

**ORDINANCE NO. 2935**

**AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF WAXAHACHIE, AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY THAT LIES ADJACENT TO THE PRESENT BOUNDARY LIMITS OF THE CITY OF WAXAHACHIE IN THE PARTICULARS STATED IN THIS ORDINANCE, AND DECLARING AN EMERGENCY.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

**SECTION 1.** That the following described land and territory lying adjacent to the City of Waxahachie and being within its extraterritorial jurisdiction (ETJ), be, and the same is hereby added and annexed to the City of Waxahachie, and that said territory hereinafter described shall hereafter be included within the boundary limits of the City of Waxahachie, at the various points contiguous to the area hereinafter described, are altered and amended so as to include said area within the corporate limits of the City of Waxahachie to-wit:

All that certain lot, tract, or parcel of land situated in Ellis County, Texas, and being more particularly described in Exhibits A-D, made a part of hereof and attached hereto for all purposes.

**SECTION 2.** That the above described additional territory and area so annexed shall be a part of the City of Waxahachie, and the property so added therein shall bear its pro rata part of the taxes levied by the City of Waxahachie, and the inhabitants hereof shall be entitled to all the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Waxahachie, Texas.

**SECTION 3.** An emergency is declared to exist, in that this annexation should be completed and made final so that the boundaries of the City shall be determined without delay, and this ordinance is effective immediately upon passage.

**PASSED, APPROVED AND ADOPTED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Secretary

EXHIBIT A  
**EMORY LAKES – ANNEXATION OF 141.524 ACRES**  
LEGAL DESCRIPTION

All that certain lot, tract, or parcel of land, situated in a portion of the J. Drinkard Survey, Abstract No. 273 and the M. Myers Survey, Abstract No. 714, Ellis County, Texas, being all of that certain called 141.524 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1532150 of the Deed Records of Ellis County, Texas (DIRECT), and being more completely described as follows, to-wit:

BEGINNING at a 1/2" capped iron rod found stamped "RPLS 4466" for the Southeast corner of said 141.524 acre tract, the southerly corner of a called 0.7778 acre tract described in a deed to Hiram Clay Schoolfield, et ux recorded in Volume 2105, Page 1459 (DIRECT), the Southwest corner of a called 40.889 acre tract described as Tract 1 in a deed to Hiram Clay Schoolfield recorded in Volume 2424, Page 1248 (DIRECT), and being in the North right-of-way line of Farm to Market Highway No. 1446 (80' right-of-way width), from which a 1/2" iron rod found for a P.I. in said right-of-way bears North 84 deg. 07 min. 41 sec. East - 903.57 feet;

THENCE South 84 deg. 07 min. 41 sec. West along the South line of said 141.524 acre tract and said North right-of-way line, a distance of 1056.15 feet to a 1/2" capped iron rod set for a Point of Curvature of a non-tangent circular curve to the left, having a radius of 1949.86 feet, a central angle of 7 deg. 42 min. 06 sec., and being subtended by a chord which bears South 80 deg. 06 min. 44 sec. West - 261.90 feet;

THENCE in a westerly direction along said curve to the left, the South line of said 141.524 acre tract, and said North right-of-way line, a distance of 262.10 feet to a 1/2" capped iron rod set;

THENCE South 76 deg. 15 min. 41 sec. West tangent to said curve, and along the South line of said 141.524 acre tract, and said North right-of-way line, a distance of 16.06 feet to a 1/2" capped iron rod set for the Southwest corner of said 141.524 acre tract and the Southeast corner of a called 195.17 acre tract described in a deed to ACCRU, Inc. recorded in Volume 1737, Page 2029 (DIRECT), from which a 60D nail found bears South 31 deg. 29 min. 58 sec. East - 0.33 feet;

THENCE North 31 deg. 29 min. 58 sec. West along the West line of said 141.524 acre tract and the East line of said 195.17 acre tract, a distance of 3389.99 feet to a 1/2" capped iron rod set for the Northwest corner of said 141.524 acre tract, a South corner of a called 300.765 acre tract described in a deed to Jeffrey Lane Frazier and Jeanette Marie Frazier recorded in Volume 2048, Page 1588 (DIRECT), being in the recognized South line of the J. Barker Survey, Abstract No. 40, and the recognized North line of said M. Myers Survey, from which a 1/2" iron rod found "bent" bears North 31 deg. 29 min. 58 sec. West - 0.71 feet;

THENCE North 58 deg. 27 min. 04 sec. East along the North line of said 141.524 acre tract, the South line of said 300.765 acre tract, the South line of the recognized J. Barker Survey, and the North line of the recognized M. Myers Survey, at 660.45 feet pass a 1/2" iron rod found for the Southeast corner of said 300.765 acre tract and the Southwest corner of the remainder of a called

1927.200 acre tract described in a deed to Boa Sorte, LP, et al recorded in Volume 2062, Page 437 (DIRECT), and continue a total distance of 1757.80 feet to a 1/2" capped iron rod set for the Northeast corner of said 141.524 acre tract, the Northwest corner of a called 265.36 acre tract described in a deed to Nay Trust B recorded in Volume 2739, Page 149 (DIRECT), and being in the South line of said 1927.200 acre tract;

THENCE South 30 deg. 59 min. 02 sec. East along the East line of said 141.524 acre tract and the West line of said 265.36 acre tract, a distance of 2323.39 feet to a 1/2" capped iron rod set for the most westerly Southwest corner of said 265.36 acre tract and the Northwest corner of said 40.889 acre tract;

THENCE South 02 deg. 15 min. 28 sec. East along the East line of said 141.524 acre tract and the West line of said 40.889 acre tract, a distance of 25.10 feet to a 1/2" capped iron rod set for the Northerly corner of a called 0.7798 acre tract describe as Tract 3 in said Volume 2424, Page 1248 (DIRECT);

THENCE South 18 deg. 58 min. 50 sec. East along the East line of said 141.524 acre tract and the West line of said 0.7798 acre tract, a distance of 816.36 feet to a 1/2" capped iron rod set for the southerly corner of said 0.7798 acre tract, said corner being in the West line of said 40.889 acre tract;

THENCE South 12 deg. 44 min. 40 sec. East along the East line of said 141.524 acre tract and the West line of said 40.889 acre tract, a distance of 19.10 feet to a 1/2" capped iron rod set for the northerly corner of a called 0.2831 acre tract describe as Tract 2 in said Volume 2424, Page 1248 (DIRECT);

THENCE South 08 deg. 46 min. 58 sec. East along the East line of said 141.524 acre tract, the West line of said 0.2831 acre tract, and the West line of said 0.7778 acre tract, a distance of 855.83 feet to the POINT OF BEGINNING, containing 6,164,780 square feet or 141.524 acres of land, more or less.

EXHIBIT B  
**EMORY LAKES – ANNEXATION OF 151.499 ACRES**  
LEGAL DESCRIPTION

All that certain lot, tract, or parcel of land, situated in a portion of the J. J. Davidson Survey, Abstract No. 302, Ellis County, Texas, being all of that certain called 151.499 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1616460 of the Deed Records of Ellis County, Texas (DIRECT), and being more completely described as follows, to-wit:

BEGINNING at a 1/2" iron rod found for the most easterly corner of said 151.499 acre tract, an ell corner of a called 681.000 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1526274 (DIRECT), the most easterly corner of a called 201.14 acre tract described in a deed to Billy Clayton Armstrong, et al recorded in Volume 873, Page 893 (DIRECT), and being in the recognized Southeast line of said J. J. Davidson Survey, and a Northwest line of the J. Barker Survey, Abstract No. 40;

THENCE South 58 deg. 49 min. 03 sec. West along the Southeast line of said 201.14 acre tract, the Southeast line of said 151.499 acre tract, a Northwest line of said 681.000 acre tract, and the recognized Southeast line of said J. J. Davidson Survey, at 1272.96 feet pass a 1/2" iron rod found for an ell corner of said 681.000 acre tract and the Northeast corner of a called 5.0854 acre tract described in a deed to Cesar Gabriel Alvarado, et al recorded in Volume 2827, Page 1025 (DRDCT), at 1416.19 feet pass a 1/2" iron rod found for the Northwest corner of said 5.0854 acre tract, at 1697.12 feet pass a 1/2" iron rod found which bears Southeast 0.87 feet, at 1985.14 feet pass a 1/2" iron rod found which bears Southeast 1.74 feet, and continue a total distance of 2539.36 feet to a 1.5" iron pipe found for the most southerly corner of said 201.14 acre tract, the most southerly corner of said 151.499 acre tract, the most easterly corner of a called 23.699 acre tract described in a deed to the Gary Pohlman and Catherine Pohlman Revocable Living Trust recorded in Volume 2570, Page 766 (DIRECT), said point being in the recognized Southeast line of said J. J. Davidson Survey and the Northwest line of the E. Ballard Survey, Abstract No. 120;

THENCE North 31 deg. 15 min. 57 sec. West departing said Survey lines and continue along the Southwest line of said 201.14 acre tract, the Southwest line of said 151.499 acre tract, the Northeast line of said 23.699 acre tract, the Northeast line of a called 13.193 acre tract described in a deed to Mike Green, et al recorded in Volume 1865, Page 2031 (DIRECT), and a Northeast line of a called 5.48 acre tract described in a deed to Sharon Hobbs recorded in Instrument No. 1521807, a distance of 1466.49 feet to a 1/2" capped iron rod set stamped "GOODWIN & MARSHALL" for an ell corner of said 201.14 acre tract an ell corner of said 151.499 acre tract, and an ell corner of said 5.48 acre tract;

THENCE North 58 deg. 19 min. 03 sec. East along a Northwest line of said 201.14 acre tract, a Northwest line of said 151.499 acre tract, and a Southeast line of said 5.48 acre tract, a distance of 672.39 feet to a 1/2" capped iron rod set stamped "GOODWIN & MARSHALL" for an ell corner of said 201.14 acre tract, an ell corner of said 151.499 acre tract, and the most easterly corner of said 5.48 acre tract;

THENCE North 31 deg. 00 min. 42 sec. West along the Southwest line of said 201.14 acre tract, the Southwest line of said 151.499 acre tract, the Northeast line of said 5.48 acre tract, the Northeast line of a called 119.3 acre tract described in a deed to Katherine Ann Pitts recorded in Volume 1133, Page 31 (DIRECT), a distance of 2105.26 feet to a 1/2" capped iron rod set stamped "GOODWIN & MARSHALL" for the Southwest corner of a called 1.34 acre tract described in a deed to Robert Armstrong, et al recorded in Volume 1815, Page 1883 (DIRECT), from which a 1/2" iron rod found "bent" in Lone Elm Road for an original corner of said 201.14 acre tract bears North 31 deg. 00 min. 42 sec. West - 213.12 feet;

THENCE North 59 deg. 52 min. 53 sec. East departing said Northeast and Southwest lines and continue along the South line of said 1.34 acre tract and the North line of said 151.499 acre tract, a distance of 246.50 feet to a 1/2" capped iron rod found stamped "TEXAS SURVEYORS" for the Southeast corner of said 1.34 acre tract and an ell corner of said 151.499 acre tract;

THENCE North 19 deg. 07 min. 42 sec. West along the East line of said 1.34 acre tract and the West line of said 151.499 acre tract, at 216.69 feet pass a 1/2" capped iron rod found stamped "TEXAS SURVEYORS", and continue a total distance of 225.94 feet to a P.K. nail set with washer stamped "GOODWIN & MARSHALL" for the Northeast corner of said 1.34 acre tract, the most northerly Northwest corner of said 151.499 acre tract, said point being in Lone Elm Road;

THENCE North 58 deg. 10 min. 50 sec. East along the North line of said 151.499 acre tract, a distance of 778.04 feet to a P.K. nail set stamped "GOODWIN & MARSHALL" for the most northerly corner of said 151.499 acre tract, the Northwest corner of a called 10.398 acre tract described in a deed to Jay Lindstrom, et al recorded in Volume 2782, Page 1786 (DIRECT), said point being in Lone Elm Road;

THENCE South 23 deg. 02 min. 22 sec. East along a Northeast line of said 151.499 acre tract and the West line of said 10.398 acre tract, at 30.26 feet pass a 1/2" capped iron rod found stamped "WLSC", and continue a total distance of 1040.17 feet to a 1/2" iron rod found;

THENCE South 32 deg. 49 min. 01 sec. East along a Northeast line of said 151.499 acre tract and the West line of said 10.398 acre tract, a distance of 600.03 feet to a 1/2" iron rod found for an ell corner of said 151.499 acre tract and the Southwest corner of said 10.398 acre tract;

THENCE North 60 deg. 11 min. 33 sec. East along a North line of said 151.499 acre tract and the South line of said 10.398 acre tract, at 299.94 feet pass a 1/2" capped iron rod found stamped "WLSC" for the Southeast corner of said 10.398 acre tract and the Southwest corner of a called 10.339 acre tract described in a deed to Dawn Knox recorded in Volume 2791, Page 1504 (DIRECT), at 606.40 feet pass a 1/2" capped iron rod found stamped "WLSC" for the Southeast corner of said 10.339 acre tract and the Southwest corner of a called 11.168 acre tract described in a deed to David P. Hein, Jr., et al recorded in Volume 2788, Page 2140 (DIRECT), and continue a total distance of 946.14 feet to a 1/2" capped iron rod set stamped "GOODWIN & MARSHALL" for the Southeast corner of said 11.168 acre tract, the most easterly Northeast corner of said 151.499 acre tract, being in the Southwest line of said 681.000 acre tract, and being in the recognized Southwest line of said J. Barker Survey and the Northeast line of said J.

J. Davidson Survey, from which a 1/2" iron rod found bears North 60 deg. 11 min. 33 sec. East - 1.30 feet;

THENCE South 31 deg. 16 min. 02 sec. East along the Northeast line of said 151.499 acre tract, the Southwest line of said 681.000 acre tract, and the Northeast and Southwest lines of said Surveys, a distance of 1410.31 feet to a 1/2" iron rod found for an ell corner of said 151.499 and 681.000 acre tracts;

THENCE South 57 deg. 15 min. 59 sec. West departing said Survey lines and continue along the Northeast line of said 151.499 acre tract and the Southwest line of said 681.000 acre tract, a distance of 24.11 feet to a 1/2" iron rod found for an ell corner of same;

THENCE South 30 deg. 59 min. 44 sec. East along said Northeast and Southwest lines, a distance of 739.51 feet to the POINT OF BEGINNING, containing 6,599,300 square feet or 151.499 acres of land, more or less.

EXHIBIT C  
**EMORY LAKES – ANNEXATION OF 398.282 ACRES**  
LEGAL DESCRIPTION

All that certain lot, tract, or parcel of land, situated in a portion of the J. Barker Survey, Abstract No. 40 and the B. Wiltshire Survey, Abstract No. 1132, Ellis County, Texas, being all of that certain called 398.282 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1515579 of the Deed Records of Ellis County, Texas (DIRECT), and being more completely described as follows, to-wit:

BEGINNING at a railroad spike found for the most westerly Northwest corner of said 398.282 acre tract, an ell corner of a remainder of called 1927.200 acre tract described in a deed to Boa Sorte, LP, et al recorded in Volume 2062, Page 437 (DIRECT), an ell corner of a called 21.607 acre tract described in a deed to Duane Walker and Clinton S. Walker recorded in Volume 2522, Page 1807 (DIRECT), the recognized Southwest corner of said J. Barker Survey, the recognized Northwest corner of the B. Wiltshire Survey, and the recognized East line of the E. H. Belcher Survey, Abstract No. 143, said point being in the apparent right-of-way of Lone Elm Road;

THENCE North 59 deg. 15 min. 51 sec. East along the North line of said 398.282 acre tract, the South line of said 1927.200 acre tract, the recognized North line of the B. Wilshire Survey, and the recognized South line of the J. Barker Survey, a distance of 1450.79 feet to a 3/4" iron rod found for an ell corner of said 398.282 acre tract and an ell corner of said 1927.200 acre tract;

THENCE North 30 deg. 37 min. 16 sec. West departing said Survey lines and continuing along the North line of said 398.282 acre tract and the South line of said 1927.200 acre tract, a distance of 1076.97 feet to a 1/2" iron rod found for the most northerly Northwest corner of said 398.282 acre tract and an ell corner of said 1927.200 acre tract;

THENCE North 59 deg. 05 min. 22 sec. East along the North line of said 398.282 acre tract and the South line of said 1927.200 acre tract, a distance of 4703.03 feet to a 1/2" iron rod found for the Northeast corner of said 398.282 acre tract and an ell corner of said 1927.200 acre tract;

THENCE South 30 deg. 52 min. 01 sec. East along the East line of said 398.282 acre tract and the South line of said 1927.200 acre tract, a distance of 3069.11 feet to a 1/2" capped iron rod found stamped "RPLS 4466" for the Southeast corner of said 398.282 acre tract and the Northeast corner of a remainder of called 300.765 acre tract described in a deed to Jeffrey Lane Frazier and Jeanette Marie Frazier recorded in Volume 2048, Page 1588 (DIRECT);

THENCE South 59 deg. 04 min. 49 sec. West along the South line of said 398.282 acre tract and the North line of said remainder of called 300.765 acre tract, at 3095.33 feet pass a 1/2" iron rod found for the Northeast corner of a called 100.000 acre tract described in a deed to Boa Sorte, LP, et al recorded in Volume 2163, Page 800 (DIRECT), and continue a total distance of 6163.10 feet to a P.K. nail set in Lone Elm Road for the Southwest corner of said 398.282 acre tract, the Northwest corner of said 100.000 acre tract, the recognized West line of the B. Wiltshire Survey, and the recognized East line of the J. W. Brock Survey, Abstract No. 129;

THENCE North 30 deg. 52 min. 12 sec. West along the West line of said 398.282 acre tract, the East line of a called 132.09 acre tract described in a deed to Richard E. Wood recorded in Volume 630, Page 1040 (DIRECT), the recognized West line of B. Wiltshire Survey, the recognized East line of J. W. Brock Survey, and generally along the centerline of Lone Elm Road, a distance of 928.09 feet to a railroad spike found in said centerline for the Southeast corner of a said 21.607 acre tract, the Northeast corner of said 132.09 acre tract, and being the recognized Northeast corner of the J. W. Brock Survey and the recognized Southeast corner of the E. H. Belcher Survey;

THENCE North 30 deg. 36 min. 54 sec. West along the East line of said 21.607 acre tract, the West line of said 398.282 acre tract, the recognized East line of the E. H. Belcher Survey, the recognized West line of the B. Wiltshire Survey, and generally along the centerline of Lone Elm Road, a distance of 1069.50 feet to the POINT OF BEGINNING, containing 17,349,163 square feet or 398.282 acres of land, more or less.



EXHIBIT D  
**EMORY LAKES – ANNEXATION OF 99.991 ACRES**  
LEGAL DESCRIPTION

All that certain lot, tract, or parcel of land, situated in a portion of the B. Wiltshire Survey, Abstract No. 1132, Ellis County, Texas, being all of that certain called 99.991 acre tract described in a deed to Walton Texas, LP recorded in Instrument No. 1515578 of the Deed Records of Ellis County, Texas (DIRECT), and being more completely described as follows, to-wit:

BEGINNING at a 1/2" iron rod found for the Northeast corner of said 99.991 acre tract and being in the South line of a called 398.261 acre tract described in a deed to SPG Harvard IV, LLLP, et al recorded in Volume 2216, Page 1654 (DIRECT), from which a 1/2" capped iron rod found stamped "RPLS 4466" for the Southeast corner of said 398.261 acre tract bears North 59 deg. 04 min. 49 sec. East - 3095.33 feet;

THENCE South 30 deg. 52 min. 12 sec. East departing said South line and continuing along the East line of said 99.991 acre tract, a distance of 1419.80 feet to a 1/2" capped iron rod set for the Southeast corner of same;

THENCE South 59 deg. 04 min. 49 sec. West along the South line of said 99.991 acre tract, a distance of 3067.77 feet to a 1/2" capped iron rod found "illegible" for the Southwest corner of of same, being in the recognized West line of said B. Wiltshire Survey and the East line of the J. W. Brock Survey, Abstract No. 129, said point being in the apparent right-of-way of Lone Elm Road;

THENCE North 30 deg. 52 min. 12 sec. West along the West line of said 99.991 acre tract, the East line of a called 132.09 acre tract described in a deed to Richard E. Wood recorded in Volume 630, Page 1040 (DIRECT), the recognized West line of the B. Wiltshire Survey, the recognized East line of the J. W. Brock Survey, and generally along the centerline of Lone Elm Road, a distance of 1419.80 feet to a P.K. nail set in Lone Elm Road for the Northwest corner of said 99.991 acre tract and the Southwest corner of said 398.261 acre tract;

THENCE North 59 deg. 04 min. 49 sec. East along the North line of said 99.991 acre tract and the South line of said 398.261 acre tract, a distance of 3067.77 feet to the POINT OF BEGINNING, containing 4,355,629 square feet or 99.991 acres of land, more or less.