

ORDINANCE AUTHORIZING THE GIVING OF
WRITTEN CONSENT TO THE ESTABLISHMENT
OF A WATER DISTRICT

THE STATE OF TEXAS X
CITY OF DE LEON X
COUNTY OF COMANCHE X

ON THIS the 24th day of January, 196~~7~~⁸, the City Commission of the City of De Leon, Texas, convened in called session at the regular meeting place thereof in the City Hall, there being present and in attendance the following members, to-wit:

T. H. Sharp	MAYOR
R. D. Bell Bill Wilkerson	COMMISSIONERS

and with the following absent: *Delton* ~~Leland~~ Nabors _____,
when among other proceedings had were the following:

The Mayor introduced an ordinance which was read in full. Commissioner R. D. Bell made a motion that the ordinance be declared an emergency measure in order that the same could be passed on the date of its introduction. The motion was seconded by Commissioner Bill Wilkerson and carried by the following vote:

AYES: Mayor T. H. Sharp and Commissioners
R. D. Bell and Bill Wilkerson

NOES: None

Thereupon, it was moved by Commissioner R. D. Bell and seconded by Commissioner Bill Wilkerson that the ordinance be finally passed and adopted, and said motion carried by the following vote:

AYES: Mayor T. H. Sharp and Commissioners
R. D. Bell and Bill Wilkerson

NOES: None

The Mayor then announced that the ordinance had been finally passed and adopted.

The ORDINANCE is as follows:

"AN ORDINANCE by the City Commission of the City of De Leon, Texas, authorizing the giving of written consent for the establishment of a water district to furnish fresh water for domestic or commercial uses and for sanitary sewer services; enacting provisions incident and relating to the subject and purpose of this ordinance; and declaring an emergency."

WHEREAS, it has come to the attention of the City Commission that a number of the holders of title to land adjoining and within the city limits of the City of De Leon, Texas, desire to establish a water district to be known as North Leon River Water Control and Improvement District, the area of said proposed district being described in metes and bounds, as follows:

STATE OF TEXAS

COUNTY OF COMANCHE

IT IS THE INTENT OF THESE FIELD NOTES TO DESCRIBE ALL that certain lot, tract or parcel of land, being 96,260 acres more or less, lying and being situated in the middle Eastern section of Comanche County, Texas, along the Leon River Basin and lying roughly within, but not limited to, an area between and including the towns of De Leon, Comanche and Proctor; said 96,260 acres, more or less, being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at the Northwest corner of the A. Gill Survey A-381;

THENCE South $71^{\circ}-00'$ East with the North line of the A. Gill Survey A-381 for a distance of 15,160 feet to the Comanche, Erath County Line;

THENCE South $30^{\circ}-00'$ East with the Comanche, Erath County line for a distance of 24,000 feet to a point on the East line of the James Walker Survey A-988;

THENCE South $19^{\circ}-0'$ West with the East line of the James Walker Survey A-988 for a distance of 12,555.5 feet to the Southeast corner of the said James Walker Survey A-988, same being on the North line of the Swanson Yarberry Survey A-1035;

THENCE South $71^{\circ}-00'$ East with the North line of the said Swanson Yarberry Survey A-1035 for a distance of 6,088.9 feet to the Northeast corner of said Swanson Yarberry Survey A-1035;

THENCE South $19^{\circ}-00'$ West with the East line of said Swanson Yarberry Survey A-1035 for a distance of 9,236.1 feet to the Southeast corner of said Swanson Yarberry Survey A-1035, same being on the North line of the John Dooling Survey A-236;

THENCE South $71^{\circ}-00'$ East with said John Dooling Survey A-236 for a distance of 555.5 feet to the Northeast corner of said John Dooling Survey A-236;

THENCE South $19^{\circ}-00'$ West with the East line of said John Dooling Survey A-236 for a distance of 930.5 feet to the Southwest corner of the Sam L. Lusk Survey A-606;

THENCE South $71^{\circ}-00'$ East with the North line of the H. L. Grush Survey A-396 a distance of 5,000 feet to the Southeast right-of-way line of U.S. Highway No. 67;

THENCE in a southwesterly direction with the Southeast right-of-way line of U. S. Highway No. 67 as follows:

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South $26^{\circ}-47'$ West a distance of 3,685.7 feet; around a $1^{\circ}-45'$ curve to the right, whose central angle is $17^{\circ}-02'$, a distance of 973.3 feet; South $43^{\circ}-49'$ West a distance of 5,044.2 feet; around a 2° curve to the left, whose central angle is $12^{\circ}-43'$, a distance of 635.8 feet; South $31^{\circ}-06'$ West a distance of 11,310.7 feet; around a $1^{\circ}-30'$ curve to the right, whose central angle is $18^{\circ}-08'$, a distance of 1,208.9 feet; South $49^{\circ}-14'$ West a distance of 4,109.4 feet; around a 2° curve to the right, whose central angle is $18^{\circ}-36'$, a distance of 930.0 feet; South $67^{\circ}-50'$ West a distance of 1,900.8 feet; around a 1° curve to the left, whose central angle is $6^{\circ}-22'$, a distance of 636.7 feet; South $61^{\circ}-28'$ West a distance of 8,282.8 feet around a 1° curve to the right, whose central angle is $11^{\circ}-39'$, a distance of 1,165.0 feet; South $73^{\circ}-07'$ West a distance of 4,407.0 feet; around a 1° curve to the left, whose central angle is $18^{\circ}-37'$, a distance of 1,861.7 feet; South $54^{\circ}-30'$ West a distance of 17,579.8 feet; around a 1° curve to the right, whose central angle is $10^{\circ}-12'$, a distance of 1,020.0 feet; South $64^{\circ}-42'$ West a distance of 1,716.9 feet, around a 2° curve to the right, whose central angle is $21^{\circ}-00'$, a distance of 1,050.0 feet; and South $85^{\circ}-42'$ West a distance of 293.0 feet to the point of intersection of the Southeast right-of-way line of U. S. Highway No. 67 and the East line of the John Duncan Survey A-257;

THENCE South with the East line of the John Duncan Survey A-257 and the East line of the Benjamin Clark Survey A-178 a distance of 7,500 feet to the Southeast corner of the Benjamin Clark Survey A-178;

THENCE West with the South line of the Benjamin Clark Survey A-178 a distance of 4,444.4 feet to the Southwest corner of the Benjamin Clark Survey A-178;

THENCE North with the West line of the Benjamin Clark Survey A-178 a distance of 2,326.4 feet to the South city limit line of the City of Comanche;

THENCE West with the South city limit line of the City of Comanche a distance of 7,350 feet to the Southwest corner of the city limits of the City of Comanche;

THENCE North with the West city limit line of the City of Comanche a distance of 10,560 feet to the Northwest corner of the city limits of the City of Comanche;

THENCE East with the North city limit line of the City of Comanche a distance of 2,846 feet to a point in the West line of the John Duncan Survey A-259;

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THENCE North with the West line of the John Duncan Survey A-259, T. Toulmin Survey A-957, and T. Toulmin Survey A-956 and Miguel Cilba Survey A-189 a distance of 14,380 feet to the Southeast corner of the James M. Sanford Survey A-911 and the Northeast corner of the Molachi Cox Survey A-194;

THENCE West with the South line of the James M. Sanford Survey A-911 a distance of 2,250 feet to the Southwest corner of the said James M. Sanford Survey A-911 and in the East line of the S.A. & M. G. Railroad Company Survey A-879 a distance of 1,500 feet to the Northeast corner of the S.A. & M.G. Railroad Company Survey A-879 and same being the southern most Southeast corner of the John Marshall Survey A-646;

THENCE West with the southern most South line of the John Marshall Survey A-646 a distance of 2,900 feet to the southern most Southwest corner of the John Marshall Survey A-646 and in the East line of the E. T. Railroad Company Block # 37 Survey A-311;

THENCE South with the East line of the E.T. Railroad Company Block # 37 Survey A-311 a distance of 600 feet to the Southeast corner of the E. T. Railroad Company Block # 37 Survey A-311;

THENCE West with the South line of the E. T. Railroad Company Block # 37 Survey A-311 a distance of 5,300 feet to the Southwest corner of the E. T. Railroad Company Block # 37 Survey A-311;

THENCE North with the West line of the E. T. Railroad Company Block # 37 Survey A-311 a distance of 5,369.1 feet to the Northwest corner of the E. T. Railroad Company Block # 37 Survey A-311;

THENCE East with the North line of the E.T. Railroad Company Block of # 37 Survey A-311 a distance of 4,300 feet to the western most Southwest corner of the John Marshall Survey A-646;

THENCE North with the western most West line of the John Marshall Survey A-646 and with the West line of the John W. Carmack Survey A-190 a distance of 8,600 feet to the Northwest corner of the John W. Carmack Survey A-190;

THENCE East with the North line of the John W. Carmack Survey A-190 a distance of 700 feet to the Southwest corner of the William A. Ham Survey A-548;

THENCE North with the West line of the William A. Ham Survey A-548 a distance of 2,650 feet to the Northwest corner of the William A. Ham Survey A-548;

THENCE East with the North line of the William A. Ham Survey A-548 a distance of 1,553.3 feet to the Southeast corner of the William Suggs Survey A-909;

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THENCE North with the East line of the William Suggs Survey A-909 a distance of 2,600 feet to the Northeast corner of the William Suggs Survey A-909 and the southern most Southeast corner of the Thomas J. Griffin Survey A-408;

THENCE West with the southern most South line of the Thomas J. Griffin Survey A-408 a distance of 1050 feet to the Southwest corner of the Thomas J. Griffin Survey A-408;

THENCE North with the West line of the Thomas J. Griffin Survey A-408 a distance of 3,000 feet to the Northwest corner of the Thomas J. Griffin Survey A-408;

THENCE East with the North line of the Thomas J. Griffin Survey A-408 a distance of 1,400 feet to the Southwest corner of the J. J. Hardin Survey A-1642;

THENCE North with the West line of the J. J. Hardin Survey A-1642 a distance of 2,450 feet to the Northwest corner of the J. J. Hardin Survey A-1642 and same being in South line of the Elisha Allen Survey A-16;

THENCE West with the South line of the Elisha Allen Survey A-16 a distance of 1,200 feet to the Southwest corner of the Elisha Allen Survey A-16;

THENCE North with the West line of the Elisha Allen Survey A-16 a distance of 2,650 feet to the Northwest corner of the Elisha Allen Survey A-16;

THENCE East with the North line of the Elisha Allen Survey A-16 a distance of 1,250 feet to the western most Southwest corner of the H. & T.C. Railroad Company Block # 2, Tract # 29, Survey A-481;

THENCE North with the West line of the H. & T.C. Railroad Company Block # 2, Tract # 29 Survey A-481, a distance of 4,300 feet to the Northwest corner of the said H. & T.C. Railroad Company Block # 2, Tract # 29 Survey A-481 and in the Southwest line of the J. H. Stephenson Survey A-2093;

THENCE North $71^{\circ} 00'$ West with the Southwest line of the J. H. Stephenson Survey A-2093 a distance of 500 feet to the Southwest corner of the J. H. Stephenson Survey A-2093;

THENCE North $19^{\circ} 00'$ East with the Northwest line of the J. H. Stephenson Survey A-2093, the W. M. Cottrell Survey A-1376, the J. H. Cottrell Survey A-1375, the H. & T.C. Railroad Company Block # 1, Tract # 1, A-493 and the Eleanor Moore Survey A-639 a distance of 29,599.9 feet to the Northwest corner of the Eleanor Moore Survey A-639;

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THENCE South $71^{\circ} 00'$ East with the Northeast line of the Eleanor Moore Survey A-639 a distance of 10,555.6 feet to the Northeast corner of the said Eleanor Moore Survey A-639 and same being in the Northwest line of the A. Edmondson Survey A-1557;

THENCE North $19^{\circ} 00'$ East with the Northwest line of the A. Edmondson Survey A-1557 and with the Northwest line of the H. & T.C. Railroad Company Block # 1, Tract # 13 Survey A-487 a distance of 6,100 feet to the Northwest corner of the said H. & T.C. Railroad Company Block # 1 Tract # 13 Survey A-487;

THENCE South $71^{\circ} 00'$ East with the Northeast line of the H. & T.C. Railroad Company Block # 1, Tract # 13 Survey A-487 a distance of 5,700 feet to the Northeast corner of the said H. & T.C. Railroad Company Block # 1, Tract # 13 Survey A-487 and same being in the Northwest line of the H. & T.C. Railroad Company Block # 1, Tract # 17 Survey A-485;

THENCE North $19^{\circ} 00'$ East with the Northwest line of the H. & T.C. Railroad Company Block # 1, Tract # 17 Survey A-485 a distance of 1,800 feet to the Northwest corner of the said H. & T.C. Railroad Company Block # 1, Tract # 17 Survey A-485;

THENCE South 71° East with the Northeast line of the H. & T.C. Railroad Company Block # 1, Tract # 17 Survey A-485 a distance of 3,100 feet to a point for corner;

THENCE North $19^{\circ} 00'$ East across the Green Lee Survey A-620 and with the Northwest line of the A. Gill Survey A-381 a distance of 11,205 feet to the PLACE OF BEGINNING.

Contains 96,260 acres more or less.

NOTE:

These are field notes made up from recorded instruments as recorded in the Comanche County Deed Records in Comanche County, Texas.

The acreage and traverse closure was figured by using the point of intersection of the tangents of the curves described.

AND WHEREAS, the Municipal Annexation Act, which became effective in August, 1963, provides that no political subdivision having as one of its purposes the supplying of fresh water for domestic or commercial uses may be created within the area of the extra-territorial jurisdiction of any city without the written consent of such city; and it is necessary that the proponents of the water district obtain the consent of this to establish such a water district; and

WHEREAS, this City Commission has carefully considered the matter and is of the opinion that it is for the best interest of the City of De Leon and the inhabitants thereof that they give in writing their consent for the establishment of the said water district;

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

Section 1: That the City Clerk be, and is hereby, authorized and directed to forward a certified copy of this ordinance to the organizers of the proposed water district, who have heretofore petitioned this Commission for their consent to create such a water district.

Section 3: The fact that it is to the best interest of the City and its inhabitants that written consent for the creation of a water district as hereinabove set forth be given at the earliest possible date, constitutes and creates an emergency and an urgent public necessity, requiring that this ordinance be passed and take effect as an emergency measure and this ordinance is accordingly passed as an emergency measure and shall take effect and be in force immediately from and after its passage.

PASSED AND APPROVED this the 24th day of January, 1968.
~~May, 1967.~~



Mayor, City of De Leon, Texas

ATTEST:



City Clerk, City of De Leon, Texas

(City Seal)