

ORDINANCE NO. 5427

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, ANNEXING THE HEREINAFTER DESCRIBED PROPERTY BEING AN AREA TOTALING AN APPROXIMATE 0.194 ACRES OF LAND, LEGALLY DESCRIBED AS BEING A PART OF THE MORRISON RULON SURVEY, ABSTRACT NO. 1030, GRAYSON COUNTY, TEXAS, IDENTIFIED AS PROPERTY ID NO. 385905 BY THE GRAYSON COUNTY APPRAISAL DISTRICT, INTO THE BOUNDARY LIMITS OF THE CITY OF DENISON, GRAYSON COUNTY, TEXAS; AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE THE DESCRIBED PROPERTY WITHIN THE CITY LIMITS; FINDING AND DETERMINING THAT ALL REQUIREMENTS FOR ANNEXATION, INCLUDING PUBLIC HEARINGS, NOTICES, OPEN MEETINGS, AND ACKNOWLEDGEMENT OF SERVICES TO BE PROVIDED HAVE BEEN MET ACCORDING TO LAW; PROVIDING FOR THE INCORPORATION OF PREMISES; GRANTING TO ALL THE INHABITANTS OF THE PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING THE INHABITANTS BY ALL OF THE ORDINANCES, RESOLUTIONS, ACTS, AND REGULATIONS OF THE CITY; PROVIDING INSTRUCTIONS FOR AMENDING THE OFFICIAL MAP AND BOUNDARIES OF THE CITY; PROVIDING INSTRUCTIONS FOR FILING THIS ORDINANCE PROVIDING SEVERABILITY AND CUMULATIVE CLAUSES; FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS ADOPTED WAS LAWFULLY HELD IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Denison (the "City") is a home rule municipality located in Grayson County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas and the Denison City Charter; and

WHEREAS, the City is authorized, pursuant to Chapter 43 of the Texas Local Government Code, to annex property and extend the boundary limits of the City; and

WHEREAS, on January 5, 2026, the City Council of the City ("City Council") passed Resolution No. 4214, which granted a petition of the City, property owner of the certain tract of land being approximately 0.194 acres of land, further described and depicted in **Exhibit "A"**, attached and incorporated as if set forth fully herein, (the "Property"), requesting to be annexed into the City; and

WHEREAS, in accordance with Chapter 43 of the Texas Local Government Code, all requirements for the annexation, including required notices and public hearings, have been provided, held, and met; and

WHEREAS, the City Council has investigated into, has determined, and officially finds that no part of such territory is within the extraterritorial jurisdiction of any other incorporated city or town; and

WHEREAS, because the City is the owner of the Property, section 43.0672 of the Texas Local Government Code, requiring a written service agreement for the Property between the City and the owner of the Property, is impossible to satisfy, however, the City acknowledges that it shall provide services it deems necessary to the Property; and

WHEREAS, the City Council finds and determines that annexation of the property hereinafter described as requested by the property owner is in the best interests of the citizens of the City and the owners and residents of the area.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS:

Section 1. Findings. It is hereby officially determined that the findings and recitations contained above in the preamble of this Ordinance are true and correct and are incorporated herein by reference.

Section 2. Annexation. The Property is hereby annexed into the City, and the boundary limits of the City are hereby extended to include the Property, and the same shall hereafter be included within the boundary limits of the City, and the inhabitants of the Property shall hereafter be entitled to all the rights and privileges of other citizens of the City and they shall be bound by the acts, ordinances, resolutions, and regulations of the City enacted pursuant to and in conformity with the general laws of the State of Texas.

Section 3. Official Map. The official map and boundaries of the City, previously adopted, are amended to include the Property as part of the City. The City Secretary is directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City to add the annexed Property as required by applicable law.

Section 4. Filing Instructions. The City Secretary is hereby directed and authorized to file a certified copy of this Ordinance with the County Clerk of Grayson County, Texas, and with other appropriate officials and agencies as required by state and federal law.

Section 5. Severability Clause. It is hereby declared by the City Council that if any of the sections, paragraphs, sentences, clauses, phrases, words, or provisions of this

Ordinance should be declared unconstitutional or otherwise invalid for any reason, such event shall not affect any remaining sections, paragraphs, sentences, clauses, phrases, words, or provisions of this Ordinance.

Section 6. Cumulative Clause. This Ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 7. Public Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given, all as required by Section 551.041, Texas Government Code.

Section 8. Effective Date. This Ordinance shall be in full force and effect immediately upon its passage and approval by the City Council of the City of Denison, Texas.

PASSED AND APPROVED by the City Council of the City of Denison, Texas, on this 20th day of January 2026.

Robert Crawley, Mayor

ATTEST:

Christine Wallentine, City Clerk



EXHIBIT "A"

Helvey-Wagner Surveying, Inc.

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TBPLS Firm Registration No. 10088100

Billy F. Helvey, RPLS No. 4488 - Kate A. Wagner, RPLS No. 6578 - Kenneth N. Russell, RPLS No. 4409

**Tract Two
0.194 Acres**

SITUATED in the County of Grayson, State of Texas, being a part of the Morrison Kulon Survey, Abstract No. 1030, being a part of the 19.5 acre tract of land conveyed by Warranty Deed from Florence Marie Whaley Williams, to Carl Edward Whaley, on August 24, 1962, and recorded in Volume 961, Page 474, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a magnetic nail with metal flasher set in the Southwest right-of-way of F. M. Hwy. 84, in the South line of said Whaley 19.5 ac., and in a North line of the Mary Sherrard property (no deed reference), at the Southeast corner of the herein described tract, in the asphalt paving of Eisenhower Drive (aka: Eisenhower Road);

THENCE South 89 deg. 43 min. 15 sec. West, with the South line said Whaley 19.5 ac. and with a North line of said Sherrard property, along the asphalt paving of Eisenhower Drive, leaving said asphalt where it turns Southerly at about 90 ft., and continuing for a **TOTAL** distance of 134.42 ft. to a ½ inch capped rebar (RPLS 6578) set at the Southwest corner of said Whaley 19.5 ac., at an EIL corner of said Sherrard property;

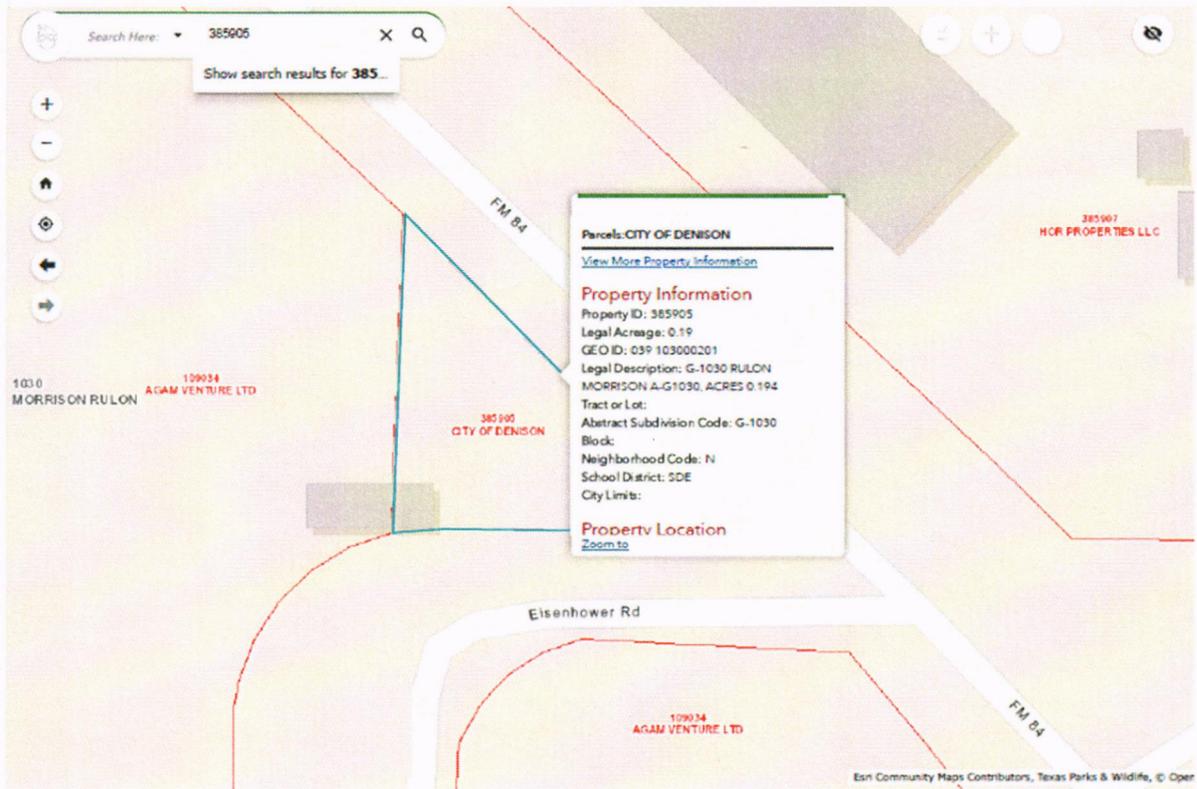
THENCE North 00 deg. 43 min. 09 sec. West, with the West line of said Whaley 19.5 ac. and with an East line of said Sherrard property, with the general course of a wire fence, **PASSING** through the East wall of a barn at 42.6 ft., and continuing now along and through the East wall of said barn, **EXITING** said barn at 57.7 ft., and continuing again with the general course of a wire fence, for a **TOTAL** distance of 124.29 ft. to a ½ inch capped rebar (RPLS 6578) set in the Southwest right-of-way line of F. M. Hwy. 84, at the Northwest corner of the herein described tract;

THENCE South 48 deg. 14 min. 06 sec. East, with the Southwest right-of-way line of F. M. Hwy. 84, a distance of 87.68 ft. to the beginning of a curve;

THENCE Southeasterly, continuing with the Southwest right-of-way line of F. M. Hwy. 84, with a curve to the right having a Central Angle (Delta) of 1 deg. 57 min. 22 sec. and a Radius of 2814.79 ft. (Chord bears South 47 deg. 15 min. 25 sec. East, 96.10 ft.), an arc distance of 96.10 ft. to the **PLACE OF BEGINNING** and containing 0.194 ACRES of land.




Kate A. Wagner, R.P.L.S. No. 6578
July 27, 2016



Annexation Ordinance – City-Owned 0.194 acres – Septage Receiving Station