

## **NOTICE OF PUBLIC HEARINGS**

The City of Canyon has received a request from Kuhlman and Sons, LP, to annex property within the extraterritorial jurisdiction of the City of Canyon on the voluntary petition of the landowner for the purpose of extending the boundary limits of the City of Canyon to include such property.

Two Public hearings will be held by and before the City Commission of the City of Canyon, Texas, on the 14th day of February, 2021 beginning at 4:30 p.m., in the City Commission Chambers at City Hall, 301 16<sup>th</sup> Street, Canyon, Texas under separate agenda items. The purpose of the public hearings will be to receive input and comments from all persons interested in the proposed annexation of 12.91 acres of land all located in Section 111, Block 6, I & G. N. R. R. Co. Survey, Randall County Texas. At said time and place all such persons have the right to appear and be heard.

By order of the City Commission of the City of Canyon, Texas.

ATTEST:

  
\_\_\_\_\_  
GRETCHEN MERCER, City Clerk

**RESOLUTION NO. 01-2022**

**CANYON EAST UNIT NO. 10 ANNEXATION**

**A RESOLUTION OF THE CITY OF CANYON, TEXAS, SETTING A DATE TIME, AND PLACE FOR PUBLIC HEARINGS AND PROVIDING FOR NOTICE OF PUBLIC HEARINGS IN REGARD TO THE PROPOSED ANNEXATION OF PROPERTY WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF CANYON AT THE REQUEST OF KUHLMAN AND SONS, LP, A TEXAS LIMITED PARTNERSHIP, ACTING BY AND THROUGH HERBERT KUHLMAN & SONS, INC., A TEXAS CORPORATION, AS GENERAL PARTNER, ACTING BY AND THROUGH ITS DULY AUTHORIZED PRESIDENT, MICHAEL H. KUHLMAN.**

WHEREAS, a petition for voluntary annexation of land within the extraterritorial jurisdiction (ETJ) of the City of Canyon has been presented by KUHLMAN AND SONS, LP, a Texas Limited Partnership, acting by and through HERBERT KUHLMAN & SONS, INC., a Texas corporation, as General Partner, acting by and through its duly authorized President, MICHAEL H. KUHLMAN, and,

WHEREAS, the City Commission agrees that voluntary annexation proceedings should be initiated on this date,

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF CANYON, TEXAS:**

**SECTION 1.:**

WHEREAS, the City Commission finds that it is in the public interest to extend the boundaries of the municipality to include the property adjacent to the municipal boundaries of the City herein described, and,

WHEREAS, the unincorporated territory to be annexed consists of unimproved property with Petitioner as the sole land owner and with no residents living within the unincorporated territory to be annexed. The territory to be annexed is exempt under TEX. LOC. GOV'T CODE CHAPTER 43, TITLE 2, SUBTITLE C, and,

WHEREAS, the unincorporated territory proposed for annexation is described in Section 2 below is not described in a recorded plat at this time

**SECTION 2.:**

THEREFORE, the City Commission proposes to publish notices of public hearings and to conduct public hearings for the purpose of considering whether to extend the municipal boundaries of the City of Canyon to include the property which now lies adjacent to the city limits within the extraterritorial jurisdiction of the City, described as follows described in Exhibit A attached hereto and incorporated by reference for all purposes

**SECTION 3:**

The following calendar is adopted by the City Commission to govern the publication and posting of notices and public hearings to be held as required by law

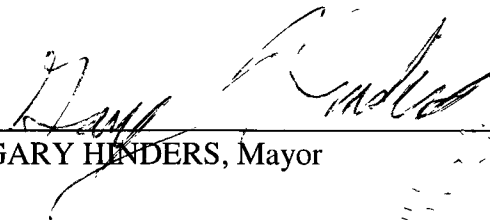
**ANNEXATION CALENDAR**

|                             |   |
|-----------------------------|---|
| Monday, January 10, 2022    | Adopt Annexation Calendar   |
| Wednesday, January 12, 2022 | Post annexation calendar on City of Canyon internet website, Notice to CISD, Randall County, Potter-Randall Appraisal District, Randall County Noxious Weed Control District, BSA EMS |
| Sunday, January 30, 2022    | Publish Notice of Public Hearings in Canyon News  |
| Friday, February 11, 2022   | Post Notice of Public Hearings under the Texas Open Meetings Act  |
| Monday, February 14, 2022   | <b>Hold First Public Hearing</b> (separate agenda item)   |
| Monday, February 14, 2022   | <b>Hold Second Public Hearing</b> (separate agenda item)  |
| Friday, March 4, 2022       | Post Notice of action upon proposed ordinance pursuant to the Texas Open Meetings Act   |
| Monday, March 7, 2022       | Consider and act upon adoption of Annexation Ordinance  |

**SECTION 4:**

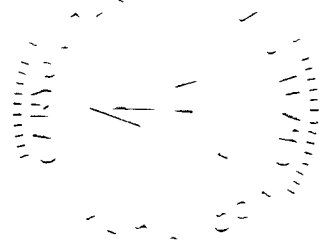
The municipal Service Plan approved by the landowner and the City is attached as Exhibit B and incorporated by reference

ADOPTED ON January 10, 2022.

  
\_\_\_\_\_  
GARY HENDERS, Mayor

ATTEST

  
\_\_\_\_\_  
GRETCHEN MERCER, City Secretary



**EXHIBIT A**

**Legal Description**

A 12.91+/- acre tract of land in Section 111, Block 6, I. & G.N R.R. Co Survey, Randall County, Texas, being a portion of that certain tract of land being described in that certain instrument recorded in Volume 1966, Page 265 of the Deed Records of Randall County, Texas, said 12 91+/- acre tract of land being described by metes and bounds as follows

COMMENCING at a 1/2 inch iron rod found for the Southeast corner of said Section 111,

THENCE S 89° 37' 19" W 1711 33 feet along the South line of said Section 111 to the BEGINNING CORNER of this tract of land,

THENCE S 89° 37' 19" W 2.32 feet continuing along the South line of said Section 111 to a point in the Northeasterly Right-of-Way line of Interstate Highway No 27 and the beginning of a curve to the right whose center bears N 52° 56' 02" E. 11259 16 feet, from whence a 1/2 inch iron rod with cap (unable to identify) found bears S 89° 37' 19" W 0 92 feet,

THENCE Northwesterly 597 78 feet along said curve to the right with a long chord of N 35° 32' 42" W 597 71 feet to a TxDOT monument found for the end of said curve,

THENCE N 34° 01' 26" W 264 49 feet along the Northeasterly Right-of-Way line of said Interstate Highway No 27 to the most Southerly point of that certain 13 629+/- acre tract of land being described in that certain instrument filed as Ordinance No 998 (Annexing Territory to the City of Canyon) recorded under Clerk's File No 2013021316 of the Official Public Records of Randall County, Texas, same being the most Westerly point of this tract of land,

THENCE N 56° 34' 08" E. 428.29 feet along the Southeasterly line of said 13 629+/- acre tract of land to a point,

THENCE S 70° 27' 46" E. 116.23 feet continuing along the Southeasterly line of said 13 629+/- acre tract of land to a point;

THENCE N 44° 19' 54" E. 184 71 feet continuing along the Southeasterly line of said 13 629+/- acre tract of land to the most Westerly corner of that certain 8 65+/- acre tract of land being described in that certain instrument filed as Ordinance No 1122 (Annexing Territory to the City of Canyon) recorded under Clerk's File No 2020003612 of the Official Public Records of Randall County, Texas, same being the most Northerly point of this tract of land,

THENCE S 45° 40' 06" E. 652.81 feet along the Southwesterly line of said 8 65+/- acre tract of land to the most Easterly corner of this tract of land,

THENCE S 44° 19' 54" W 808 80 feet to the PLACE OF BEGINNING and containing 12 91 acres of land, more or less.

## Exhibit B – Service Plan

This Service Plan has been prepared in accordance with Chapter 43 of the Texas Local Government Code. When the annexation is complete, all City services currently available to businesses and residences inside the city limits would be available to the proposed area to be annexed.

- |                      |  |
|----------------------|--|
| Fire Protection      | Fire suppression will be available to the area immediately upon annexation. Primary fire response will be provided by the Canyon Fire Department located at 301 16 <sup>th</sup> St. Adequate fire suppression services can be afforded to the annexed area within the current budget appropriation. All fire prevention activities will be provided by the Fire Marshal's Office as needed.   |
| Police Services      | Currently, the area is under the jurisdiction of the Randall County Sheriff's Office. However, upon annexation, the City of Canyon Police Department will extend regular and routine patrols to the area. It is anticipated that the implementation of police patrol activities can be effectively accommodated within the current budget and staff appropriation.   |
| Building Inspections | The Planning and Development Department will provide enforcement upon annexation. Services include issuing building, electrical, mechanical, and plumbing permits for new construction and remodeling, along with enforcement of all other applicable codes which regulate building construction within the City of Canyon.  |
| Planning & Zoning    | The Planning and Development Department is responsible for regulating development and land use through the administration of the City of Canyon's Zoning Ordinance. These services can be provided within the department's current budget and will begin immediately upon annexation.  |
| Animal Control       | The Animal Control Department promotes and protects public safety and animal care through sheltering, pet placement programs, education, and animal law enforcement. These services can be provided within the department's current budget and will begin immediately upon annexation.   |
| Streets & Drainage   | Currently no streets or drainage systems exist within the proposed area to be annexed. Public streets and drainage systems, if any, will be provided by developers at their own expense. All streets and drainage systems dedicated to public use will be installed to City specifications and inspected prior to acceptance. Once accepted, the City will perpetually maintain the public streets and drainage systems. This service can be provided for within the current budget of the department. |
| Street Lighting      | The City of Canyon will approve locations for street lighting of public road ways. Developer is to coordinate streetlight installation request and   |

construction with Xcel Energy Costs for installation of the street lighting in the public right-of-way will be the developer's responsibility

**Traffic Engineering** The Public Works Department will be able to provide additional traffic control devices needed, if any, within 12 months after the effective date of annexation. Traffic control devices above and beyond normal signage and markings will be provided by the developer

**Water Service** Water service is available in relatively close proximity to the area proposed for annexation. Developers will provide for the installation of water lines in accordance with the applicable codes and the City's subdivision and utility extension ordinances. Upon acceptance, the system will become part of the public water system and be owned and maintained by the City No additional system capacity is anticipated to be needed to serve this area. However, it must be noted that this annexation will be the final area to be served by the current City water supply infrastructure, which after this development, will be at capacity

**Sanitary Sewer Service** Sanitary sewer service is available in relatively close proximity to the area proposed for annexation. However, portions of this area cannot be served by City owned, gravity flow sanitary sewer, due to the topography of the area and characteristics of the existing sanitary sewer infrastructure Areas of gravity flow sewer service (or lack thereof) shall be determined by the developer's Engineer and verified by the City Where gravity flow service is possible, developer will provide for the installation of sanitary sewer lines and connections to the City sanitary sewer system, in accordance with all applicable codes and the City's subdivision and utility extension ordinances. Upon acceptance, the system will become part of the City's wastewater collection system and be owned and maintained by the City No additional system capacity is anticipated to be needed to serve this area to be annexed.

**Solid Waste Services** Solid waste collection service shall be provided to the area of annexation in accordance with the present ordinance Service shall comply with existing City policies, beginning with the occupancy of structures This service can be provided for within the current budget of the department.

**Miscellaneous** All other applicable municipal services will be provided to the area in accordance with the City of Canyon's established policies governing extension of services to newly annexed areas

This service plan has been prepared by the Planning and Development Department of the City of Canyon, with the assistance of other city departments, in conformance with Chapter 43 of the Texas Local Government Code and the City of Canyon Charter

Prepared and executed this \_\_\_\_\_ day of \_\_\_\_\_, 2022