDINANCE OF THE CITY OF POST OAK BEND, TEXAS ANNEXING A TRACT OF LAND, MORE PARTICULARLY DESCRIBED IN EXHIBITS "A" ATTACHED HERETO AND MADE A PART HEREOF; ADOPTING A SERVICE PLAN AS EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the property owners of the area described below have petitioned the City Council to annex the area and adjacent 4 acre lot; and

**WHEREAS**, the City Council of the City of Post Oak Bend has conducted two public hearings at which persons interested in the annexation have been given the opportunity to be heard; and

**WHEREAS**, such public hearings were conducted pursuant to notice published in a newspaper of general circulation in the City and in the area proposed for annexation at least once on or after the twentieth day but before the tenth day before the date of each such hearing; and

**WHEREAS**, a service plan for the area has been approved as required by law; and

**WHEREAS**, this ordinance is enacted not less than twenty (20) days after the second of such public hearings and not more than forty (40) days after the first of such public hearings.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POST OAK BEND, TEXAS:**

**SECTION 1.** That all the property described in Exhibits "A" attached hereto and made part hereof for all purposes is within the exclusive extraterritorial jurisdiction of the City of Post Oak Bend, and adjacent and contiguous to the boundary limits thereof and the same is hereby annexed into the City of Post Oak Bend, and the boundary lines of the City of Post Oak Bend are hereby extended to include such described property within the city limits of Post Oak Bend, and the same shall hereafter be included within the territorial limits of said city and the inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City of Post Oak Bend, and shall be bound by the acts, ordinances, resolutions, and regulations of said city.

**SECTION 2.** That the premises hereof are found and determined by the City Council to be correct in all respects.

**SECTION 3.** That it is the intent of the City Council to annex into the corporate limits of the City of Post Oak Bend all the property described in Exhibits "A," and the City Council hereby finds and determines that the provisions of Chapter 43 of the Texas Local Government Code have been complied with in effecting this annexation. It is not the intent of the City of Post Oak Bend to annex any territory that it has no legal right to annex, but to annex only such territory as may be legally annexed by it within the limits of the described property.



TRUE AND CORRECT COPY OF  
ORIGINAL RECORD FILED IN  
KAUFMAN COUNTY, TEXAS  
LAURA HUGHES, COUNTY CLERK

BY:     KO     DEPUTY

**SECTION 4.** That a service plan, as required by Section 43.056 of the Local Government Code for such property, is attached hereto as Exhibit "B," made a part hereof for all purposes, and adopted and approved as a part of this ordinance.

**SECTION 5.** This ordinance shall take effect immediately from and after its passage as the law in such cases provides.

**DULY APPROVED AND PASSED** by the City Council of the City of Post Oak Bend on the 12<sup>th</sup> day of June 2012.

**APPROVED:**

Raymond Bedrick  
**MAYOR RAYMOND BEDRICK**  
**CITY OF POST OAK BEND**

**ATTEST:** Barbara Bedrick

**BARBARA BEDRICK**  
**CITY SECRETARY**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**



TRUE AND CORRECT COPY OF  
ORIGINAL RECORD FILED IN  
KAUFMAN COUNTY, TEXAS  
LAURA HUGHES, COUNTY CLERK

BY: LD DEPUTY

2/541

EXHIBIT A

Doc 00026506 BK DR Vol 2320 Pg 151

Pebble Creek Estates

"Field Notes"

All that certain lot, tract or parcel of land, part of the R. Anthony Survey, Abstract No. 1, Kaufman County, Texas, all of that certain called 53.92 acre tract conveyed to Affordable Auto, Inc. by Sheryln Y. Smith on March 19, 2002, recorded in Vol. 1968 page 167 of the Deed Records of Kaufman County, Texas and being more completely described as follows, to-wit:

BEGINNING at a point for corner at the East corner of the above mentioned 53.92 acre tract, at the South corner of the James A. Ball 23.407 acre tract, recorded in Vol. 648 page 285 of the Deed Records of Kaufman County, Texas, in the Southeast line of the above mentioned R. Anthony Survey and being in the centerline of County Road No. 279, from which a 3/8" iron rod set in the Northwest line of said road bears N 42 deg. 39 min. 05 sec. W-30.00 ft.

THENCE S 46 deg. 43 min. 00 sec. W, with the Southeast line of said R. Anthony Survey and with the centerline of County Road No. 279, a distance of 1198.23 ft. to a point for corner at the East corner of the David Garrick 2.428 acre tract, recorded in Vol. 1172 page 608 of the Deed Records of Kaufman County, Texas, from which a 3/8" iron rod set in the Northwest line of said road bears N 40 deg. 46 min. 12 sec. W-30.03 ft.

THENCE N 40 deg. 46 min. 12 sec. W, with the Northeast line of said 2.428 acre tract, passing the North corner of the same, continuing a total distance of 364.63 ft. to a 3/8" iron rod set at the Easterly North corner of the David Garrick 3.099 acre tract, recorded in Vol. 1261 page 991 of the Deed Records of Kaufman County, Texas.

THENCE S 46 deg. 38 min. 42 sec. W, with the Easterly Northwest line of said 3.099 acre tract, a distance of 245.44 ft. to a 1/2" iron rod found at an oil corner of same.

THENCE N 42 deg. 29 min. 41 sec. W, with the Westerly Northeast line of said 3.099 acre tract, a distance of 355.75 ft. to a 3/8" iron rod set at the Westerly North corner of same.

THENCE S 0 deg. 50 min. 34 sec. W, with the Westerly Northwest line of said 3.099 acre tract, a distance of 209.89 ft. to a 1/2" iron rod found at an angle corner of the above mentioned 53.92 acre tract.

THENCE N 42 deg. 33 min. 58 sec. W, passing the Northerly East corner of the Brenda J. Hammond 45.014 acre tract, recorded in Vol. 848 page 351 of the Deed Records of Kaufman County, Texas, continuing a total distance of 917.51 ft. to a 1/2" iron rod found for corner.

THENCE N 55 deg. 56 min. 17 sec. E, a distance of 170.30 ft. to a 1/2" iron rod found for corner.

THENCE N 41 deg. 56 min. 41 sec. W, a distance of 360.08 ft. to a 1/2" iron rod found at the Northerly West corner of the above mentioned 53.92 acre tract and being in the Southeast line of the Antonio Cotto 19.8815 acre tract, recorded in Vol. 877 page 152 of the Deed Records of Kaufman County, Texas.

THENCE N 48 deg. 21 min. 44 sec. E, with the Southeast line of said 19.8815 acre tract, a distance of 518.82 ft. to a 1/2" iron rod found at the East corner of same and being at the South corner of the Raymond E. Bedrick 22.983 acre tract, recorded in Vol. 1110 page 475 of the Deed Records of Kaufman County, Texas.

THENCE N 47 deg. 00 min. 28 sec. E, with the Southeast line of said 22.983 acre tract, a distance of 419.11 ft. to a 3/8" iron rod set at the Westerly North corner of the above mentioned 53.92 acre tract.

THENCE S 42 deg. 38 min. 54 sec. E, a distance of 556.78 ft. to a 1/2" iron rod found at an oil corner of said 53.92 acre tract.

THENCE N 46 deg. 48 min. 41 sec. E, a distance of 455.19 ft. to a 1/2" iron rod found at the Easterly North corner of said 53.92 acre tract and being in the Southwest line of the above mentioned 23.407 acre tract.

THENCE S 42 deg. 39 min. 05 sec. E, with the Easterly Northeast line of said 53.92 acre tract, a distance of 1243.41 ft. to the point of beginning, containing 53.925 acres of land, of which 0.825 of an acre is within the above mentioned County Road No. 279.

I, Greg Sjerven, Registered Professional Land Surveyor No. 5244, do hereby certify that the above field notes and plat attached hereto were prepared from an actual survey made by me on the ground during the month of August, 2002.

GIVEN UNDER MY HAND AND SEAL this the 31st day of July, 2003.

Greg Sjerven signature



TRUE AND CORRECT COPY OF ORIGINAL RECORD FILED IN KAUFMAN COUNTY, TEXAS LAURA HUGHES, COUNTY CLERK

BY: KD DEPUTY

EXHIBIT "A"

4 acres

All that certain lot, tract or parcel of land situated in the R. ANTHONY SURVEY, ABSTRACT NO. 1, Kaufman County, Texas, and being a part of that 58.000 acres tract of land as described in a Warranty deed from Donald F. McGowen to Donna Sue Ashcraft, as recorded in Volume 848, Page 348 of the Deed Records of Kaufman County, Texas, and being more particularly described as follows:

BEGINNING at concrete monument found for corner at the North most corner of the above cited tract of land:

THENCE S. 42 deg. 41 min. 37 sec. E., a distance of 282.11 feet to a 1/2" iron rod found for corner;

THENCE N. 46 deg. 17 min. 48 sec. E. a distance of 280.98 feet to a 3/8" iron rod found for corner at the East most North corner of said 58.000 acres tract;

THENCE S. 42 deg. 39 min. 05 sec. E. along the Northeast line of said 58.000 acres tract, a distance of 276.08 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE S. 46 deg. 43 min. 25 sec. W. a distance of 455.28 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 42 deg. 39 min. 05 sec. W. a distance of 556.87 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the Northwest boundary line of said 58.000 acres tract;

THENCE N. 46 deg. 58 min. 37 sec. E. along the Northwest boundary line of said 58.000 acres tract, a distance of 174.11 feet to the POINT OF BEGINNING and containing 4.00 acres of land.

Filed for Record in: Kaufman County  
On: Nov 18, 2003 at 11:18A



TRUE AND CORRECT COPY OF  
ORIGINAL RECORD FILED IN  
KAUFMAN COUNTY, TEXAS  
LAURA HUGHES, COUNTY CLERK

BY:     LAD     DEPUTY

Exhibit A  
Part I  
LEGAL DESCRIPTION  
ANNEXATION AREA

All that certain lot, tract or parcel of land situated in the R.ANTHONY SURVEY, ABSTRACT NO. 1, Kaufman County, Texas, and being a part of that 58.000 acres tract of land as described in a warranty deed from Donald F. McGowen to Donna Sue Ashcraft, as recorded in Volume 848, Page 348 of the Deed Records of Kaufman County, Texas, and being more particularly described as follows:

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EXHIBIT "A"

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Filed for Record in: Kaufman County  
On: Nov 18, 2003 at 11:18A



TRUE AND CORRECT COPY OF ORIGINAL RECORD FILED IN KAUFMAN COUNTY, TEXAS  
LAURA HUGHES, COUNTY CLERK

BY:     LO     DEPUTY

Exhibit A  
Part 2  
LEGAL DESCRIPTION  
ANNEXATION AREA

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THENCE S 46 deg. 43 min. 00 sec. W. with the Southeast line of said R. Anthony Survey and with the centerline of County Road No. 279, a distance of 1198.23 ft. to a point for corner at the East corner of the David Garrick 2.428 acre tract, recorded in Vol. 1172 page 606 of the Deed Records of Kaufman County, Texas, from which a 3/8" iron rod set in the Northwest line of said road bears N 40 deg. 46 min. 12 sec. W 30.03 ft.

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### EXHIBIT "B" ANNEXATION SERVICE PLAN

In connection with the annexation of the tract of land by the City of Post Oak Bend, Kaufman County, Texas described in Exhibit "A", the following service plan is adopted as required by Section 43.056 of the Texas Local Government Code.

The City of Post Oak Bend does not presently provide any of the below listed services to its citizens. To the extent that the City of Post Oak Bend provides the following services in the future, the City will provide such services in the area of the annexation.

- (1) City Marshal protection;
- (2) Fire protection;
- (3) Emergency medical services;
- (4) Police protection;
- (5) Solid waste collection;
- (6) Operation and maintenance of roads;
- (7) Parks, and
- (8) Water and wastewater facilities.

The City will also provide other services such as planning, zoning, code enforcement, subdivision regulation, court, construction and building codes and general administration when such services are provided to other citizens of the City.

#### Miscellaneous Provisions:

- (1) This service plan is valid for ten years. Renewal of the service plan is at the discretion of the City of Post Oak Bend.
- (2) This service plan does not require a uniform level of full municipal services to each area of the City, including the annexed area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.
- (3) This service plan shall not be amended unless public hearings are held in accordance with VTCA, Local Government Code, Section 43.056.
- (4) This service plan is adopted as Exhibit "B" to the Ordinance annexing the property described in Exhibit "A" to the City of Post Oak Bend. The City shall provide the area or cause the area to be provided with services in accordance with this service plan.

INST # 2016-0025648  
Filed for record in Kaufman County  
On: 12/15/16 at 3:48 PM



TRUE AND CORRECT COPY OF  
ORIGINAL RECORD FILED IN  
KAUFMAN COUNTY, TEXAS  
LAURA HUGHES, COUNTY CLERK

BY: YCD DEPUTY

# CITY OF POST OAK BEND

KAUFMAN COUNTY, TEXAS

APRIL, 2012

APPROXIMATELY 1,290.28 ACRES

WITHIN CITY LIMITS

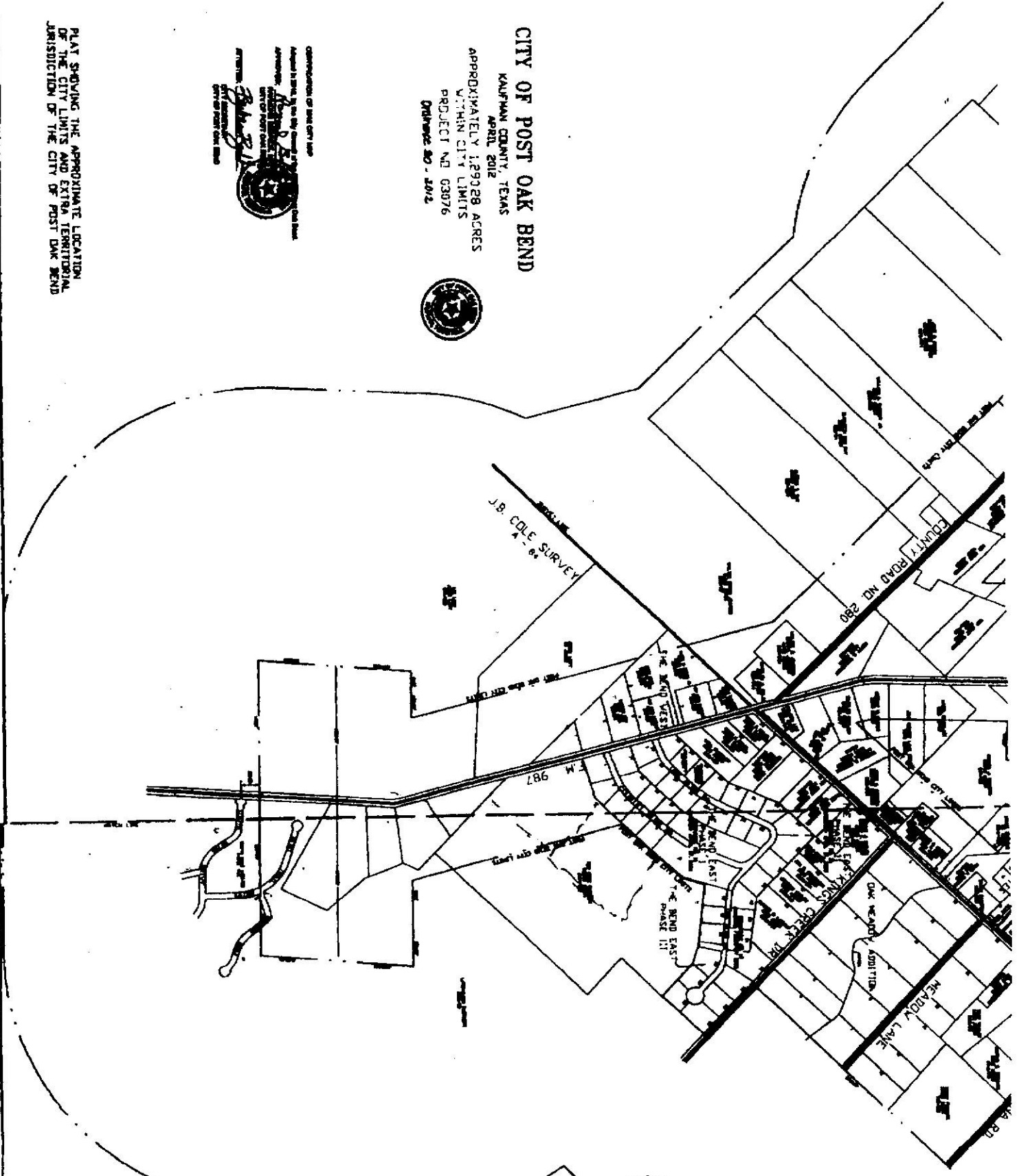
PROJECT NO. 03076

Ordinance No. 2012



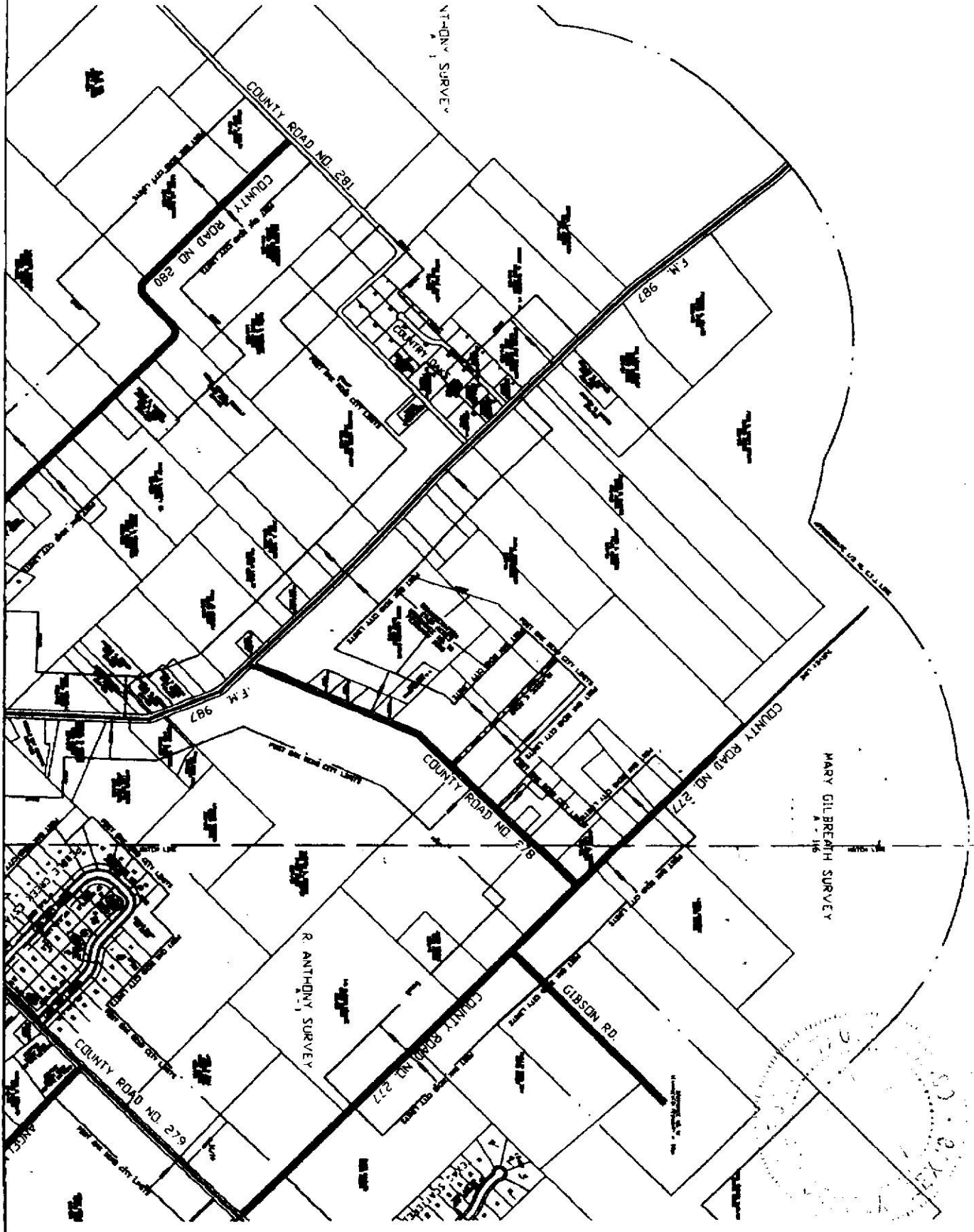
COMMISSIONERS OF POST OAK BEND  
 Approved to date, by the City Council of Post Oak Bend  
 APPROVED: *[Signature]*  
 CITY OF POST OAK BEND  
 APPROVED: *[Signature]*  
 CITY OF POST OAK BEND

PLAT SHOWING THE APPROXIMATE LOCATION OF THE CITY LIMITS AND EXTRA TERRITORIAL JURISDICTION OF THE CITY OF POST OAK BEND

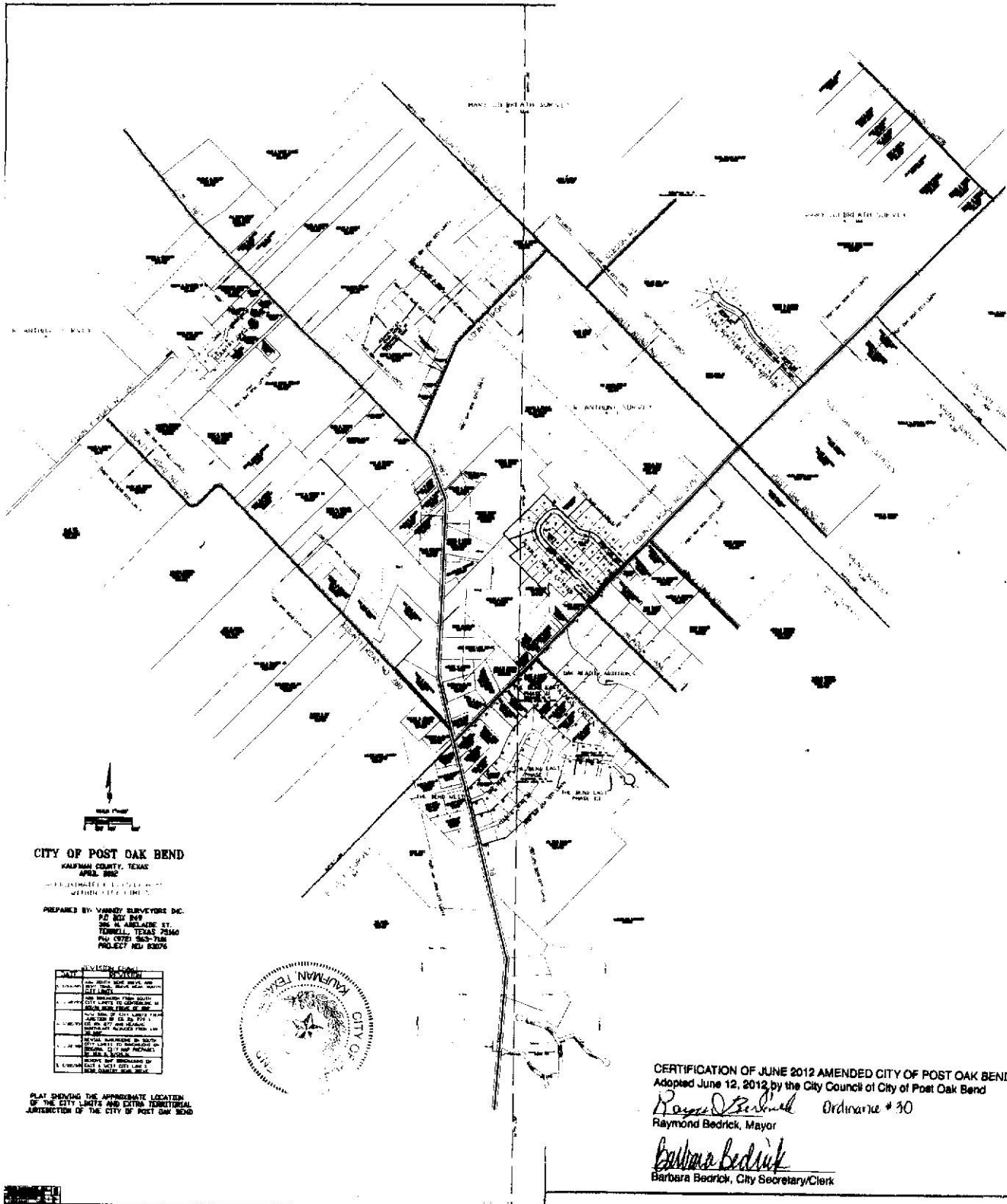


TRUE AND CORRECT COPY OF ORIGINAL RECORD FILED IN KAUFMAN COUNTY, TEXAS LAURA HUGHES, COUNTY CLERK

BY: 100 DEPUTY



INST # 2017-0002911  
 Filed for record in Kaufman County  
 On: 2/8/17 at 12:01 PM



**CITY OF POST OAK BEND**  
 KALPAMAN COUNTY, TEXAS  
 APRIL, 1992

PREPARED BY VANDEY SURVEYORS PC  
 P.O. BOX 819  
 206 W. ANGLADE ST.  
 TERRELL, TEXAS 75680  
 PROJ. 0721 262-7100  
 PROJECT NO. 82076

NO.	REVISION
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PLAT SHOWING THE APPROXIMATE LOCATION  
 OF THE CITY LIMITS AND EXTRA TERRITORIAL  
 JURISDICTION OF THE CITY OF POST OAK BEND

CERTIFICATION OF JUNE 2012 AMENDED CITY OF POST OAK BEND  
 Adopted June 12, 2012 by the City Council of City of Post Oak Bend

*Raymond Bedrick* Ordinance # 30  
 Raymond Bedrick, Mayor

*Barbara Bedrick*  
 Barbara Bedrick, City Secretary/Clerk