

**TOWN OF PROVIDENCE VILLAGE, TEXAS  
ORDINANCE NO. 2015-073**

**AN ORDINANCE OF THE TOWN OF PROVIDENCE VILLAGE, TEXAS, ADOPTING THE ANNEXATION OF CERTAIN TERRITORY CONTIGUOUS TO AND ADJOINING THE TOWN OF PROVIDENCE VILLAGE, TO WIT BEING A 27.817 ACRE TRACT SITUATED IN THE JAMES BRIDGES, JR. SURVEY, ABSTRACT NO. 36, DENTON COUNTY, TEXAS BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" AND GRAPHICALLY DEPICTED IN EXHIBIT "B" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR AMENDING OF THE OFFICIAL TOWN MAP; PROVIDING FOR A SERVICE PLAN; REQUIRING THE FILING OF THIS ORDINANCE WITH THE COUNTY CLERK; PRESCRIBING FOR EFFECT ON TERRITORY, GRANTING AS APPROPRIATE TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE TOWN OF PROVIDENCE VILLAGE, TEXAS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Providence Village is a Home Rule Municipality located in Denton 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 Providence Village Town Charter; and

**WHEREAS**, two separate public hearings were conducted in accordance with Section 43.028 of the Texas Local Government Code, the first hearing being held on the 23<sup>rd</sup> day of April, 2015 at 6:30 p.m. and the second hearing being held on the 23<sup>rd</sup> day of April, 2015 at 7:00 p.m. at Town Hall of Providence Village, to consider the annexation of the property being more particularly described in Exhibit "A", attached hereto and incorporated herein; and

**WHEREAS**, any and all required written notices and offers were timely sent to all property owners and others entitled to same; and

**WHEREAS**, the public hearings were conducted and held no more than forty (40) days nor less than twenty (20) days prior to the institution of annexation proceedings; and

**WHEREAS**, the notice of the public hearings were published in the Pilot Point Post Signal, a newspaper of general circulation within the Town of Providence Village, Texas, on the 10<sup>th</sup> day of April, 2015, such date being not more than twenty (20) days nor less than ten (10) days prior to each public hearing; and

**WHEREAS**, all required statutory notices pursuant to Chapter 43 of the Texas Local Government Code have been accomplished; and

**WHEREAS**, the Town Council of the Town of Providence Village, Texas has determined that such territory is contiguous to and adjoins the Town of Providence Village, Texas; and

**WHEREAS**, the Town Council of the Town of Providence Village, Texas 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**, to the extent that this Ordinance would cause an unincorporated area to be entirely surrounded by the Town of Providence Village’s limits, the Town Council has found—and incorporates herein its finding—that surrounding the area is in the public interest; and

**WHEREAS**, metes and bounds descriptions of the property to be annexed is attached hereto as Exhibit “A” and incorporated herein for all purposes; and

**WHEREAS**, the service plan for such territory is attached hereto as Exhibit “C” and incorporated herein for all purposes.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROVIDENCE VILLAGE, TEXAS, THAT:**

**SECTION 1**  
**INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**SECTION 2**  
**OFFICIAL TOWN MAP AMENDED**

1. The official map and boundaries of the Town are hereby amended so as to include the property being more particularly described in Exhibit “A”, which is incorporated herein as if written word for word, and that such territory shall be and is hereby annexed into the corporate limits of the Town.
2. The Mayor is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the Town to add the territory hereby annexed as required by law.

**SECTION 3**  
**SERVICE PLAN**

The municipal service plan for the herein annexed territory, attached hereto as Exhibit “C”, was submitted in accordance with Chapter 43 of the Texas Local Government Code and is hereby approved as part of this ordinance, and is made a part hereof.

**SECTION 4**  
**FILING OF ORDINANCE REQUIRED**

The Mayor shall file or cause to be filed a certified copy of this Ordinance in the office of the County Clerk of Denton County, Texas, and any other necessary agencies, including the United States Department of Justice.

**SECTION 5**  
**EFFECT ON TERRITORY**

From and after the passage of this Ordinance, the territory referenced in Exhibit “A”, attached hereto and incorporated herein for all purposes, shall be a part of the Town of Providence Village, Texas, and subject to the municipal service plan referenced in Section 3 of this Ordinance. The inhabitants thereof shall be entitled to all of the rights, privileges and immunities as all other citizens of the Town of Providence Village, Texas, and shall be bound by all of the Ordinances and regulations enacted pursuant to and in conformity with the general laws of the State of Texas.

**SECTION 6**  
**CUMULATIVE REPEALER**

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

**SECTION 7**  
**SEVERABILITY**

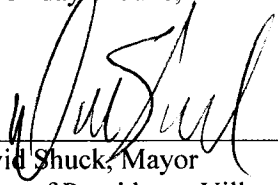
If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the Town Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 8**  
**EFFECTIVE DATE**


This Ordinance shall be in full force and effect from and after its date of passage.

**AND IT IS SO ORDAINED,**

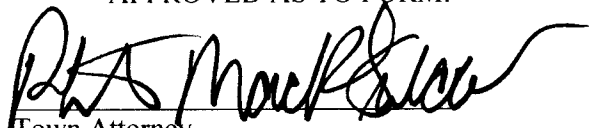
**PASSED AND APPROVED** by the Town Council of the Town of Providence Village, Texas, on this 8<sup>th</sup> day of June, 2015.

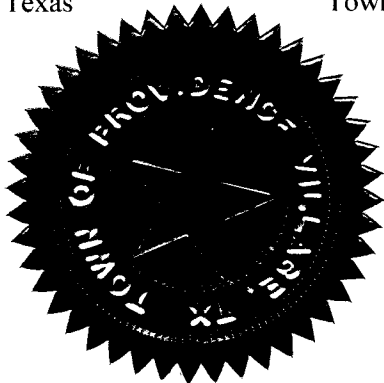
  
\_\_\_\_\_  
David Shuck, Mayor  
Town of Providence Village, Texas

ATTEST:

  
\_\_\_\_\_  
Connie Hansen, Town Secretary  
Town of Providence Village, Texas

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Town Attorney  
Town of Providence Village, Texas



**Amended Annexation Petition**

**State of Texas**

**County of Denton**

**Town of Providence Village**

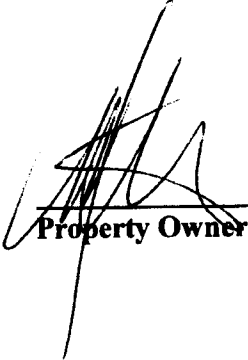
**TO THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF PROVIDENCE VILLAGE, A TYPE A MUNICIPALITY IN AND OF THE STATE OF TEXAS:**

**The undersigned owners of the hereinafter described tracts of land which are vacant and without residents, or on which a total of fewer than three qualified voters reside, hereby petition the Town Council of the Town of Providence Village, in accordance with Section 43.028 of the Texas Local Government Code, to extend the present city limits so as to include as part of the Town of Providence Village, Texas the property described in Exhibit A, which is attached hereto and incorporated by reference herein. The undersigned owners hereby withdraw their previous annexation petition filed with the Town of Providence Village on February 27<sup>th</sup> and files this their amended annexation petition on this 13<sup>th</sup> day of April.**

**Furthermore, the undersigned owners respectfully request that the Town Council consider the adoption of the original permanent zoning of R-1 for the 19.556 acre tract and the 0.130 acre tract described in the exhibit at the time of adoption of the ordinance of annexation of the territory. The undersigned owners also request that the Town Council consider the adoption of the original permanent zoning of Agricultural for the 8.131 acre tract described in the exhibit at the time of adoption of the ordinance of annexation of the territory. Thus the property owners request that the 19.556 acres and the 0.130 acres be zoned residential and the remaining 8.131 acres be zoned agricultural.**

**The undersigned owners hereby certify that all of the described territory is contiguous and adjacent to the Town of Providence Village; is not more than one-half (1/2) mile in width; and is either vacant or on which fewer than a total of three voters reside.**

Signed on this 13<sup>th</sup> day of April, 2015.

  
\_\_\_\_\_  
Property Owner

**DESCRIPTION OF  
19.556 ACRE TRACT**

BEING THAT CERTAIN TRACT OF LAND SITUATED IN THE JAMES BRIDGES, JR. SURVEY, ABSTRACT NO. 36, IN DENTON COUNTY, TEXAS, AND BEING PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO RONALD BAILEY STALLINGS RECORDED IN DOCUMENT NO. 95-R0028005, OF THE REAL PROPERTY RECORDS OF DENTON COUNTY, TEXAS (RPRDCT), AND ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO RONALD BAILEY STALLINGS AND MICHELLE ROGERS STALLINGS RECORDED IN VOLUME 1436, PAGE 216, RPRDCT, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT-RPLS 4087" FOUND, SAID IRON ROD BEING LOCATED ON THE CALLED EASTERLY LINE OF DR. SANDERS ROAD (UNDEDICATED PUBLIC R.O.W.), BEING THE NORTHWEST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO RONNY STALLINGS AND MICHELLE STALLINGS RECORDED IN VOLUME 3259, PAGE 04, RPRDCT, AND BEING LOCATED ON THE SOUTH LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO MILES JOHNSRUD RECORDED IN DOCUMENT NUMBER 2014-67811, RPRDCT, FROM WHICH A "PK" NAIL FOUND AT THE SOUTHWEST CORNER OF SAID MILES JOHNSRUD TRACT BEARS NORTH 88 DEGREES 54 MINUTES 13 SECONDS WEST, A DISTANCE OF 10.22 FEET;

THENCE SOUTH 88 DEGREES 54 MINUTES 13 SECONDS EAST, WITH SAID SOUTH LINE OF THE MILES JOHNSRUD TRACT, A DISTANCE OF 404.98 FEET TO A 1/2 INCH IRON ROD WITH CAP MARKED "ALLIANCE" FOUND FOR CORNER, SAID IRON ROD BEING LOCATED AT THE SOUTHWEST CORNER OF THE PITTSINGER ADDITION, AN ADDITION TO THE ETJ OF THE TOWN OF CROSS ROADS ACCORDING TO FINAL PLAT RECORDED IN CABINET U, PAGE 957, OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS (PRDCT);

THENCE, SOUTH 88 DEGREES 36 MINUTES 44 SECONDS EAST, WITH THE SOUTH LINE OF SAID PITTSINGER ADDITION, AND THE NORTH LINE OF THE AFOREMENTIONED STALLINGS TRACT, RECORDED IN DOCUMENT NO. 95-R0028005, RPRDCT, A DISTANCE OF 361.65 FEET TO THE POINT OF BEGINNING;

THENCE, SOUTH 88 DEGREES 36 MINUTES 44 SECONDS EAST, CONTINUING WITH SAID COMMON LINE OF THE PITTSINGER ADDITION AND THE STALLINGS TRACT, A DISTANCE OF 838.94 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT - RPLS 4087" FOUND FOR CORNER, SAID IRON ROD BEING LOCATED AT THE NORTHEAST CORNER OF SAID STALLINGS TRACT RECORDED IN DOCUMENT NO. 95-R0028005, RPRDCT, AND THE MOST WESTERLY NORTHWEST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO RUTH CARTER RECORDED IN VOLUME 1119, PAGE 402, RPRDCT, FROM WHICH A 3/4 INCH IRON PIPE FOUND BEARS SOUTH 88°36'44" EAST, A DISTANCE OF 6.48 FEET;

THENCE, SOUTH 02 DEGREES 07 MINUTES 39 SECONDS WEST, WITH THE EAST LINE OF THE STALLINGS TRACT RECORDED IN DOCUMENT NUMBER 95-R0028005, RPRDCT, AND THE WEST LINE OF SAID RUTH CARTER TRACT RECORDED IN VOLUME 1119, PAGE 402, RPRDCT, AND THE MOST WESTERLY LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED AS TRACT 3 IN DEED TO RUTH E. CARTER AND EDITH G. SIMS RECORDED IN VOLUME 1365, PAGE 635, RPRDCT, A DISTANCE OF 728.23 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT-RPLS 4087" FOUND AT THE BASE OF A WOOD POST, SAID IRON ROD BEING A NORTHEASTERLY CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED AS TRACT IV AND TRACT V IN DEED TO THE VILLAGES AT PROVIDENCE LP RECORDED IN DOCUMENT NUMBER 2012-134976, RPRDCT;

THENCE, SOUTH 89 DEGREES 18 MINUTES 06 SECONDS WEST, WITH THE NORTH LINE OF SAID VILLAGES AT PROVIDENCE LP TRACT, PASSING AT A DISTANCE OF 91.12 FEET A 5/8-

  
Zone Residential 11

INCH IRON ROD WITH CAP MARKED "PETITT-RPLS 4087" FOUND AT THE MOST NORTHERLY NORTHEAST CORNER OF SEASIDE VILLAGE AT PROVIDENCE PHASE 6A, AN ADDITION TO DENTON COUNTY, TEXAS, RECORDED IN DOCUMENT NUMBER 2013-252, PRDCT, CONTINUING WITH THE NORTH LINE OF SAID SEASIDE VILLAGE AT PROVIDENCE PHASE 6A, IN ALL, A TOTAL DISTANCE OF 1039.48 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT-RPLS 4087" FOUND FOR CORNER, SAID IRON ROD BEING LOCATED ON THE SOUTH LINE OF THE AFOREMENTIONED STALLINGS TRACT RECORDED IN DOCUMENT NUMBER 95-R0028005, RPRDCT;

THENCE NORTH 88 DEGREES 36 MINUTES 23 SECONDS WEST, WITH SAID SOUTH LINE OF THE STALLINGS TRACT RECORDED IN DOCUMENT NO. 95-R0028005, RPRDCT, AND THE SOUTH LINE OF THE AFOREMENTIONED STALLINGS TRACT RECORDED IN VOLUME 1436, PAGE 216, RPRDCT, A DISTANCE OF 557.44 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT-RPLS 4087" FOUND FOR CORNER, SAID IRON ROD BEING LOCATED IN THE AFOREMENTIONED CALLED EASTERLY LINE OF DR. SANDERS ROAD;

THENCE, NORTH 01 DEGREES 23 MINUTES 37 SECONDS EAST, WITH SAID EASTERLY LINE OF DR. SANDERS ROAD, A DISTANCE OF 289.85 FEET TO A POINT FOR CORNER;

THENCE, NORTH 89 DEGREES 18 MINUTES 06 SECONDS EAST, OVER AND ACROSS SAID STALLINGS TRACT RECORDED IN DOCUMENT NO. 95-R0028005, RPRDCT A DISTANCE OF 770.68 FEET TO A POINT FOR CORNER;

THENCE, NORTH 00 DEGREES 41 MINUTES 54 SECONDS WEST, CONTINUING TO CROSS SAID STALLINGS TRACT RECORDED IN DOCUMENT NO. 95-R0028005, RPRDCT A DISTANCE OF 79.06 FEET TO A POINT FOR CORNER;

THENCE, NORTH 01 DEGREES 17 MINUTES 28 SECONDS EAST, CONTINUING TO CROSS SAID STALLINGS TRACT RECORDED IN DOCUMENT NO. 95-R0028005, RPRDCT A DISTANCE OF 369.04 FEET TO THE POINT OF BEGINNING AND CONTAINING 19.556 ACRES OF LAND.

A handwritten signature or mark, possibly initials, located in the bottom right corner of the page. It consists of several overlapping, fluid lines.

**DESCRIPTION OF  
0.130 ACRE (5,675 SQ. FT.) TRACT**


BEING THAT CERTAIN TRACT OF LAND SITUATED IN THE JAMES BRIDGES, JR. SURVEY, ABSTRACT NO. 36, IN DENTON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT-RPLS 4087" FOUND, SAID IRON ROD BEING LOCATED IN THE CALLED EASTERLY LINE OF DR. SANDERS ROAD (UNDEDICATED PUBLIC R.O.W.), AND BEING THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO RONALD BAILEY STALLINGS AND MICHELLE ROGERS STALLINGS, RECORDED IN VOLUME 1436, PAGE 216, OF THE REAL PROPERTY RECORDS OF DENTON COUNTY, TEXAS (RPRDCT);

THENCE SOUTH 88 DEGREES 36 MINUTES 23 SECONDS EAST, LEAVING SAID EASTERLY LINE OF DR. SANDERS ROAD, AND WITH THE SOUTH LINE OF SAID STALLINGS TRACT RECORDED IN VOLUME 1436, PAGE 216, RPRDCT, AND THE SOUTH LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO RONALD BAILEY STALLINGS, RECORDED IN DOCUMENT NO. 95-R0028005, RPRDCT, A DISTANCE OF 557.44 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT-RPLS 4087" FOUND FOR CORNER;

THENCE SOUTH 89 DEGREES 18 MINUTES 06 SECONDS WEST, WITH THE NORTH LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO SHERRY STALLINGS AND DENNIS STALLINGS RECORDED IN VOLUME 4797, PAGE 2057, RPRDCT, AND THE NORTH LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO SHERRY STALLINGS, RONALD BAILEY STALLINGS, AND DENNIS STALLINGS RECORDED IN DOCUMENT NO. 94-094767, RPRDCT, A DISTANCE OF 557.81 FEET TO A POINT FOR CORNER;

THENCE NORTH 01°23'37" EAST, LEAVING SAID NORTH LINE OF THE STALLINGS TRACT RECORDED IN DOCUMENT NO. 94-094767, RPRDCT, A DISTANCE OF 20.36 FEET TO THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT, CONTAINING AN AREA OF 0.130 ACRES (5,675 SQUARE FEET) OF LAND.

  
Zone Residential 1

**DESCRIPTION OF  
8.131 ACRE TRACT**

BEING THAT CERTAIN TRACT OF LAND SITUATED IN THE JAMES BRIDGES, JR. SURVEY, ABSTRACT NO. 36, IN DENTON COUNTY, TEXAS, AND BEING PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO RONALD BAILEY STALLINGS RECORDED IN DOCUMENT NO. 95-R0028005, OF THE REAL PROPERTY RECORDS OF DENTON COUNTY, TEXAS (RPRDCT), AND ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO RONNY STALLINGS AND MICHELLE STALLINGS RECORDED IN VOLUME 3259, PAGE 04, RPRDCT, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS,

**BEGINNING** AT A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT-RPLS 4087" FOUND, SAID IRON ROD BEING LOCATED ON THE CALLED EASTERLY LINE OF DR. SANDERS ROAD (UNDEDICATED PUBLIC R.O.W.), BEING THE NORTHWEST CORNER OF SAID STALLINGS TRACT RECORDED IN VOLUME 3259, PAGE 04, RPRDCT, AND BEING LOCATED ON THE SOUTH LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO MILES JOHNSRUD RECORDED IN DOCUMENT NO. 2014-67811, RPRDCT, FROM WHICH A PK-NAIL FOUND AT THE SOUTHWEST CORNER OF SAID MILES JOHNSRUD TRACT BEARS NORTH 88 DEGREES 54 MINUTES 13 SECONDS WEST, A DISTANCE OF 10.22 FEET;

**THENCE** SOUTH 88 DEGREES 54 MINUTES 13 SECONDS EAST, WITH SAID SOUTH LINE OF THE MILES JOHNSRUD TRACT, A DISTANCE OF 404.98 FEET TO A 1/2 INCH IRON ROD WITH CAP MARKED "ALLIANCE" FOUND FOR CORNER, SAID IRON ROD BEING LOCATED AT THE SOUTHWEST CORNER OF THE PITTSINGER ADDITION, AN ADDITION TO THE ETJ OF THE TOWN OF CROSS ROADS ACCORDING TO FINAL PLAT RECORDED IN CABINET U, PAGE 957, OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS (PRDCT);

**THENCE** SOUTH 88 DEGREES 36 MINUTES 44 SECONDS EAST, WITH THE SOUTH LINE OF SAID PITTSINGER ADDITION, AND THE NORTH LINE OF THE AFOREMENTIONED STALLINGS TRACT RECORDED IN DOCUMENT NO. 95-R0028005, RPRDCT, A DISTANCE OF 361.65 FEET TO A POINT FOR CORNER;

**THENCE** SOUTH 01 DEGREES 17 MINUTES 28 SECONDS WEST, LEAVING SAID COMMON LINE OF THE PITTSINGER ADDITION AND SAID STALLINGS TRACT, OVER AND ACROSS SAID STALLINGS TRACT, A DISTANCE OF 369.04 FEET TO A POINT FOR CORNER;

**THENCE** SOUTH 00 DEGREES 41 MINUTES 54 SECONDS EAST, CONTINUING OVER AND ACROSS SAID STALLINGS TRACT, A DISTANCE OF 79.06 FEET TO A POINT FOR CORNER;

**THENCE**, SOUTH 89 DEGREES 18 MINUTES 06 SECONDS WEST, CONTINUING OVER AND ACROSS SAID STALLINGS TRACT, A DISTANCE OF 770.68 FEET TO A POINT FOR CORNER LOCATED IN THE COMMON LINE OF THE WEST LINE OF SAID STALLINGS TRACT AND THE SAID EASTERLY LINE OF DR. SANDERS ROAD;

**THENCE**, NORTH 01 DEGREES 23 MINUTES 37 SECONDS EAST, WITH SAID COMMON LINE, A DISTANCE OF 474.04 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 8.131 ACRES OF LAND.

Zone Agricultural



CHRISTOPHER DENWIGGS & HOLLY BEADE  
DOC. NO. 2014-882  
RRP/DC

PAUL C. CROOKS & ANETTE M. CROOKS  
2004-97528 RRP/DC  
HARRY B. TIPTON, III  
DOC. NO. 2011-24188  
RRP/DC

DR. SANDERS ROAD  
(UNDEDICATED PUBLIC ROAD)

RONNY STALLINGS  
MICHAEL STALLINGS  
VOL. 1436, PG. 216  
RRP/DC

RONALD BAILEY STALLINGS  
MICHAEL STALLINGS  
VOL. 1436, PG. 216  
RRP/DC

RONALD BAILEY STALLINGS  
DOC. NO. 95-49028005 RRP/DC

POINT OF BEGINNING  
8.131 ACRE TRACT  
POINT OF COMMENCING  
19.556 ACRE TRACT

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19.556 ACRE TRACT

SEASIDE VILLAGE # AT PROVIDENCE PHASE 5A  
CAB. W. PG. 98-887  
RRP/DC

DR. SANDERS ROAD  
LANE

POINT OF BEGINNING  
0.130 ACRE (5,675 SQ. FT.) TRACT  
NO. 123377E  
20.36

RONALD BAILEY STALLINGS & MICHAEL STALLINGS  
VOL. 1436, PG. 216  
RRP/DC

DR. SANDERS ROAD  
LANE

SEASIDE VILLAGE AT PROVIDENCE PHASE 5A  
CAB. W. PG. 98-887  
RRP/DC

DR. SANDERS ROAD  
LANE

SEASIDE VILLAGE AT PROVIDENCE PHASE 5A  
CAB. W. PG. 98-887  
RRP/DC

DR. SANDERS ROAD  
LANE

SEASIDE VILLAGE AT PROVIDENCE PHASE 5A  
CAB. W. PG. 98-887  
RRP/DC

DR. SANDERS ROAD  
LANE


SEASIDE VILLAGE AT PROVIDENCE PHASE 5A  
CAB. W. PG. 98-887  
RRP/DC

DR. SANDERS ROAD  
LANE

SEASIDE VILLAGE AT PROVIDENCE PHASE 5A  
CAB. W. PG. 98-887  
RRP/DC

DR. SANDERS ROAD  
LANE

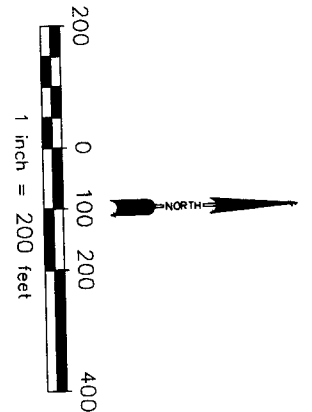
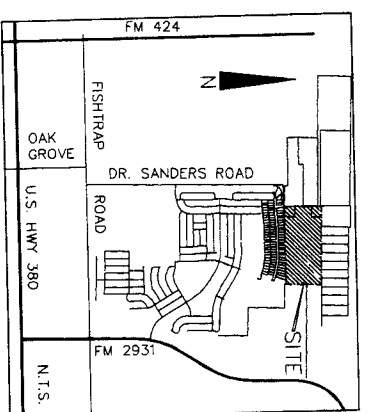
PROCT PLAT RECORDS, DENTON COUNTY, TEXAS  
RRP/DC REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS  
ESMT EASEMENT  
P.L. PROPERTY LINE  
BL. BUILDING SETBACK LINE  
IRP. IRON ROD FOUND  
GRF. CARPED IRON ROD FOUND  
R.O.W. RIGHT-OF-WAY



**PETITT BARRAZA**  
ENGINEERING PLANNING SURVEYING  
TBPE FIRM REGISTRATION NO. 1488  
1651 N. Glenville Drive, Suite 208 Richardson, Texas 75081  
Tel. No. (214) 221-9955  
Fax. No. (214) 340-3550

JAMES BRIDGES, JR. SURVEY, ABSTRACT NO. 36  
DENTON COUNTY, TEXAS

PROPERTY EXHIBIT  
8.131 ACRE TRACT, 19.556 ACRE TRACT & 0.130 ACRE TRACT (5,675 SQ. FT.) TRACT  
SITUATED IN THE



Note: The bearings shown and sealed hereon are referred to as the 'true bearings' and are recorded in the public records of Denton County, Texas, in Document No. 2013-252, Plat Records of Denton County, Texas (N 991808(E)).

TBPLS FIRM REGISTRATION NO. 101088 SHEET 1 OF 1

DATE: NOVEMBER 2014 SCALE: 1" = 200'  
JOB NO. 14008-00

**Exhibit ‘C’**  
**Service Plan**

**A) SERVICE PLAN GENERALLY**

- 1) This service plan has been prepared in accordance with the Texas Local Government Code (“LGC”), Sections 43.021; 43.065 and 43.056(b)-(o). Municipal facilities and services to the annexed area will be provided or made available on behalf of the Town of Providence Village in accordance with the following plan. The Town of Providence Village shall provide the annexed tract the levels of service, infrastructure, and infrastructure maintenance that are comparable to the levels of service, infrastructure, and infrastructure maintenance available in other parts of the Town of Providence Village with similar topography, land use, and population density. The provisions of the service plan were made available for public inspection and explained at the two public hearings held by the Town Council in accordance with LGC Section 43.056(j).
- 2) For purposes of this service plan, to “provide” services includes having services provided by any method or means by which the Town provides municipal services to any other areas of the Town, and may include causing or allowing private utilities, governmental entities and other public service organizations to provide such services by contract or right, in whole or in part, and may include duties on part of the private landowner with regard to such services.
- 3) NOTE: This annexation was initiated by petition or request of the landowners in the annexed area. Therefore, the requirement that construction of capital improvements must be substantially completed within a specific period does not apply to a development project, proposed development project or site improvements within the annexed area if the Town and landowner subsequently agree in writing, pursuant to LGC Section 43.056(e), that the development project, proposed development project or site improvements within that area, because of its size or projected manner of development by the landowner or developer, is not reasonably expected to be complete in that period. The landowners have requested a subsequent written agreement specifying longer timeframes for the construction of capital improvements than required herein or in LCG Chapter 43. Such agreement shall control the schedule of the provision of municipal services for the annexed area. To the extent there is a conflict between this service plan and said agreement, the agreement shall control.

**B) EMERGENCY SERVICES**

- 1) Police Protection
  - a) Police protection from the Town of Providence Village shall be provided to the annexed area at a level consistent with current methods and procedures presently provided to similar areas on the effective date of the annexation ordinance. Currently the Town of Providence Village contracts with the Denton County Sheriff’s Office for Police Protection. Some of these services include:
    - i) Normal patrol and responses;
    - ii) Handling of complaints and incident reports;
    - iii) Special units, such as traffic enforcement and investigations; and
    - iv) Coordination with other public safety support agencies.
  - b) As development commences in these areas, sufficient police protection, including personnel and equipment will be provided to furnish these areas with the level of police services

consistent with the characteristics of topography, land utilization and population density of the areas.

- c) Upon ultimate development, police protection will be provided at a level consistent with other similarly situated areas within the Town limits.

## 2) Fire Protection

- a) The Town of Providence Village will provide emergency and fire prevention services to the annexed area. Currently the Town of Providence Village contracts with the Town of Aubrey for Fire Protection. These services include:
  - i) Fire suppression and rescue;
  - ii) Pre-hospital medical services including triage, treatment and transport by Advanced Life Support (ALS) fire engines, trucks and ambulances;
  - iii) Hazardous materials response and mitigation;
  - iv) Emergency prevention and public education efforts;
  - v) Technical rescue response; and
  - vi) Constriction Plan Review and required inspections.
- b) Fire protection from the Town of Providence Village shall be provided to the annexed area at a level consistent with current methods and procedures presently provided to similar areas of the Town of Providence Village on the effective date of the annexation ordinance.
- c) As development commences in these areas, sufficient, fire protection, including personnel and equipment will be provided to furnish these areas with the level of services consistent with the characteristics of topography, land utilization and population density of the areas. It is anticipated that the current fire protection contract will be sufficient to provide coverage for the annexed area.
- d) Upon ultimate development, fire protection will be provided at a level consistent with similarly situated areas within the Town limits.

## 3) Emergency Medical Services

- a) The Town of Providence Village will provide emergency and safety services to the annexed area. The Town of Providence Village currently contracts with the Town of Aubrey for Emergency Medical Services. These services include:
  - i) Emergency medical dispatch and pre-arrival First Aid instructions;
  - ii) Pre-hospital emergency Advanced Life Support (ALS) response; and transport; and
  - iii) Medical rescue services.
- b) Emergency Medical Services (EMS) from the Town of Providence Village shall be provided to the annexed area at a level consistent with current methods and procedures presently provided to similar areas of the Town of Providence Village on the effective date of the annexation ordinance.
- c) As development commences in these areas, sufficient EMS, including personnel and equipment, will be provided to furnish these areas with the level of services consistent with the characteristics of topography, land utilization and population density of the areas.
- d) Upon ultimate development, EMS will be provided at a level consistent with similarly situated areas within the Town limits.

**C) SOLID WASTE**

- 1) Solid Waste and Recycling Collection Services will be provided to the annexed area immediately upon the effective date of the annexation at a level consistent with current methods and procedures presently provided to similar areas within the Town. Private solid waste collection service providers operating in the affected area immediately prior to annexation and currently providing customers with service may continue to provide their existing service for up to two (2) years in accordance with Texas Local Government Code Section 43.056(n).

**D) WASTEWATER FACILITIES**

- 1) Currently the Town's Franchise Wastewater provider is the Providence Village Water Control and Improvement District. The Town will contract with its Franchise Wastewater provider to provide Wastewater services and facilities for the annexed area.
- 2) As development commences in these areas, sanitary sewer mains will be extended in accordance with the provisions of the Town's codes, ordinances, regulations and policies. Town participation in the costs of these extensions shall be in accordance with applicable Town codes, ordinances, regulations and policies. Capacity and extensions shall be provided consistent with the characteristics of topography, land utilization and population density of the areas. The annexed area is in the CCN of another provider. The Town plans to acquire the CCN by application of the property owner under Section 13.254 of the Texas Water Code. If the Town of Providence Village is unable to secure the CCN of the annexed then wastewater service shall be provided in accordance with the policies of the CCN holder.
- 3) Sanitary sewer mains and lift stations installed or improved to Town standards, and accepted by the Town, within the annexed area which are located within dedicated easement, rights-of-way, or any other acceptable location approved by the Town Manager or his designee, shall be maintained by the Town on the effective date of this ordinance.
- 4) Operation and maintenance of wastewater facilities in the annexed area that are within the certificated service area of another wastewater utility will be the responsibility of that utility. Operation and maintenance of private wastewater facilities in the annexed area will be the responsibility of the owner.

**E) WATER FACILITIES**

- 1) Water Facilities and services are provided by the Town's Franchise Water Supplier, the Providence Village Water Control and Improvement District. Connections to existing water distribution mains for water service will be provided in accordance with existing Town codes, ordinances, regulations and policies. Upon connection to existing distribution mains, water service will be provided at rates established by Town ordinance. The annexed area is in the CCN of another provider. The Town plans to acquire the CCN by application of the property owner under Section 13.254 of the Texas Water Code. If the Town of Providence Village is unable to secure the CCN of the annexed then wastewater service shall be provided in accordance with the policies of the CCN holder.
- 2) As development commences in these areas, water distribution mains will be extended in accordance with Town of Providence Village codes, ordinances, regulations and policies. Town participation in the costs of these extensions shall be in accordance with the Town of Providence Village's codes, ordinances, regulations and policies. Capacity and new mains shall be provided consistent with the characteristics of topography, land utilization and population density of the area.

- 3) Operation and maintenance of private water facilities in the annexed area will be the responsibility of the owner.

**F) ROAD AND STREETS**

- 1) Emergency street maintenance shall be provided within the annexed area on the effective date of the applicable ordinance of acceptance. Routine maintenance will be provided within the annexed area and will be scheduled as part of the Town's annual program and in accordance with the Town's current codes, ordinances, regulations, policies and procedures defined therein and/or as established by the Town Council.
- 2) Any construction or reconstruction will be considered within the annexed area on a Town-wide basis and within the context of the Town's Capital Improvement Plan and/or yearly fiscal budgetary allotments by the Town Council. As development, improvement or construction of streets to Town standards commences within this property, the policies of the Town of Providence Village with regard to participation in the costs thereof, acceptance upon completion and maintenance after completion shall apply.
- 3) Roadway signage and associated posts will be replaced in priority of importance starting with regulatory signs, then warning signs, then informational signs and in conformance with fiscal allotments by the Town Council. If a sign remains, it will be reviewed and placed on the Town's inventory listed for routine re-placement. All existing signs will be reviewed for applicability and based upon an engineering study. New signs will be installed when necessary and based upon an engineering study.
- 4) Routine maintenance of road/street markings will be placed on a priority listing and scheduled within the yearly budgetary allotments by the Town Council.
- 5) The Town will coordinate any request for improved road and street lighting with the local electric provider. Any and all road and street lighting will be pursuant to the rules, regulations and fees of such electric utility and shall be maintained by the applicable utility company.

**G) ENVIRONMENTAL HEALTH, INSPECTIONS AND CODE ENFORCEMENT SERVICES**

- 1) Enforcement of the Town's environmental health ordinances and regulations, including but not limited to, weed and brush ordinances, junked and abandoned vehicle ordinances and animal control ordinances, shall be provided within this area sixty (60) days of the effective date of the annexation ordinance. These ordinances and regulations will be enforced through the use of existing personnel.
- 2) Inspection services including the review of building plans, the issuance of permits and the inspection of all buildings, plumbing, mechanical and electrical work to ensure compliance with Town codes and ordinances will be provided within sixty (60) days of the effective date of the annexation ordinance. Existing personnel will be used to provide these services.
- 3) The Town's zoning, subdivision, sign and other ordinances shall be enforced in this area beginning upon the effective date of the annexation.
- 4) All inspection services furnished by the Town of Providence Village, but not mentioned above, will be provided to this area beginning within sixty (60) days of the effective date of the annexed ordinance.
- 5) As development and construction commence in this area, sufficient personnel will be provided to furnish this area the same level of environmental health, inspection and code enforcement services as are furnished throughout the Town.

**H) PLANNING AND ZONING SERVICES**

- 1) The Planning and zoning jurisdiction of the Town will extend to this area upon the effective date of the annexation ordinance. Town planning will thereafter encompass this property, and it shall be entitled to consideration for zoning in accordance with the Town's Zoning Ordinance and Comprehensive Plan.

**I) PARKS, PLAYGROUNDS, LIBRARIES, SWIMMING POOLS**

- 1) Residents within the annexed area may utilize all existing park and recreation facilities, on the effective date of this ordinance. Fees for such usage shall be in accordance with current fees established by ordinance.
- 2) As development commences in the area, additional park and recreation facilities shall be constructed based on park policies defined in the Park Master Plan and as specified in the Park Dedication Ordinance. The general planned locations and classifications of parks will ultimately serve residents from the current Town limits and residents from areas being considered for annexation.

**J) PUBLICLY OWNED FACILITIES**

- 1) Any publicly owned facility, building, or service located within the annexed area, and not otherwise owned or maintained by another governmental entity, shall be maintained by the Town of Providence Village on the effective date of the annexation ordinance.

**K) OTHER SERVICES**

- 1) Other services that may be provided by the Town of Providence Village, such as municipal and general administration will be made available on the effective date of the annexation. The Town of Providence Village shall provide levels of service, infrastructure, and infrastructure maintenance that are comparable to the levels of services, infrastructure, and infrastructure maintenance available in other parts of the Town of Providence Village with similar topography, land use, and population density similar to those reasonably contemplated or projected in the area.

**L) UNIFORM LEVEL OF SERVICES IS NOT REQUIRED**

- 1) Nothing in this Service Plan shall require the Town of Providence Village to provide a uniform level of full municipal services to each area of the Town, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for provided different levels of service. The Town Council finds and determines that this Service Plan will not provide any fewer services, and it will not provide a lower level of services, than were in existence in the annexed area at the time immediately preceding the annexation process.
- 2) The Town of Providence Village's codes, ordinances, regulations and policies that apply throughout the Town may be reviewed at Town Hall and at <http://www.townofprovidencevillage.com>.

**M) TERM**

- 1) This Service Plan shall be valid for a term of ten (10) years. Renewal of the Service Plan shall be at the discretion of the Town Council and must be approved by ordinance.

**N) AMENDMENTS**

- 1) This Service Plan may be amended if the Town Council determines at a public hearing that changed conditions or subsequent occurrences make this Service Plan unworkable or obsolete. The Town Council may amend the Service Plan to conform to the changed conditions, subsequent occurrences or any other legally sufficient circumstances exist pursuant to the LGC or

other Texas or Federal laws that make this service plan unworkable, obsolete or unlawful.