

ORDINANCE NO. O-2009-48

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, PROVIDING FOR THE ANNEXATION OF CERTAIN SPARSELY OCCUPIED AND OWNER-REQUESTED TERRITORY LYING ADJACENT TO AND CONTIGUOUS TO THE PRESENT WESTERN BOUNDARY LIMITS OF THE CITY OF TYLER AND REFERRED TO AS THE ANNEXATION APPLICATION A04-09-001 (GASCOIGNE); A FIVE-FOOT STRIP BEGINNING AT THE SOUTHWEST CORNER OF THE GASCOIGNE PROPERTY LINE EXTENDING NORTH FOR APPROXIMATELY 309 FEET TO THE SOUTHWEST PROPERTY LINE OF KELLY SPRINGFIELD PROPERTY LINE AND F.M. 206, AS DESCRIBED BY A METES AND BOUNDS DESCRIPTION, LOCATED WEST OF BELLWOOD LAKE; AMENDING THE TYLER CITY LIMITS MAP; ADJUSTING THE CITY OF TYLER EXTRATERRITORIAL JURISDICTION; ESTABLISHING THE INITIAL LAND USE DESIGNATION; ESTABLISHING ORIGINAL ZONING; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a public hearing was held before the City Council of the City of Tyler, Texas, on the 22nd day of April, 2009, in the Council Chambers, City Hall, 212 North Bonner, Tyler, Texas, wherein all interested persons were provided an opportunity to be heard on the proposed annexation of the territory hereinafter described, which date is not more than thirty (30) nor less than five (5) days after the filing of the complete Texas Local Government Code Section 43.028 petition, a copy of which is attached and made a part hereof as Exhibit "C"; and

WHEREAS, the area to be annexed is one-half mile or less in width; and

WHEREAS, the area to be annexed is contiguous to the City of Tyler; and

WHEREAS, the area to be annexed is vacant and without residents or has fewer than three (3) Qualified Voters; and

WHEREAS, the hereinafter described territory lies within the extraterritorial jurisdiction of the City of Tyler, Texas; and

WHEREAS, the hereinafter described territory is a five-foot strip containing approximately .078 acres of land and crossing the property described in Exhibit "B";

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

PART 1: That pursuant to Tyler City Code Sections 10-800 through 10-802, the Texas Local Government Code Section 43.028 petition is hereby granted and the following described land and territories lying adjacent to and adjoining the City of Tyler, Texas, are hereby added to and annexed to the City of Tyler, Texas, and as shown on the map attached as Exhibit "A" and as described in Exhibit "B", a five-foot strip crossing the property described in Exhibit "B" shall be included within the boundary limits of said City, and the present boundary limits of such City, at the various points contiguous to the areas being annexed, are altered and amended so as to include said areas within the corporate limits of the City of Tyler, Texas. Accordingly, the official Tyler City

limits map adopted by Ord.0-2007-53 and the City's ETJ are hereby adjusted as described in Tyler City Code Section 10-802 and that section and map are amended to reflect this annexation.

PART 2: That the area so annexed shall be part of the City of Tyler, Texas, and the property so added hereby shall bear its pro rata part of the taxes levied by the City of Tyler, Texas, and the inhabitants thereof shall be entitled to all of the rights and privileges of all the citizens and shall be bound by the acts, ordinances, resolutions and regulations of the City of Tyler, Texas.

PART 3: That upon final passage, the annexed area shall be zoned as "AG", Agricultural District, as shown on Exhibit "D", hereinabove mentioned.

PART 4: That the initial Land Use Designation for the annexed area is hereby established as Agricultural and it is directed that the Land Use Guide be amended to reflect said uses.

PART 5: That the annexed area shall be added to the West District #2, Council single member district and the official Voting District Map amended accordingly.

PART 6: That the Planning and Zoning Department shall send to the Texas Secretary of State a copy of the ordinance and statement that the annexation is not involved in any litigation.

PART 7: That the City Clerk shall send to the State Comptroller by certified mail a map showing new boundaries for sales tax and a certified copy of the ordinance showing the effective date of the boundary changes.

PART 8: That within thirty (30) days of notice of U. S. Justice Department approval of this annexation, the Planning and Zoning Department, on behalf of the Mayor, shall file a certified copy of this ordinance and a copy or duplicate of the petition with the County Clerk.

PART 9: That this ordinance shall be in full force and effect from and after the date of its passage and approval by the City Council.

PASSED AND APPROVED THIS the 22nd day of April A. D., 2009.

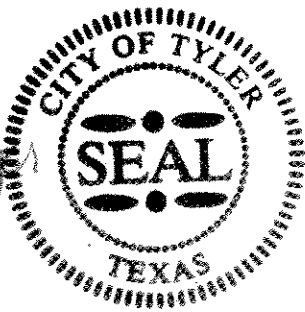


BARBARA BASS, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:



CITY CLERK



APPROVED:

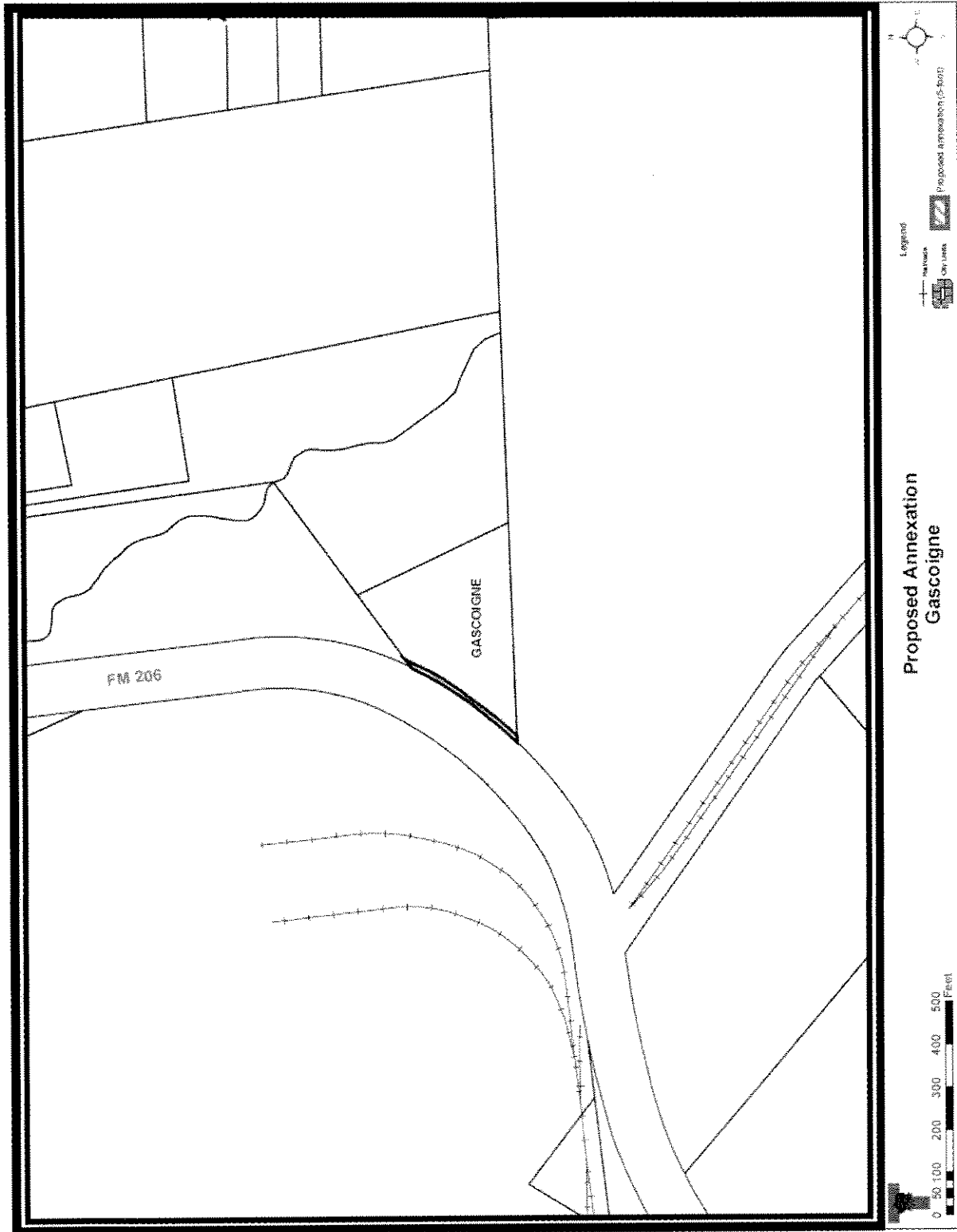


CITY ATTORNEY

Exhibit A = map
Exhibit A-1 = legal description - sketch
Exhibit B = legal description
Exhibit C = owner petitions
Exhibit D = zoning map

ORDINANCE NO. 0-2009-48

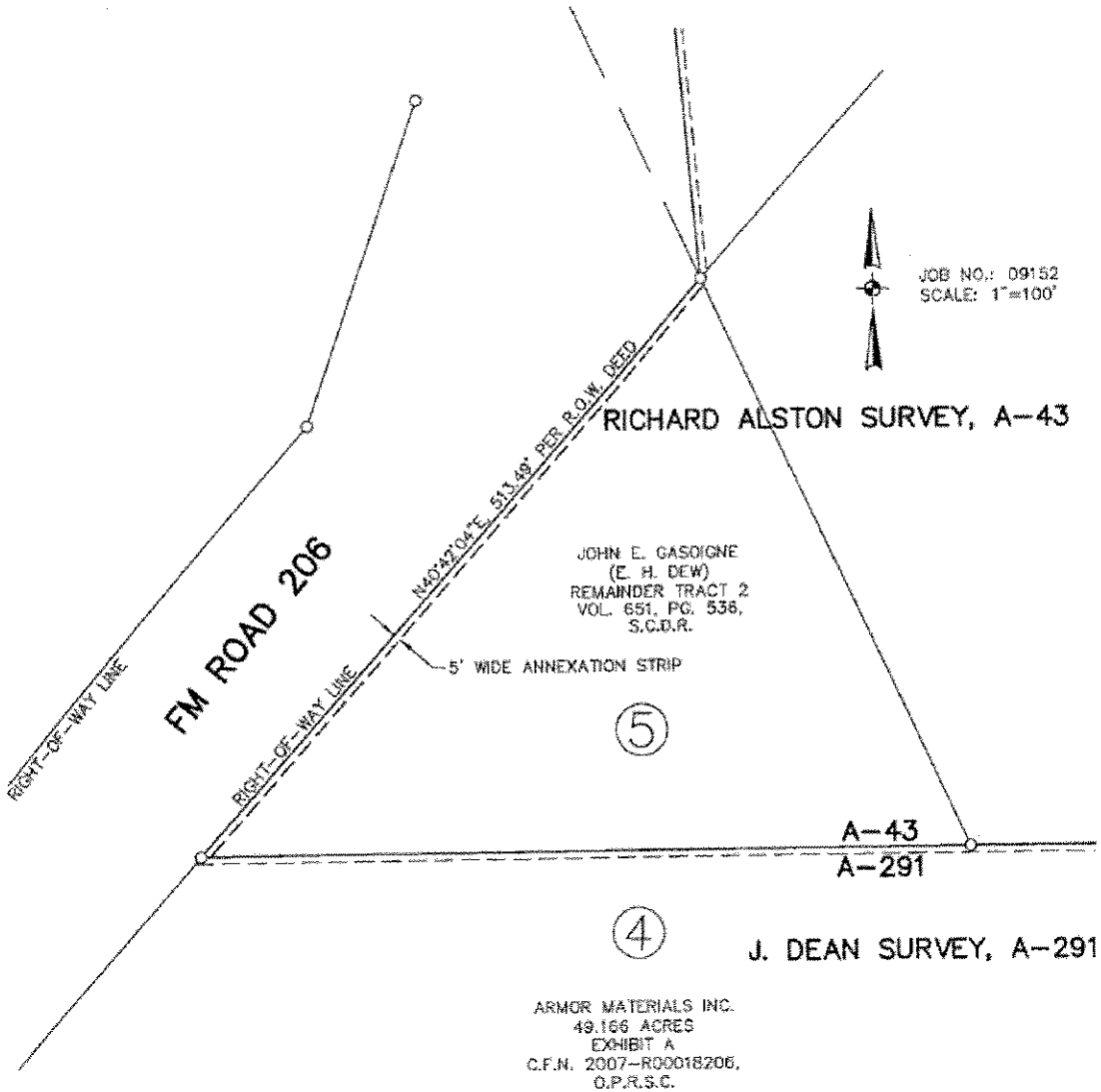
EXHIBIT "A"
MAP



ORDINANCE NO. 0-2009-48

EXHIBIT "A-1"
LEGAL DESCRIPTION - SKETCH

EXHIBIT 'A-1'



JOB NO.: 09152
SCALE: 1"=100'

"THIS DOCUMENT WAS PREPARED UNDER 22 TAC SEC. 863.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED."

ALL BEARINGS AND DISTANCES ARE RECORD INFORMATION PER DEEDS OF CONVEYANCE.

ORDINANCE NO. 0-2009-48

**EXHIBIT "B"
LEGAL DESCRIPTION**

EXHIBIT 'B' LEGAL DESCRIPTION

USA-CoE Annexation
John E. Gasoigne Tract - 5.00-Ft. Wide Strip

All that certain tract or parcel of land situated in the Richard Alston Survey, Abstract 43, Smith County, Texas, being out of and a part of the residue of that certain Tract No. 2, called 10.75 acres, described in a Warranty Deed with Vendor's Lien from Mrs. Vannie Henderson Hughes, Individually and as Executrix of the Estate of John V. Hughes, to H.E. Dew, dated June 30, 1950, and recorded in Volume 651, Page 536 of the Deed Records of Smith County, Texas, and being more particularly described by bounds as follows:

Being a 5.00 foot wide strip of land adjoining the northwest boundary line of said residue of said 10.75 acre tract, same being the southeast right-of-way line of F.M. Road 206, said 5.00 foot wide strip extending in a southeasterly direction from said northwest boundary line, from the point of intersection of the south line of said 10.75 acres with said southeast right-of-way line of F.M. Road 206, same being the northwest corner of that certain Tract 1, called 49.166 acres described in a Special Warranty Deed from Tyler Asphalt, Ltd., to Armor Materials, Inc., dated April 2, 2007, and recorded under Clerk's File Number 2007-R00018206 of the Official Public Records of Smith County, Texas, said 5.00 wide strip extending in a northeasterly direction (record: North 40°42'04" East, 513.49 feet per right-of-way deed) to the point of intersection of the northeast line of said 10.75 acres with said southeast right-of-way line of F.M. Road 206, said point of intersection being the southernmost corner of that certain called 10.730 acre tract described in a Deed to The Kelly-Springfield Tire Company, and recorded in Volume 1465, Page 452 of said Deed Records.

This document was prepared under 22 TAC Section 663.21, does not reflect the results of an on-the-ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared. All bearings and distances recited are record information per deeds of conveyance.)

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EXHIBIT "C"
PAGE 1 OF 16
OWNERS PETITION



FORM A

REQUEST FOR ANNEXATION OF SPARSELY OCCUPIED AREA
BY THE OWNER(S) OF AREA

TO THE HONORABLE MAYOR AND GOVERNING BODY
OF THE CITY OF TYLER, TEXAS

The undersigned owners of the hereinafter described tract of land hereby request your Honorable Body to extend the present City limits so as to include as a part of the City of Tyler, Texas, the following described territory (complete and accurate field notes must be attached; a metes and bounds description is required), to-wit:

Being the above described area is one-half (1/2) mile or less in width and is sparsely populated, the owner(s) request that the City of Tyler, Texas, annex this area on petition of the area landowner(s), pursuant to Texas Local Government Code Section 43.028, which provides for the annexation of sparsely occupied areas without the hearings and rigid time schedule required for general annexations or those annexations undertaken unilaterally by the City.

That I (we), the undersigned, hereby certify that the tract described on FORM A and attached field notes, which is the subject of this annexation petition, is located adjacent to and adjoins the existing corporate limits of the City of Tyler, Texas, that this area is one-half (1/2) mile or less in width, that this area is sparsely populated as evidenced by the list on FORM D of the qualified voters residing in the area to be annexed, and that this petition is signed and duly acknowledged by each and every individual or corporation having a proprietary interest in said land.

IN WITNESS WHEREOF, I (We), as owner(s) of real property in the area to be annexed, request annexation of this area, pursuant to Texas Local Government Code Section 43.028, by signing this petition on the date shown below.

R. Dew
SIGNATURE

Raleigh Dew
PRINT NAME

3/30/09
DATE

(ACKNOWLEDGMENT)

THE STATE OF _____
COUNTY OF _____

This petition was acknowledged before me on the _____ day of _____,
by _____.

Notary Public
State of _____

ORDINANCE NO. 0-2009-48

EXHIBIT "C"
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OWNERS PETITION

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF CALIFORNIA }
COUNTY OF Orange } SS

On March 30, 2009 before me, Linda Watson

a notary public in and for said state, personally appeared Raleigh Dew
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~they executed the same in his/~~her~~their authorized capacity(ies), and that by his/~~her~~their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
Signature [Handwritten Signature] (Seal)



OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document: Request for Annexation - Form A

Document Date: 3-30-09 Number of Pages: 1

Signer(s) other than named above _____

CAPACITY(IES) CLAIMED BY SIGNER(S)

- INDIVIDUAL
- CORPORATE OFFICER(S)
TITLE(S) _____
- PARTNER(S)- { LIMITED
 { GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN OR CONSERVATOR
- OTHER _____

Right Thumbprint of Signer
Top of thumb here

- INDIVIDUAL
- CORPORATE OFFICER(S)
TITLE(S) _____
- PARTNER(S)- { LIMITED
 { GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN OR CONSERVATOR
- OTHER _____

Right Thumbprint of Signer
Top of thumb here

SIGNER IS REPRESENTING:

ORDINANCE NO. 0-2009-48

EXHIBIT "C"
PAGE 3 OF 16
OWNERS PETITION



FORM A1

That I (we), the undersigned, hereby certify that the tract described on FORM A, which is the subject of this annexation petition, is located adjacent to and adjoins the existing corporate limits of the City of Tyler, Texas, that this area is one-half (1/2) mile or less in width, that this area is sparsely occupied as evidenced by the list on FORM D of the qualified voters residing in the area to be annexed, and that this petition is signed and duly acknowledged by each and every individual or corporation having a proprietary interest in said land.

IN WITNESS WHEREOF, I (We), as owner(s) of real property in the area to be annexed, request annexation of this area, pursuant to Texas Local Government Code Section 43.028, by signing this petition on the date shown below.

Raymond Dew
SIGNATURE
3/30/09
DATE

Rayleigh Dew
PRINT NAME

SIGNATURE

DATE

PRINT NAME

(ACKNOWLEDGMENT)

THE STATE OF _____
COUNTY OF _____

This petition was acknowledged before me on the _____ day of _____,
by _____.

Notary Public
State of _____

(ACKNOWLEDGMENT)

THE STATE OF _____
COUNTY OF _____

This petition was acknowledged before me on the _____ day of _____,
by _____.

Notary Public
State of _____

ORDINANCE NO. 0-2009-48

EXHIBIT "C"
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OWNERS PETITION

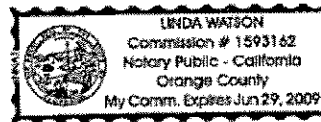
CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF Orange | ss
On March 30, 2009 before me, Linda Watson
Raleigh Dew
a notary public in and for said state, personally appeared _____
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me
that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity
upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____ (Seal)



OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document: Form A1

Document Date: 3-30-09 Number of Pages: 1

Signer(s) other than named above _____

CAPACITY(IES) CLAIMED BY SIGNER(S)

- INDIVIDUAL
- CORPORATE OFFICER(S)
TITLE(S) _____
- PARTNER(S) { LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN OR CONSERVATOR
- OTHER _____

Right Thumbprint of Signer
Top of thumb here

- INDIVIDUAL
- CORPORATE OFFICER(S)
TITLE(S) _____
- PARTNER(S) { LIMITED GENERAL
- ATTORNEY-IN-FACT
- TRUSTEE(S)
- GUARDIAN OR CONSERVATOR
- OTHER _____

Right Thumbprint of Signer
Top of thumb here

SIGNER IS REPRESENTING:

ORDINANCE NO. 0-2009-48

EXHIBIT "C"
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OWNERS PETITION



FORM B

APPLICANT'S SUPPORT INFORMATION FOR REQUEST FOR ANNEXATION OF SPARSELY
OCCUPIED AREA

Applicants shall submit the following information in support of their petition for annexation. This information will be utilized by the staff in preparing comments for the Planning and Zoning Commission and City Council, and in responding to citizens' inquiries.

1. I (We) propose to use this property for the following purpose(s):

Agricultural

2. I (We) am/are requesting this annexation for the following reason(s):

*To enable the City of Tyler to annex the proposed
Army National Guard site.*

3. State present use and condition of property and/or structures:

Vacant. No structures.

4. What is the location of the nearest water and sewer lines? Please indicate location on area map.
(This information is available at the City Water Utilities Department, 511 West Locust Street)

5. Any additional information that you wish to provide concerning your annexation request:

Requested by City of Tyler, Planning Director.

562-243-0522

Owner's Telephone Number

SIGNED:

Raleigh Dew
OWNER (of property to be annexed)

OR

Agent's Telephone Number

AGENT (When applicable - See Form E)

ORDINANCE NO. 0-2009-48

EXHIBIT "C"
PAGE 6 OF 16
OWNERS PETITION



FORM C

LIST OWNER(S) OF ALL PROPERTY TO BE ANNEXED

List the names and addresses of all owners of property included within the area requested by the petition to be annexed. (Please print)

NAME	MAILING ADDRESS
1. Raleigh Dew	P.O. Box 92168, Long Beach, CA 90809
2. Leona Gascoigne	156 Steven F Austin, Kerrville, TX 78028
3.	
4.	
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ORDINANCE NO. 0-2009-48

EXHIBIT "C"
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OWNERS PETITION



FORM D

LIST OF NAMES OF ALL QUALIFIED VOTERS RESIDING IN THE AREA

In order for an area to qualify for annexation under Texas Local Government Code Section 43.028, the area must be vacant or without residents, or on which fewer than three (3) qualified voters reside.

List the names, age and address of all qualified voters residing within the area requested to be annexed by this petition. For purposes of this annexation request, a qualified voter is an individual of legal age in the State of Texas, 18 years or older, which meets the residency requirements and is therefor qualified to register to vote.

<u>NAME AND AGE</u>	<u>MAILING ADDRESS</u>
1. <i>None</i>	
2.	
3.	
4.	
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9.	
10.	

SIGNED:

Raleigh Dew
Owner et al (of property to be annexed)

Agent (when applicable - See Form E)

ORDINANCE NO. 0-2009-48

EXHIBIT "C"
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OWNERS PETITION



FORM E

AUTHORIZATION OF AGENT

I (We), the undersigned, being owners of real property to be annexed according to this Application, do hereby authorize (print name and address of Agent) None to act as our Agent in the matter of this annexation. The term "Agent" shall mean any lessee, developer, option holder, or other individual who is authorized to act in behalf of the owner(s) of said property to be annexed.

(Form to be signed below by all owners of property to be annexed.)

SIGNATURE	MAILING ADDRESS
1. <u>[Signature]</u>	
2.	
3.	
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(This form is necessary only when the person representing this request does not own any of the property to be annexed. Person must also sign Forms B & G as "Agent".)

ORDINANCE NO. 0-2009-48

EXHIBIT "C"
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OWNERS PETITION



FORM G

PETITION FOR ORIGINAL ZONING OF SPARSELY OCCUPIED AREA TO BE ANNEXED

Before the City Planning and Zoning Commission and the City Council
of the City of Tyler, Texas

The undersigned, as owner(s) or agent for the owner(s) of the area to be annexed, hereby makes application for the original zoning of the area to be annexed (insert zoning classification desired) AG. If more than one zoning classification is requested for the area, please indicate on the area map what zoning classification is requested for each portion. Complete and accurate field notes are required delineating the different zones requested. A metes and bounds description is required.

For the property owner which does not request original zoning, the Planning and Zoning Commission as part of its recommendation for approval of this annexation will recommend a zoning classification(s) for the area to be annexed.

Wherefore, the owner(s) request that the Planning and Zoning Commission consider the original zoning requested, and that the Planning and Zoning Commission recommend this zoning to the City Council of the City of Tyler, Texas for adoption.*

PROPERTY OWNERS' SIGNATURES

Raleigh Dew Raleigh Dew

Agent (When Applicable - See Form E)

* The Planning and Zoning Commission in recommending any annexation, and the City Council in approving any annexation, are not obligated to also approve the original zoning requested by the property owner(s). All land contained within the corporate limits of the City of Tyler must be zoned, and the Planning and Zoning Commission and the City Council will endeavor to approve original zoning for the area to be annexed as requested by the property owner(s) if such zoning is appropriate for the existing or likely use of the property to be annexed, and is compatible with current zoning and existing development in that section of the City for which the annexed area will become a part.

ORDINANCE NO. 0-2009-48

EXHIBIT "C"
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OWNERS PETITION



FORM A

REQUEST FOR ANNEXATION OF SPARSELY OCCUPIED AREA
BY THE OWNER(S) OF AREA

TO THE HONORABLE MAYOR AND GOVERNING BODY
OF THE CITY OF TYLER, TEXAS

The undersigned owners of the hereinafter described tract of land hereby request your Honorable Body to extend the present City limits so as to include as a part of the City of Tyler, Texas, the following described territory (complete and accurate field notes must be attached; a metes and bounds description is required), to-wit:

Being the above described area is one-half (1/2) mile or less in width and is sparsely populated, the owner(s) request that the City of Tyler, Texas, annex this area on petition of the area landowner(s), pursuant to Texas Local Government Code Section 43.028, which provides for the annexation of sparsely occupied areas without the hearings and rigid time schedule required for general annexations or those annexations undertaken unilaterally by the City.

That I (we), the undersigned, hereby certify that the tract described on FORM A and attached field notes, which is the subject of this annexation petition, is located adjacent to and adjoins the existing corporate limits of the City of Tyler, Texas, that this area is one-half (1/2) mile or less in width, that this area is sparsely populated as evidenced by the list on FORM D of the qualified voters residing in the area to be annexed, and that this petition is signed and duly acknowledged by each and every individual or corporation having a proprietary interest in said land.

IN WITNESS WHEREOF, I (We), as owner(s) of real property in the area to be annexed, request annexation of this area, pursuant to Texas Local Government Code Section 43.028, by signing this petition on the date shown below.

Leona Gascoigne
SIGNATURE

LEONA GASCOIGNE
PRINT NAME

3/30-09
DATE

(ACKNOWLEDGMENT)

THE STATE OF Texas
COUNTY OF Kerr

This petition was acknowledged before me on the 30th day of March,
2009 by Leona H Gascoigne.



Stormy Boyd
Notary Public
State of Texas

ORDINANCE NO. 0-2009-48

EXHIBIT "C"
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OWNERS PETITION



FORM A1

That I (we), the undersigned, hereby certify that the tract described on FORM A, which is the subject of this annexation petition, is located adjacent to and adjoins the existing corporate limits of the City of Tyler, Texas, that this area is one-half (1/2) mile or less in width, that this area is sparsely occupied as evidenced by the list on FORM D of the qualified voters residing in the area to be annexed, and that this petition is signed and duly acknowledged by each and every individual or corporation having a proprietary interest in said land.

IN WITNESS WHEREOF, I (We), as owner(s) of real property in the area to be annexed, request annexation of this area, pursuant to Texas Local Government Code Section 43.028, by signing this petition on the date shown below.

Leona Mascuigne
SIGNATURE
3-30-09
DATE

Leona Gascuigne
PRINT NAME

SIGNATURE

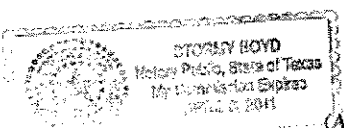
DATE

PRINT NAME

(ACKNOWLEDGMENT)

THE STATE OF Texas
COUNTY OF Kerr

This petition was acknowledged before me on the 30th day of March, 2009 by Leona Gascuigne.



Stacey Boyd
Notary Public
State of Texas

(ACKNOWLEDGMENT)

THE STATE OF _____
COUNTY OF _____

This petition was acknowledged before me on the _____ day of _____, _____ by _____.

Notary Public
State of _____

EXHIBIT "C"
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OWNERS PETITION



FORM B

APPLICANT'S SUPPORT INFORMATION FOR REQUEST FOR ANNEXATION OF SPARSELY OCCUPIED AREA

Applicants shall submit the following information in support of their petition for annexation. This information will be utilized by the staff in preparing comments for the Planning and Zoning Commission and City Council, and in responding to citizens' inquiries.

1. I (We) propose to use this property for the following purpose(s):

AGRICULTURAL

2. I (We) am/are requesting this annexation for the following reason(s):

To enable the City of Tyler to ANNEX the proposed ARMY NATIONAL GUARD SITE

3. State present use and condition of property and/or structures:

VACANT. NO STRUCTURES

4. What is the location of the nearest water and sewer lines? Please indicate location on area map. (This information is available at the City Water Utilities Department, 511 West Locust Street)

5. Any additional information that you wish to provide concerning your annexation request:

Requested by the City of Tyler,
Planning Director

830-792-5161
Owner's Telephone Number

SIGNED:

Liona L. Caspary
OWNER (of property to be annexed)

OR

Agent's Telephone Number

AGENT (When applicable - See Form E)

ORDINANCE NO. 0-2009-48

EXHIBIT "C"
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OWNERS PETITION



FORM C

LIST OWNER(S) OF ALL PROPERTY TO BE ANNEXED

List the names and addresses of all owners of property included within the area requested by the petition to be annexed. (Please print)

NAME	MAILING ADDRESS
1. Raleigh Dine	P.O. Box 92168 - Long Beach, CA 90809
2. LEONA GASCOIGNE	156 S 7th St
3.	
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ORDINANCE NO. 0-2009-48

EXHIBIT "C"
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OWNERS PETITION



FORM D

LIST OF NAMES OF ALL QUALIFIED VOTERS RESIDING IN THE AREA

In order for an area to qualify for annexation under Texas Local Government Code Section 43.028, the area must be vacant or without residents, or on which fewer than three (3) qualified voters reside.

List the names, age and address of all qualified voters residing within the area requested to be annexed by this petition. For purposes of this annexation request, a qualified voter is an individual of legal age in the State of Texas, 18 years or older, which meets the residency requirements and is therefor qualified to register to vote.

<u>NAME AND AGE</u>	<u>MAILING ADDRESS</u>
1. <u>NONE</u>	
2.	
3.	
4.	
5.	
6.	
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9.	
10.	

SIGNED:

Lorna Leassigne
Owner et al (of property to be annexed)

Agent (when applicable - See Form E)

ORDINANCE NO. 0-2009-48

EXHIBIT "C"
PAGE 15 OF 16
OWNERS PETITION



FORM E

AUTHORIZATION OF AGENT

I (We), the undersigned, being owners of real property to be annexed according to this Application, do hereby authorize (print name and address of Agent) _____ to act as our Agent in the matter of this annexation. The term "Agent" shall mean any lessee, developer, option holder, or other individual who is authorized to act in behalf of the owner(s) of said property to be annexed.

(Form to be signed below by all owners of property to be annexed.)

SIGNATURE	MAILING ADDRESS
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____
11. _____	_____
12. _____	_____
13. _____	_____
14. _____	_____
15. _____	_____

(This form is necessary only when the person representing this request does not own any of the property to be annexed. Person must also sign Forms B & G as "Agent".)

ORDINANCE NO. 0-2009-48

EXHIBIT "C"
PAGE 16 OF 16
OWNERS PETITION



FORM G

PETITION FOR ORIGINAL ZONING OF SPARSELY OCCUPIED AREA TO BE ANNEXED

Before the City Planning and Zoning Commission and the City Council
of the City of Tyler, Texas

The undersigned, as owner(s) or agent for the owner(s) of the area to be annexed, hereby makes application for the original zoning of the area to be annexed (insert zoning classification desired) AG. If more than one zoning classification is requested for the area, please indicate on the area map what zoning classification is requested for each portion. Complete and accurate field notes are required delineating the different zones requested. A metes and bounds description is required.

For the property owner which does not request original zoning, the Planning and Zoning Commission as part of its recommendation for approval of this annexation will recommend a zoning classification(s) for the area to be annexed.

Wherefore, the owner(s) request that the Planning and Zoning Commission consider the original zoning requested, and that the Planning and Zoning Commission recommend this zoning to the City Council of the City of Tyler, Texas for adoption.*

PROPERTY OWNERS' SIGNATURES

Lynal Anselmo Leonard Gaspard

Agent (When Applicable – See Form E)

* The Planning and Zoning Commission in recommending any annexation, and the City Council in approving any annexation, are not obligated to also approve the original zoning requested by the property owner(s). All land contained within the corporate limits of the City of Tyler must be zoned, and the Planning and Zoning Commission and the City Council will endeavor to approve original zoning for the area to be annexed as requested by the property owner(s) if such zoning is appropriate for the existing or likely use of the property to be annexed, and is compatible with current zoning and existing development in that section of the City for which the annexed area will become a part.

