

# City of *Ov*ILLA City Council

Rachel Huber, Place One  
Larry Stevenson, Place Two  
David Griffin, Place Three, Mayor Pro Tem

Richard Dormier, Mayor

Doug Hunt, Place Four  
Dean Oberg, Place Five  
Cyndy Powell, City Administrator

105 S. Cockrell Hill Road, Ovilla, TX 75154

Monday, January 19, 2015

6:30 P.M.

Council Chamber Room

## AGENDA

NOTICE is hereby given of a Special Meeting of the City Council of the City of Ovilla, to be held on Monday, January 19, 2015 at 6:30 P.M. in the Ovilla Municipal Building, Council Chamber Room, 105 S. Cockrell Hill Road, Ovilla, Texas, 75154, for the purpose of considering the following items.

### I. CALL TO ORDER

- Invocation
- Pledge of Allegiance

### II. COMMENTS, PRESENTATIONS & REPORTS

#### ▪ Citizen Comments

*The City Council welcomes comments from Citizens. Those wishing to speak must sign in before the meeting begins. Speakers may speak on any topic, whether on the agenda or not. The City Council cannot act upon, discuss issues raised, or make any decisions at this time. Speakers under citizen's comments must observe a three-minute time limit. Inquiries regarding matters not listed on the Agenda may be referred to Staff for research and possible future action.*

### III. PUBLIC HEARING AND CONSIDERATION

*In accordance with the laws of the State of Texas, the City Council of the City of Ovilla conducts public hearings to receive public testimony and comments from all interested persons and parties of the properties described.*

1. Receive presentation and citizen comments on annexation request by Midlothian Independent School District: Proposed annexation proceedings to enlarge and extend the corporate boundary limits of the City. General Description of the Property: Approximately 14 acres, known as the Midlothian School District Tract generally located north of Shiloh Road and west of Bryson Lane in the City of Ovilla Extraterritorial Jurisdiction (ETJ).
  - a. Presentation of Request for Annexation from Midlothian School District Representative.
  - b. PUBLIC HEARING to receive comments from the public regarding the request.

### IV. EXECUTIVE SESSION

*The City Council of the City of Ovilla, Texas, reserves the right to meet in a closed session on any item listed on this Agenda should the need arise, pursuant to authorization by Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), 418.183 (homeland security).*

COUNCIL WILL RECONVENE INTO OPEN SESSION, AND TAKE ACTION  
NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED.

**DISCUSSION/ACTION** – Closed meeting called pursuant to Texas Government Code Section 551.074. Personnel Matters - closed meeting to consider the evaluation and employment or dismissal of the City Administrator.

### V. REGULAR AGENDA

2. **DISCUSSION/ACTION** – Consider approving and authorizing the Mayor to execute and present to the City Administrator the proposed, written Severance Agreement and Release.

# City of *OVILLA* City Council

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Cyndy Powell, City Administrator*

## VI. REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS BY COUNCIL AND STAFF

## VII. ADJOURNMENT

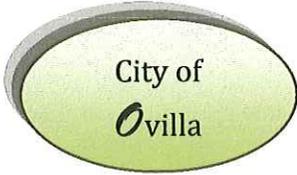
THIS IS TO CERTIFY THAT A COPY OF THE NOTICE OF the January 19, 2015 Regular City Council Agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, [www.cityofovilla.org](http://www.cityofovilla.org), on the 16<sup>th</sup> day of January 2015 prior to 6:00 p.m., in compliance with Chapter 551, Texas Government Code.



\_\_\_\_\_  
Pamela Woodall, City Secretary

DATE OF POSTING: 1-16-15 TIME: 4:25 am/pm  
DATE TAKEN DOWN: \_\_\_\_\_ TIME: \_\_\_\_\_ am/pm

This facility is ADA compliant. If you plan to attend this public meeting and have a disability that requires special arrangements, please call 972-617-7262 at least 48 hours in advance. Reasonable accommodation will be made to assist your needs. PLEASE SILENCE ALL PAGERS, CELL PHONES & OTHER ELECTRONIC EQUIPMENT WHILE THE CITY COUNCIL MEETING IS IN SESSION.



# Ovilla City Council

## PUBLIC HEARING & ITEM REPORT

### Item 1

Meeting Date: January 19, 2015

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: Cyndy Powell, CA

Amount: N/A

Reviewed By:  City Administrator  City Secretary  City Attorney

Accountant

Other: Staff

Attachments:	
1.	Request for Annexation from Midlothian Independent School District
2.	Municipal Service Plan for Annexation of Midlothian Independent School District Tract
3.	Notice of Public Hearings for Annexation of Midlothian Independent School District Tract
Agenda Item / Topic:	
ITEM 1.	Presentation of Request for Annexation from Midlothian School District Representatives.
Discussion / Justification:	
The City received a request and petition for the annexation of the Midlothian Independent School District tract on October 23, 2014. This is the second of two required Public Hearings for the annexation of approximately 14 acres generally located north of Shiloh Road and west of Bryson Lane.	
Recommendation / Staff Comments:	
The City Council of Ovilla will consider an Ordinance annexing the Midlothian Independent School District Tract at the February 09, 2015 Regular Meeting.	
Sample Motion(s):	

STATE OF TEXAS

§  
§  
§

COUNTY OF ELLIS

**REQUEST & PETITION TO THE CITY COUNCIL OF THE  
CITY OF OVILLA, TEXAS, FOR ANNEXATION OF VACANT  
AND UNINHABITED PROPERTY**

**WHEREAS**, the undersigned is the owner of a certain tract of property located within Ellis County, Texas, such property more particularly described hereinafter by true and correct legal description (referred to herein as the "subject property");

**WHEREAS**, the undersigned has sought the annexation of the subject property by the City of Ovilla, Texas, (hereinafter sometimes referred to as "City") in order to obtain the benefits of City services to the subject property by the City;

**WHEREAS**, the subject property is contiguous and adjacent to the corporate limits of the City, is one-half mile or less in width, is vacant and unoccupied; and,

**WHEREAS**, the undersigned agrees and consents to the annexation of the subject property by the City and further agrees to be bound by all acts, ordinances, and all other legal action now in force and effect within the corporate limits of the City and all those which may be hereafter adopted;

**NOW THEREFORE**, the undersigned by this Petition and Request:

**SECTION ONE:** Requests the City Council of the City of Ovilla to commence annexation proceedings and to annex into the corporate limits of the City of Ovilla, Texas, the subject property described as follows:

All that certain parcel or tract of land described in Exhibit "A" attached hereto.

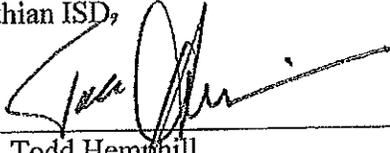
**SECTION TWO:** Requests that after annexation the City provide such services as are legally permissible and provided by the City, including sanitation, public safety and general governmental services.

**SECTION THREE:** Acknowledges and represents having received, read and understood the attached "draft" Service Plan, attached as Exhibit "B," (proposed to be applicable to and adopted for the subject property) and that such "draft" Service Plan is wholly adequate and acceptable to the undersigned who hereby requests the City Council to proceed with the annexation and preparation of a final Service Plan and publish notice and hold the requisite public hearings thereon, in accordance with the applicable laws of the State of Texas.

**SECTION FOUR:** Acknowledges, understands and agrees that all City services to the subject property will be provided by the City on the same terms and conditions as provided to other areas of the City and as provided in the Service Plan.

**SECTION FIVE:** Agrees that a copy of this Petition and Request may be filed of record in the offices of the City of Ovilla and in the real property records of Ellis County, Texas, and shall be notice to and binding upon all persons or entities now or hereafter having any interest in the subject property.

Midlothian ISD,

By: 

Todd Hemphill  
Board President

STATE OF TEXAS

COUNTY OF ELLIS

BEFORE ME, the undersigned notary public, on this day personally appeared Todd Hemphill the MISD BOARD PRESIDENT known to me to be the person whose name is subscribed to the above and foregoing instrument, and acknowledged that he executed same for the purpose therein expressed and in the capacity stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 20<sup>th</sup> day of October, 2014.

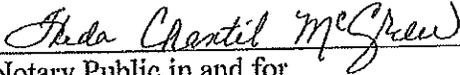
  
Notary Public in and for  
the State of Texas

EXHIBIT "A"  
FIELD NOTES

EXHIBIT "B"  
SERVICE  
PLAN



**Municipal Service Plan  
for Proposed  
Annexation of Approximately 13,998 Acre Tract  
City of Ovilla, Texas**

Description of the area: 13,998 Acre tract, generally known as the "Midlothian ISD Tract", a residual of 200.1 acres (residual of 170 acres second tract) Vol. 483, Pg. 330 DRECT, on the northwest corner of Shiloh Road and Bryson Lane, of the William Billingsley Survey, ABST. 81, and located adjacent to the Ovilla City Limits.

The following is a plan whereby the City of Ovilla will provide municipal services as defined in Section 43.056 of the Texas Local Government Code utilizing methods by which it extends services to any other equivalent area in the City.

Municipal facilities and services will be provided to the annexed area at the following levels and in accordance with the following schedule:

**1. POLICE PROTECTION**

Upon the effective date of annexation, the City of Ovilla will provide police protection to the newly annexed area in the same or similar level of service now being provided to other areas of the City with like topography, land use and population density as those found within the newly annexed area. The Police Department will have the responsibility to respond to all dispatched calls for service or assistance within the newly annexed area.

**2. FIRE PROTECTION and EMERGENCY MEDICAL SERVICES**

Upon the effective date of annexation, the City of Ovilla will provide fire protection services and emergency medical services to the newly annexed area in the same or similar level of service now being provided to other areas of the City with like topography, land use and population density as those found within the newly annexed area.

**3. MAINTENANCE OF WATER AND WASTEWATER FACILITIES**

The City of Ovilla is not aware of the existence of any publicly owned water and wastewater facilities in the newly annexed area.

**4. SOLID WASTE SERVICE**

The City of Ovilla contracts with a provider for the collection of solid waste, recycling, and refuse within the corporate limits of the City. Solid waste and recycling collection will be provided, within ninety (90) days after the effective date of annexation, to citizens in the newly annexed area at the same or similar level of service now being provided to other areas of the City with like topography, land use and density as those found within the newly annexed area.

**5. ROADS AND STREETS/ STREET LIGHTING**

Any and all public roads, streets, alleyways or street lighting shall be maintained to the same degree and extent that other public roads, streets, alleyways, and street lighting are maintained in areas of the City with like topography, land use and density as those found within the newly annexed area. Roads that are privately owned will remain under private ownership and as such maintained by the individual owner(s).

**6. MAINTENANCE OF PARKS AND PLAYGROUNDS**

The City of Ovilla is not aware of the existence of any publicly owned parks or playgrounds now located in the proposed annexed area. In the event any such parks or playgrounds do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to the other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed area. Private facilities that are privately owned will remain under private ownership and as such maintained by the individual owner(s).

**7. MAINTENANCE OF ANY PUBLICLY OWNED FACILITY, BUILDING OR MUNICIPAL SERVICE**

The City of Ovilla is not aware of the existence of any publicly owned facility, building or other municipal service now located in the proposed area of annexation. In the event any publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

**8. OTHER SERVICES**

The City of Ovilla finds and determines that such services as planning, code enforcement, animal control, parks and recreation, court and general administration will be made available upon the effective date of annexation at the same or similar level of service now being provided to other areas of the City with similar topography, land use and density as those found within the newly annexed area.

**CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BE COMPLETED WITHIN 2 ½ YEARS.**

**1. POLICE AND FIRE PROTECTION AND SOLID WASTE COLLECTION**

The City of Ovilla finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of annexation of the particular annexed area for the purpose of providing police protection, fire protection, or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Ovilla with like topography, land use and population density as those found with the newly annexed areas.

**Municipal Service Plan  
for Proposed  
Annexation of Approximately 13.998 Acre Tract  
City of Ovilla, Texas**

**2. WATER FACILITIES**

The City of Ovilla finds and determines it is not necessary to acquire or construct any capital improvements for water services to this property as it is served by the Sardis Lone Elm Water Supply Corporation. Construction of any capital improvements for water service to the newly annexed area will be developed pursuant to the Sardis Lone Elm Water Supply Corporation capital improvement plan and policies.

**3. WASTEWATER FACILITIES**

The City of Ovilla finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed area for wastewater services. Thereafter construction of any capital improvements for wastewater services to the newly annexed area will be developed pursuant to the City's capital improvement plan and policies. This property is served by the Trinity River Authority, Red Oak Creek Regional Wastewater Treatment Plant.

**4. ROADS AND STREETS**

The City of Ovilla finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed area. Thereafter, construction of any roads and streets will be developed pursuant to the City's Thoroughfare Standards and in accordance with the City's Code of Ordinances.

**5. MAINTENANCE OF PARKS AND PLAYGROUNDS AND ANY OTHER PUBLICLY OWNED FACILITY, BUILDING OR SERVICE.**

The City of Ovilla finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed area for the purpose of parks maintenance, playgrounds, and other publicly owned facility, building or service.

**SPECIFIC FINDINGS**

The City of Ovilla finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the area being considered for annexation than were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation area's topography, land utilization and population density, the service levels to be provided in the newly annexed area will be equivalent to those provided to other areas of the City with similar characteristics.

**TERMS**

This plan shall be valid for a term of ten (10) years. Renewal of the Municipal Service Plan is at the discretion of the City of Ovilla.

**LEVEL OF SERVICE**

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

**AMENDMENTS**

The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.

## Notice of Public Hearing

The City of Ovilla, Texas is proposing annexation proceedings to enlarge and extend the corporate boundary limits of the City. The City of Ovilla has scheduled the first public hearing regarding the proposed annexation on Monday, January 12, 2015, at 6:30 PM and the second public hearing regarding the proposed annexation on Monday, January 19, 2015, at 6:30 PM. Said hearings will be held in the Council Chamber of City Hall, located at 105 S. Cockrell Hill Road, Ovilla, Texas. The City Council of the City of Ovilla will conduct the public hearings to hear public testimony concerning the proposed annexation of the property described below.

General Description of the Property: Approximately 14 acres, known and the Midlothian School District Tract generally located north of Shiloh Road and west of Bryson Lane in the City of Ovilla Extraterritorial Jurisdiction (ETJ).

Metes and Bounds Description of the Property: Midlothian School District Tract 13.998 Acres

### **FIELD NOTES: MISD Tract 13.998 Acres**

BEING all that certain lot, tract, or parcel of land being a part of the WILLIAM BILLINGSLEY SURVEY, Abstract No. 81, and being a part of a called 200.1 acre tract of land described in Volume 483, Page 330, of the Deed Records, Ellis County, Texas, ( DRECT); and being more particularly described as follows:

BEGINNING at a 60d Nail found at the centerline intersection of Bryson Lane and Shiloh Road, said point also being the southeast corner of the aforesaid 200.1 acre Tract, said point also being the southeast corner of the William Billingsley Survey, A-81, (with the bearing basis for this description from GPS observation, Texas Co-Ordinate System, North Central Zone, and having a beginning co-ordinate of: Northing = 6874870.527, Easting = 2459177.954, and a Scale Factor of: 0.9999602) and also being the southwest corner of a called 122 acre tract of land described in Volume 2105, Page 1989, Official Public Records, Ellis County, Texas, (OPRECT);

THENCE S 89°25'37" W, 695.64 feet (Deed - WEST) along the centerline of Shiloh Road and the south line of the aforesaid William Billingsley Survey and the south line of the aforesaid 200.1 acre tract, 695.63 feet to a PK nail set for the southwest corner of this tract, said point also being the southeast corner of Shiloh Forest, Phase 2, a development as recorded in Cabinet H, Slides 335 to 341;

THENCE N 00°39'22" W, at 50 feet pass a 1/2" steel rod set for witness, in all 417.65 feet along Lots 5 and 6 of Block I to a 1/2" steel rod found for the northeast corner of Lot 6;

THENCE S 89°49'33" W, 20.06 feet along the north line of Lot 6 of Block I to a 1/2" steel rod found for corner, said point also being the southeast corner of Lot 7;

THENCE N 00°42'03" W, 449.77 feet along Lots 7, 8 and 9 of Block I to a 1/2" steel rod found for the northwest corner of this tract, said point also being the northeast corner of Lot 9 and the southwest corner of Lot 14;

THENCE N 89°18'21"E, 672.61 feet pass a ½" steel rod set, in all 708.03 feet along the north line of this tract and the south lines of Lots 14 and 23 to a PK nail set in the centerline of Bryson Lane for a southeast corner of said Shiloh Forest, Phase 2, said point also being the northeast corner of this tract, said point also being in the west line of said 122 acre tract;

THENCE S 01°11'05" E, ( DEED REFERENCE - SOUTH ) 869.22 feet along the centerline of Bryson Road and the east line of said William Billingsley Survey to the POINT OF BEGINNING and containing approximately 13.998 acres of land.

Metes and Bounds Description of the Property: Roadway Tracts 1-5

#### **FIELD NOTES - TRACT 1 - 0.3857 Acre Easement**

BEING all that certain lot, tract or parcel of land situated in the James P. Laughlin Survey, Abstract 627, and being a part of a called 10.00 acres tract of land conveyed to Leon & Sharon Poldrack by deed recorded in Volume 1287, Page 854, Official Public Records, Ellis County (OPRECT), and being more particularly described as follows:

BEGINNING at a point in the centerline of Shiloh Road (A County Road) for the northwest corner of said Poldrack tract, and being the same for this easement, and also being in the south line of Shiloh Forest, Phase II, an addition in Ellis County, Texas, according to the plat thereof recorded in Cabinet X, Slide X, Plat Records, Ellis County, Texas (PRECT), with the bearing basis for this description from GPS observation, Texas Co-Ordinate System, North Central Zone, with a beginning co-ordinate of: Northing = 6874861.291, Easting = 2458256.243;

THENCE North 89°25'22" East, 420.00 feet along the north line of said Poldrack tract and this easement, and along the south line of Shiloh Forest, Phase II to a point for the northeast corner of said Poldrack tract, and being the same for this easement, and also being the northwest corner of a called 5 acres tract described by deed recorded in Volume 1415, Page 687, OPRECT;

THENCE South 00°31'10" East, 40.01 feet along the east line of the Poldrack tract and this easement, and along the west line of said 5 acres tract to a point for the southeast corner of this easement;

THENCE South 89°25'37" West, 420.00 feet through said Poldrack tract along the south line of this easement to a point in the west line of the Poldrack tract for the southwest corner of this easement;

THENCE North 00°31'10" West, 39.98 feet along the east west line of the Poldrack tract and this easement to the POINT OF BEGINNING and containing approximately 0.3857 acre of land.

#### **FIELD NOTES - TRACT 2 - 0.1837 Acre Easement**

BEING all that certain lot, tract or parcel of land situated in the James P. Laughlin Survey, Abstract 627, and being a part of a called 5 acres tract of land conveyed to Wayne D. Kanack, Jr., et ux by deed recorded in Volume 1415, Page 687, Official Public Records, Ellis County (OPRECT), and being more particularly described as follows:

BEGINNING at a point in the centerline of Shiloh Road (A County Road) for the northwest corner of the aforesaid Kanack tract, and being the same for this easement, and also being the northeast corner of a

called 10.00 acres tract of land described by deed recorded in Volume 1287, Page 854, OPRECT, and said point also being in the south line of a called 13.05 acres tract of land conveyed to Midlothian I.S.D. by deed recorded in Volume 2601, Page 1498, OPRECT, with the bearing basis for this description from GPS observation, Texas Co-Ordinate System, North Central Zone, with a beginning co-ordinate of: Northing = 6874865.521, Easting = 2458676.221;

THENCE North 89°25'37" East, 200.00 feet along the north line of the Kanack tract and this easement, and along the south line of said 13.05 acres tract to a point for the northeast corner of said Kanack tract, and being the same for this easement, and also being the northwest corner of a called 1.000 acre "Lot 1" as described by deed recorded in Volume 2397, Page 1489, OPRECT;

THENCE South 00°31'10" East, 40.01 feet along the east line of said Kanack tract and this easement, and along the west line of said "Lot 1" to a point for the southeast corner of this easement;

THENCE South 89°25'37" West, 200.00 feet through said Kanack tract along the south line of this easement to a point in the west line of said Kanack tract for the southwest corner of this easement;

THENCE North 00°31'10" West, 40.01 feet along the west line of the Kanack tract and this easement and along the east line of said Poldrack tract to the POINT OF BEGINNING and containing approximately 0.1837 Acre;

#### **FIELD NOTES – TRACT 3 - 0.1917 Acre Easement**

BEING all that certain lot, tract or parcel of land situated in the James P. Laughlin Survey, Abstract 627, and being a part of a called 1.000 acre "Lot 1" as conveyed to Wells Fargo Bank by deed recorded in Volume 2397, Page 1489, Official Public Records, Ellis County (OPRECT), and being more particularly described as follows:

BEGINNING at a point in the centerline of Shiloh Road (A County Road) for the northwest corner of the aforesaid "Lot 1", and being the same for this easement, and also being the northeast corner of a called 5 acres tract of land described by deed recorded in Volume 1415, Page 687, OPRECT, and said point also being in the south line of a called 13.05 acres tract of land conveyed to Midlothian I.S.D. by deed recorded in Volume 2601, Page 1498, OPRECT, with the bearing basis for this description from GPS observation, Texas Co-Ordinate System, North Central Zone, with a beginning co-ordinate of: Northing = 6874867.521, Easting = 2458876.212;

THENCE North 89°25'37" East, 208.64 feet along the north line of said Lot 1 and this easement and along the south line of said 13.05 acres tract to a point for the northeast corner of said Lot 1, and being the same for this easement, and also being the northwest corner of a called 1.000 acre "Lot 2" by deed recorded in Volume 2397, Page 687, OPRECT;

THENCE South 00°31'10" East, 40.01 feet along the east line of said "Lot 1" and this easement, and along the west line of said "Lot 2" to a point for the southeast corner of this easement;

THENCE South 89°25'37" West, 208.64 feet through said "Lot 1" along the south line of this easement to a point for the southwest corner of this easement;

THENCE North 00°31'10" East, 40.01 feet along the west line of said Lot 1 and this easement and along the east line of the aforesaid 5 acres tract to the POINT OF BEGINNING and containing approximately 0.1917 acre of land.

**FIELD NOTES - TRACT 4 - 0.2838 Acre**

BEING all that certain lot, tract or parcel of land situated in the James P. Laughlin Survey, Abstract 627, and in the James S. Berry Survey, Abstract 86, in Ellis County, Texas, and being a part of a called 1.000 acres "Lot 2" as conveyed to Wells Fargo by deed recorded in Volume 2397, Page 1489, Official Public Records, Ellis County, Texas (OPRECT) and being a part of a called 12.756 acres tract of land conveyed to Rebecca Ann Switzer by deed recorded in Volume 745, Page 505, Deed Records, Ellis County, Texas (DRECT), and being more particularly described as follows:

BEGINNING at a point in the centerline of Shiloh Road (A County Road) for the northwest corner of the aforesaid 1.000 acre tract, and being the same for this easement, and being in the south line of a called 13.05 acres tract conveyed to Midlothian I.S.D. by deed recorded in Volume 2601, Page 1498, OPRECT, with the bearing basis for this description from GPS observation, Texas Co-Ordinate System, North Central Zone, with a beginning co-ordinate of: Northing = 6874869.609, Easting = 2459084.842;

THENCE North 89°25'37" East along the north line of said Lot 2 and this easement, and along the south line of said 13.05 acres tract, at approximately 93.26 feet passing a point for the southeast corner of said 13.05 acres tract and the southwest corner of a called 124.850 acres tract of land described by deed recorded in Volume 2105, Page 1989, OPRECT, said point being in the east line of the J. P. Laughlin Survey, A-627 and the west line of the J. S. Berry Survey, A-86, and continuing a total distance of 209.00 feet to a point for the northeast corner of this easement;

THENCE South 00°31'10" East, 40.01 feet along the east line of said "Lot 2" and this easement to a point for the southeast corner of this easement;

THENCE South 89°25'37" West along the south line of this easement, at approximately 115.74 feet passing the west line of the J.S. Berry Survey, A-86 and the east line of the J.P. Laughlin Survey, A-627, and continuing a total distance of 209.00 feet to a point in the west line of said "Lot 2" for the southwest corner of this easement;

THENCE North 00°31'10" West, 40.01 feet along the west line of said "Lot 2" and this easement and along the east line of the aforesaid "Lot 1" to the POINT OF BEGINNING and containing approximately 0.2838 acre of land.

**FIELD NOTES - TRACT 5 - 0.0919 Acre**

BEING all that certain lot, tract or parcel of land situated in the James S. Berry Survey, Abstract No. 86, and being a part of a called 12.756 acres tract of land conveyed to Rebecca Ann Switzer by deed recorded in Volume 745, Pg. 505, Deed Records, Ellis County, Texas (DRECT), and being more particularly described as follows:

BEGINNING at a point for the northwest corner of the Switzer tract and this easement, and also being the northeast corner of a called 1.000 acres "Lot 2" described by deed recorded in Volume 2397, Page 1489, Official Public Records, Ellis County, Texas (OPRECT), with the bearing basis for this description from GPS

observation, Texas Co-Ordinate System, North Central Zone, with a beginning co-ordinate of: Northing = 6874871.699, Easting = 2459293.832;

THENCE North 89°25'37" East, 100.00 feet along the north line of the Switzer tract and this easement to a point for the northeast corner of this easement;

THENCE South 00°31'10" East, 40.01 feet entering the Switzer tract along the east line of this easement to a point for the southeast corner of this easement;

THENCE South 89°25'37" West, 100.00 feet along the south line of this easement to a point in the west line of said Switzer tract and the east line of said "Lot 2" for the southwest corner of this easement;

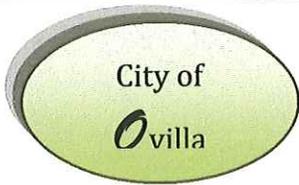
THENCE North 00°31'10" West, 40.01 feet along the west line of the Switzer tract and this easement to the POINT OF BEGINNING and containing approximately 0.0919 acre of land.

A notice has been sent to all owners of real property within the area proposed for annexation as such ownership appears in the Ellis County Central Appraisal District tax records.

A map of the area being proposed for annexation and a Municipal Service Plan describing the services that would be provided by the City of Ovilla to the property annexed into the City are available for review at the City Secretary's Office located at 105 S. Cockrell Hill Road, Ovilla, Texas 75154 and on the City of Ovilla website at <http://www.cityofovilla.org>.

At said hearings all interested parties shall have the right to an opportunity to appear and be heard on the subject.

If you have any questions or need additional information regarding the proposed annexation, please contact Cyndy Powell, City Administrator, 972-617-7262, or email [cpowell@cityofovilla.org](mailto:cpowell@cityofovilla.org).



# Ovilla City Council

## AGENDA ITEM REPORT Item 2

Meeting Date: January 19, 2015

Department: Administration

Discussion  Action

Budgeted Expense:  YES  NO  N/A

Submitted By: Mayor Dormier

Amount: N/A

Reviewed By:  City Administrator

City Secretary

City Attorney

Accountant

Other: Staff

<b>Attachments:</b>	
1. None.	
<b>Agenda Item / Topic:</b>	
2. <i>DISCUSSION/ACTION</i> – Consider approving and authorizing the Mayor to execute and present to the City Administrator the proposed, written Severance Agreement and Release.	
<b>Discussion / Justification:</b>	
<b>Recommendation / Staff Comments:</b>	
N/A	
<b>Sample Motion(s):</b>	
<i>I move that Council</i>	