

ORDINANCE NO. 003-09

**ORDINANCE SETTING A PUBLIC HEARING
ON A PROPOSED ANNEXATION**

AN ORDINANCE SETTING A DATE, TIME AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF DE LEON, TEXAS, AUTHORIZING AND DIRECTING THE MAYOR TO PUBLISH NOTICE OF SUCH PUBLIC HEARING.

BE IT ORDAINED BY THE CITY OF DE LEON, TEXAS:

Section 1. On the 12th day of March, 2009, at 6:00 o'clock p.m. in the City Council Chamber of the City Hall of the City of De Leon, Texas, the City Council will hold a public hearing giving all interested persons the right to appear and be heard on the proposed annexation by the City of De Leon, Texas of the following described property, to-wit:

Property to be annexed by the City of De Leon, situated in the NW 1/4 of Section 24, Block 1, H. & T.C. R.R. Co. Survey, Abstract No. 2081, Comanche County, Texas, being all of a tract of land described in the deed to Osbaldo Arzate and wife, Adriana Arzate, recorded in Volume 861, Page 534, Deed Records, Comanche County, Texas, all of a tract of land described in the deed to the City of De Leon, recorded in Volume 621, Page 115, Deed Records, Comanche County, Texas, all of a tract of land described in the deed to Ronnie Russell, recorded in Volume 904, Page 104, Deed Records, Comanche County, Texas, a portion of a tract of land described in the deed to the City of De Leon, recorded in Volume 292, Page 245, Deed Records, Comanche County, Texas, a portion of a tract of land described in the deed to Terrill Machine, Inc., recorded in Volume 768, Page 89, Deed Records, Comanche County, Texas and a portion of a tract of land described in the deed to the City of De Leon, recorded in Volume 834, Page 503, Deed Records, Comanche County, Texas, being more particularly described by metes and bounds as follows:

Beginning at a fence corner post for the occupied northeast corner of the NW 1/4 of Section 24, Block 1, H. & T. C. R.R. Co. Survey, Abstract No. 2081, Comanche County, Texas, same being the northeast corner of the City of De Leon Tract in Vol. 834, Pg. 503, D.R.C.C.T., same being the southeast corner of a tract of land described in the deed to Joe D. Smith and wife, Billie F. Smith, recorded in Volume 424, Page 205, Deed Records, Comanche County, Texas, the southwest corner of a tract of land described in the deed to Mark Davis, recorded in Volume 890, Page 455, Deed Records, Comanche County, Texas and the northwest corner of a tract of land described in the deed to Valdemar Garcia, recorded in Volume 856, Page 159, Deed Records, Comanche County, Texas;

Thence S.18°00'58"W. (base bearing per GPS Observation, WGS 84), along a common line between this described tract and the Garcia Tract, at 1173.06 feet passing the southwest corner of the Garcia Tract in the north line of State Highway No. 6, at 1294.69 feet passing the northwest corner of the remainder of a tract of land described in the deed to Kent Boswell and Cecelia Boswell, recorded in Volume 745, Page 520, Deed Records, Comanche County, Texas in the south line of State Highway No. 6, continuing along the common line between this described tract and the remainder of the Boswell Tract to a 5/8" rebar rod found (control monument) for the southeast corner of this described tract and the occupied southeast corner of the NW 1/4 of Section 24, Block 1, H. & T. C. R.R. Co. Survey, Abstract No. 2081, Comanche County, Texas, same being the northwest corner of a tract of land described in the deed to Comanche County Mining Co. Inc., recorded in Volume 537, Page 384, Deed Records, Comanche County, Texas;

Thence N.71°46'50"W., along a common line between this described tract and the remainder of the Boswell Tract, at 278.03 feet passing the northeast corner of a tract of land described in the deed to Manuel Hernandez, Sr. and Manuel Hernandez, Jr., recorded in Volume 861, Page 291, Deed Records, Comanche County, Texas, continuing along the common line between this described tract and the Hernandez Tract, at 1059.57 feet passing the northwest corner of the remainder of the Hernandez Tract, in all, 1717.50 feet to the southwest corner of this described tract;

Thence N.18°00'58"E., at 1492.97 feet passing a concrete city limit marker (control monument) in the south line of State Highway No. 6, in all, 2805.24 feet to the northwest corner of this described tract in the north line of the City of De Leon Tract in Vol. 834, Pg. 503, D.R.C.C.T., same being the south line of said Smith Tract;

Thence S.70°10'00"E., 1718.35 feet along a common line between this described tract and the Smith Tract to the point of beginning and containing 109.65 acres.

Section 2. The Mayor of the City of De Leon is hereby authorized and directed to cause notice of such public hearing to be published once in a newspaper having general circulation in the city and in the above described territory not more than twenty days nor less than ten days prior to the date of such public hearing, in accordance with the Municipal Annexation Act.

PASSED AND APPROVED on the first reading this the 5th day of February, 2009.

PASSED AND APPROVED on the second reading this the 6th day of February, 2009.

CITY OF DE LEON, Texas

Danny Owen, Mayor

ATTEST:

Karen Wilkerson, City Secretary

APPROVED AS TO FORM:

Lois A. Rockefeller, City Attorney

*The governing body of the city must conduct two public hearings on any proposed annexation. The hearings must be held not more than 40 days nor less than 20 days prior to adoption of the ordinance annexing an area.