

**CITY OF SHERMAN
CITY COUNCIL CALLED MEETING AGENDA
COUNCIL CHAMBERS OF THE CITY HALL
220 WEST MULBERRY STREET
SHERMAN, TEXAS
MONDAY, JUNE 25, 2012
12:00 NOON**

A.1 [CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN](#)

Public Hearing

B.1 [INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5747](#)

Extending the Corporate Limits of Said City so as to Annex 71.671 Acres along Washington Street in the City of Sherman's Extra Territorial Jurisdiction; Providing for a Municipal Plan

Close Public Hearing and Consider Adoption of Ordinances

B.2 [ADOPTION OF ORDINANCES](#)

Consider Adoption of Ordinance Number:

(a) 5747

C.1 [ADJOURNMENT](#)

[COUNCIL CALENDAR](#)



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-25-2012

Subject: Agenda Item No. A.1

CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-25-2012

Subject: Agenda Item No. B.1

INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5747

**Extending the Corporate Limits of Said City
so as to Annex 71.671 Acres along Washington Street in the
City of Sherman's Extra Territorial Jurisdiction; Providing for a Municipal Plan**

Issue

To introduce, hold a public hearing, and consider adoption of the annexation ordinance that extends the City of Sherman's corporate limits so as to annex 71.671 acres along Washington Street in the City's extra territorial jurisdiction (ETJ), in accordance with state law and the City Charter

Background

It is the City's intention to annex specifically identified individual areas in the City's ETJ, in accordance with state law and the City Charter. At its May 7th meeting, the City Council approved the schedule for annexation of this property, which set public hearings for the May 21st and June 4th regular Council meetings and this June 25th called Council meeting. The first and second public hearings were held on May 21st and June 4th as scheduled, with no public comments received.

Origination

City Council

Financial Consideration

City accepts maintenance. The incremental cost of annexing this property is negligible.

Staff Recommendation

It is recommended that the City Council introduce, hold the public hearing, and consider adoption of the ordinance for annexation of this property.

Alternatives

As directed by the City Council

Attachments

Ordinance No. 5747
Annexation Scheduling Plan
Request Letter
Location Map
Municipal Service Plan

Prepared by:
Brandon Shelby, City Attorney

Approved by:
George Olson, City Manager

ORDINANCE NO. 5747

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXTENDING THE CORPORATE LIMITS OF SAID CITY SO AS TO ANNEX 71.671 ACRES ALONG WASHINGTON STREET IN THE CITY OF SHERMAN'S EXTRA TERRITORIAL JURISDICTION; PROVIDING FOR A MUNICIPAL PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, Chapter 43 of the Texas Local Government Code and Article X, Section 12 of the City Charter of Sherman, Texas, an incorporated City, authorizes the annexation of territory, subject to the laws of this State; and

WHEREAS, the procedures proscribed in Chapter 43 of the Texas Local Government Code, the City Charter of the City of Sherman, Texas, and any other applicable laws have been duly followed with respect to the territory described in Section 1 of this Ordinance;

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

SECTION 1. That the limits of the City of Sherman, Texas, shall be extended so as to hereinafter include within the corporate limits of said City the following tracts of land, being more particularly described as follows, to-wit:

Situated in the County of Grayson, State of Texas, being a part of the J. Deaver Survey, Abstract No. 348, being a part of the 132.762 acre tract of land described in Exhibit "A" in deed to The Intralasik Center, P. A. of record in Volume 4024, Page 461, of the Official Public Records, Grayson County, Texas, and being more particularly described as follows:

Beginning at a ½" steel rod in Washington Street, said rod being the northeast corner of said 132.762 acre tract;

Thence South 01°44'12" East leaving said road, a distance of 2,010.03 feet to a set ½" steel rod;

Thence South 87°57'43" West a distance of 56.53 feet to a set ½" steel rod;

Thence South 01°44'12" East a distance of 648.31 feet to a ½" steel rod set in the north line of the 160.590 acre tract of land conveyed to Grayson 200, LTD., by deed of record in Volume 3945, Page 427, of said Official Public Records, said rod being the southeast corner of the herein described tract;

Thence South 88°30'23" West with said north line, a distance of 1134.23 feet to a point, the southwest corner of the herein described tract;

Thence North 01°45'35" West a distance of 1630.60 feet to a point;

Thence North 01°14'23" West a distance of 1025.00 feet to a point in Washington Street and the north line of said 132.762 acre tract;

Thence North 88°39'18" East with said Washington Street, a distance of 1657.85 feet to a spike nail found at an angle point;

Thence North 87°57'43" East continuing with said Washington Street, a distance of 524.69 feet to the Point-of-Beginning and containing 71.671 acres of land.

SECTION 2. That the inhabitants thereof shall hereinafter be entitled to all the rights and privileges of other citizens of the City of Sherman and they shall be bound by the acts, ordinances, resolutions, and regulations of said City.

SECTION 3. That the Service Plan for the annexed area is adopted and attached as Exhibit "A" to this Ordinance and incorporated for all purposes.

SECTION 4. That the provisions of this ordinance are severable and the invalidity of any word, phrase or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

SECTION 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

INTRODUCED on this the _____ day of _____, 2012.

ADOPTED on this the _____ day of _____, 2012.

EFFECTIVE DATE on this the _____ day of _____, 2012.

CITY OF SHERMAN, TEXAS

BY: _____
BILL MAGERS, MAYOR

ATTEST:

BY: _____
LINDA ASHBY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

BY: _____
**BRANDON S. SHELBY,
CITY ATTORNEY**

ANNEXATION SCHEDULING PLAN

Annexation of 71.671 acres along Washington Street

Wednesday, May 9, 2012.....	Send written notice to property owners in the area to be annexed, public or private entities that provide services in that area, and any railroads with a right of way in the area to be annexed. The Department of Engineering Services will prepare a service plan that details the specific Municipal Services that will be provided to the area after it is annexed.
Friday, May 11, 2012.....	Post notice on City's website, newspaper and City Hall for City Council's 1 st Public Hearing on intent to annex. Send written notice to each public school district in the area to be annexed. Send by certified mail a second written notice to any railroads with a right of way in the area to be annexed. Obtain required affidavit of publication from newspaper.
Thursday, May 17, 2012.....	Post notice of 1 st Public Hearing under the Open Meetings Act.
Monday, May 21, 2012.....	City Council's 1 st Public Hearing on intent to annex and service plan.* (Regular Meeting)
Friday, May 25, 2012.....	Post notice on City's website, newspaper and City Hall for City Council's 2 nd Public Hearing on intent to annex. Obtain required affidavit of publication from newspaper.
Thursday, May 31, 2012.....	Post notice of 2 nd Public Hearing under the Open Meetings Act.
Monday, June 4, 2012.....	City Council's 2 nd Public Hearing on intent to annex and service plan.* (Regular Council Meeting)
Thursday, June 21, 2012.....	Post notice on City's website, newspaper and City Hall for introduction of annexation ordinance and adoption of the ordinance. Posting will also be in compliance with the Open Meetings Act.**
Monday, June 25, 2012.....	City Council Public Hearing for introduction and consideration of adoption of annexation ordinance. (Called Council Meeting)**

* If more than twenty adults who are residents of the area to be annex protest within ten (10) days of the notice by publication, then one of the public hearings must be held in the area to be annexed.

** Special Called Meeting for introduction and consideration of adoption of annexation ordinance must be held after June 24, 2012 and before June 30, 2012 in order to comply with statutory requirements. Changing the date of introduction and consideration impacts the date notice must be published.

Mehrdad Mazaheri, M.D.
The Intralasek Center PA
670 W. Campbell Rd, Suite 100, Richardson, TX 75080
Tel: (214) 564-7979

August 30, 2011

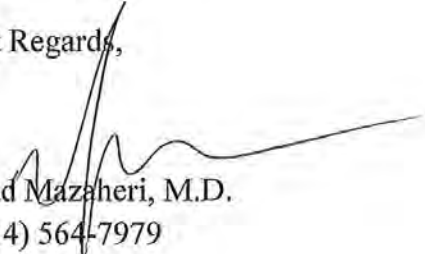
Lisa Whitfield
Department of Engineering
P.O Box 1106,
Sherman, TX 75091
Fax: (903) 870-7802

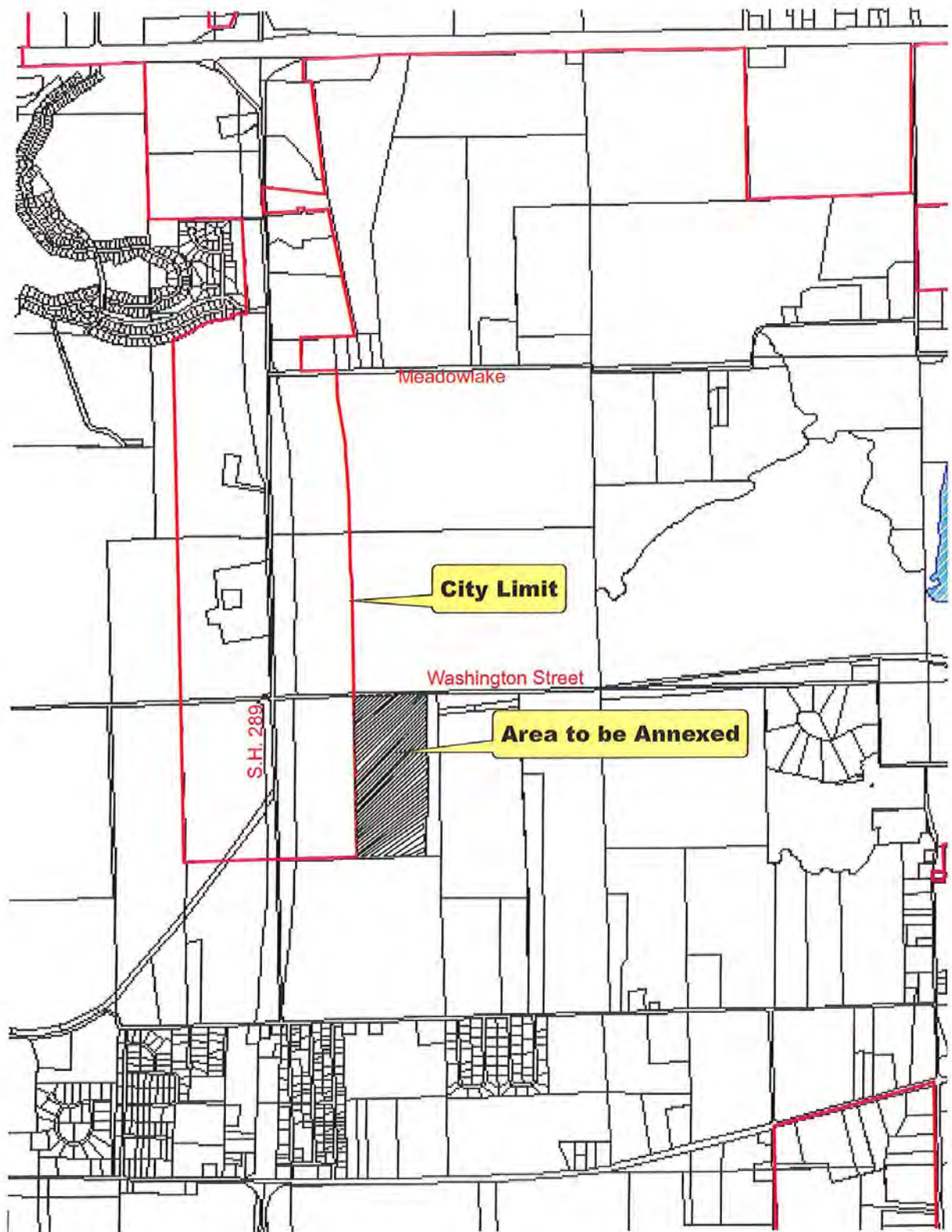
Re: Annexation for Property ID 261336

Dear Lisa,

I, Mehrdad Mazaheri, am writing this letter in order to request the annexation of all of my property in Grayson County, located at the intersection of Washington Street and SH 289. To my knowledge part of this property was annexed at a previous time. If you may have any questions or help regarding this process please feel free to contact me.

Kindest Regards,


Mehrdad Mazaheri, M.D.
Tel: (214) 564-7979



City of Sherman Municipal Service Plan Washington Street

INTRODUCTION:

The annexation is the site of approximately 71.671 acres along Washington Street lying adjacent to the City of Sherman existing city limits.

This annexation is a step in the process of providing for the orderly growth and development of the City, to protect the City from substandard development and to provide for the enlargement of the city limits by including developments and improvements that are logically a part of the City and receive city utilities.

MUNICIPAL SERVICES TO BE PROVIDED:

POLICE PROTECTION: Patrolling, radio responses to calls, and other routine police services, using present personnel and equipment will be provided on the effective date of annexation.

FIRE PROTECTION: Fire protection by the present personnel and equipment of the fire fighting force will be provided on the effective date of annexation.

SOLID WASTE: The same solid waste collection and disposal service now provided within the City of Sherman will be extended to the annexed area on the effective date of annexation.

STREETS AND BRIDGES: All access points to Washington Street shall meet City of Sherman requirements. Any future streets will be developed by the standard provisions of the Developers Ordinance with future maintenance by the City of Sherman. Street lighting will be established according to city guidelines.

PARKS: No public parks exist in the area to be annexed. Any new park facilities will be developed according to existing City policies as applicable to all city residents.

CONSTRUCTION INSPECTIONS: Building inspection activities will be available upon annexation.

ENVIRONMENTAL HEALTH AND HEALTH CODE ENFORCEMENT: Enforcement of the City's environmental health ordinances and regulations shall be provided within this area on the effective date of the annexation ordinance.

ANIMAL CONTROL: Animal control will be provided by the City on the effective date of annexation.

PLANNING AND ZONING: The Planning and Zoning jurisdiction of the City will extend to this area on the effective date of this annexation. All areas will be annexed as R-A on the effective date of the annexation ordinance.

CAPITAL IMPROVEMENTS:

WATER SERVICE: Extensions of existing city mains for future development will be made by standard City of Sherman utility extension methods. All connections to new or existing water mains will be based upon existing City policies as applicable to all city residents as stated in the current codes and ordinances.

SEWER SERVICE: Extensions of any existing sewer facilities of the City of Sherman for existing or future development may be made by standard City of Sherman utility extension methods provided the capacity of the existing appurtenances is not exceeded at the time of development. Use of lift stations and force mains will be required to serve some portions of this area. All connections to new or existing sewer mains will be based upon existing City policies as applicable to all city residents as stated in the current codes and ordinances.



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-25-2012

Subject: Agenda Item No. B.2

ADOPTION OF ORDINANCES

Consider Adoption of Ordinance Number: 5747

B.1 INTRODUCTION AND PUBLIC HEARING OF ORDINANCE NO. 5747

Extending the Corporate Limits of Said City so as to Annex 71.671 Acres along Washington Street in the City of Sherman's Extra Territorial Jurisdiction; Providing for a Municipal Plan



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-25-2012

Subject: Agenda Item No. C.1

ADJOURNMENT

The Honorable Bill Magers, Mayor



SHERMAN CITY COUNCIL

Agenda Communication Form

From: The Office of the City Manager

Date: 6-25-2012

Subject: Agenda Item No. N/A

COUNCIL CALENDAR

2012

CITY COUNCIL MEETINGS

JANUARY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

FEBRUARY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29			

MARCH

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

APRIL

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

MAY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

JUNE

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

JULY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

AUGUST

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

SEPTEMBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

OCTOBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

NOVEMBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

DECEMBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

01/02/12 - January 2nd Council meeting cancelled
 01/16/12 - M.L.K., Jr. Birthday / Regular Council Meeting
 02/20/12 - Washington's Birthday / Regular Council Meeting
 04/02/12 - April 2nd Council meeting cancelled
 04/20/12 - 12 Noon Budget Planning Meeting in Council Chambers
 06/21-22/12 - Budget Workshop in Council Chambers
 06/25/12 - 12 Noon Called Meeting for Annexation Ordinance
 (71.671 acres on Washington Street)
 07/02/12 - July 2nd Council meeting cancelled
 09/03/12 - Labor Day / Called Council Meeting on 09/04/12