

**CITY OF HUTCHINS, TEXAS
ORDINANCE NO. 2025-04-1206**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, ANNEXING THE HEREINAFTER DESCRIBED TERRITORY INTO THE CITY OF HUTCHINS, TEXAS, EXTENDING THE BOUNDARY LIMITS OF THE CITY SO AS TO INCLUDE A ± 7.87 -ACRE TRACT OF LAND (POST OAK ROAD) WITHIN THE CITY'S LIMITS, GRANTING TO ALL INHABITANTS AND OWNERS OF THE TERRITORY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS, AND BINDING THE INHABITANTS BY ALL THE ACTS, ORDINANCES AND REGULATIONS OF THE CITY; ADOPTING A SERVICE PLAN FOR THE DESCRIBED TERRITORY; PROVIDING A CONFLICTS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, this ordinance pertains to the hereinafter described territory consisting of a ± 7.87 -acre tract of land (Post Oak Road) situated in Dallas County, Texas out of the Trisha Myree Lund Survey 6088, being a description of the apparent variable width right-of-way (ROW) for Post Oak Road said ROW being partially described in Volume 2793, Page 400, and Volume 2793, Page 398 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) along with subsequent strip dedications and being based on observed field evidence to determine the apparent ROWS hence forth (bearings and distances cited herein are grid based on the Texas State Plane Coordinate System, North Central Zone, NAD 83), and which is more particularly described and identified in Exhibits "A" and "B", attached hereto and made a part hereof for all purposes; and

WHEREAS, the City Council of the City of Hutchins has been presented with a request from the County of Dallas for the annexation of portions of Post Oak Road; and

WHEREAS, after the City Council of the City of Hutchins provided the requisite notices in accordance with Chapter 43 of the Texas Local Government Code; and

WHEREAS, the City Council has adopted a service plan as required by Section 43.056 of the Texas Local Government Code for the territory, which is attached hereto as Exhibit "C"; and

WHEREAS, the territory to be annexed lies within the exclusive extra territorial jurisdiction of Hutchins, Texas; and

WHEREAS, the requirements for annexation of this area are as stated in Chapter 43 of the Texas Local Government Code and the City meets the requirements for annexation as set forth in Section 43.1055 of the Texas Local Government Code; and

WHEREAS, the City Council of the City of Hutchins has concluded that said territory should be annexed to and made a part of the City of Hutchins, Texas;

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

SECTION 1. That the territory consisting of a ± 7.87 -acre tract of land (Post Oak Road), more or less, and more particularly described and identified in Exhibit “A” and Exhibit “B”, is situated within the exclusive extraterritorial jurisdiction of the City and adjacent and contiguous thereto, be and the same is hereby annexed to the City of Hutchins, Texas.

SECTION 2. The boundary limits of the City of Hutchins, Texas, shall be and are hereby extended to include said territory within the City limits and the territory described herein shall be and is hereby included within the territorial limits of the City, subject to all the acts, ordinances, resolutions and regulations of said City. The inhabitants of the property described herein and annexed hereby shall hereafter be entitled to all rights and privileges of other citizens of the City of Hutchins, and shall be bound by the acts, ordinances, resolutions, and regulations of the City.

SECTION 3. That the service plan for the territory is approved by the City Council of the City of Hutchins, which is attached hereto as Exhibit “C” and made a part hereof for all purposes, the same as if fully copied herein, be and the same is hereby adopted by the City of Hutchins.

SECTION 4. That to the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City of Hutchins governing the use and development of the Property and which are not expressly amended by this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION 5. That all provisions of the ordinances of the City of Hutchins, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 7. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

IT IS ACCORDINGLY SO ORDAINED.

DULY PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS ON THE 7th DAY OF APRIL 2025.

CITY OF HUTCHINS, TEXAS

Mario Vasquez, Mayor

ATTEST:

Cynthia Olguin, City Secretary

APPROVED AS TO FORM:

Joseph J. Gorfida, Jr., City Attorney
(10-30-2024: 4882-4379-2116, v. 1)

[illegible]

EXHIBIT "A"

Depiction

Post Oak Road (±7.87-Acre Tract)

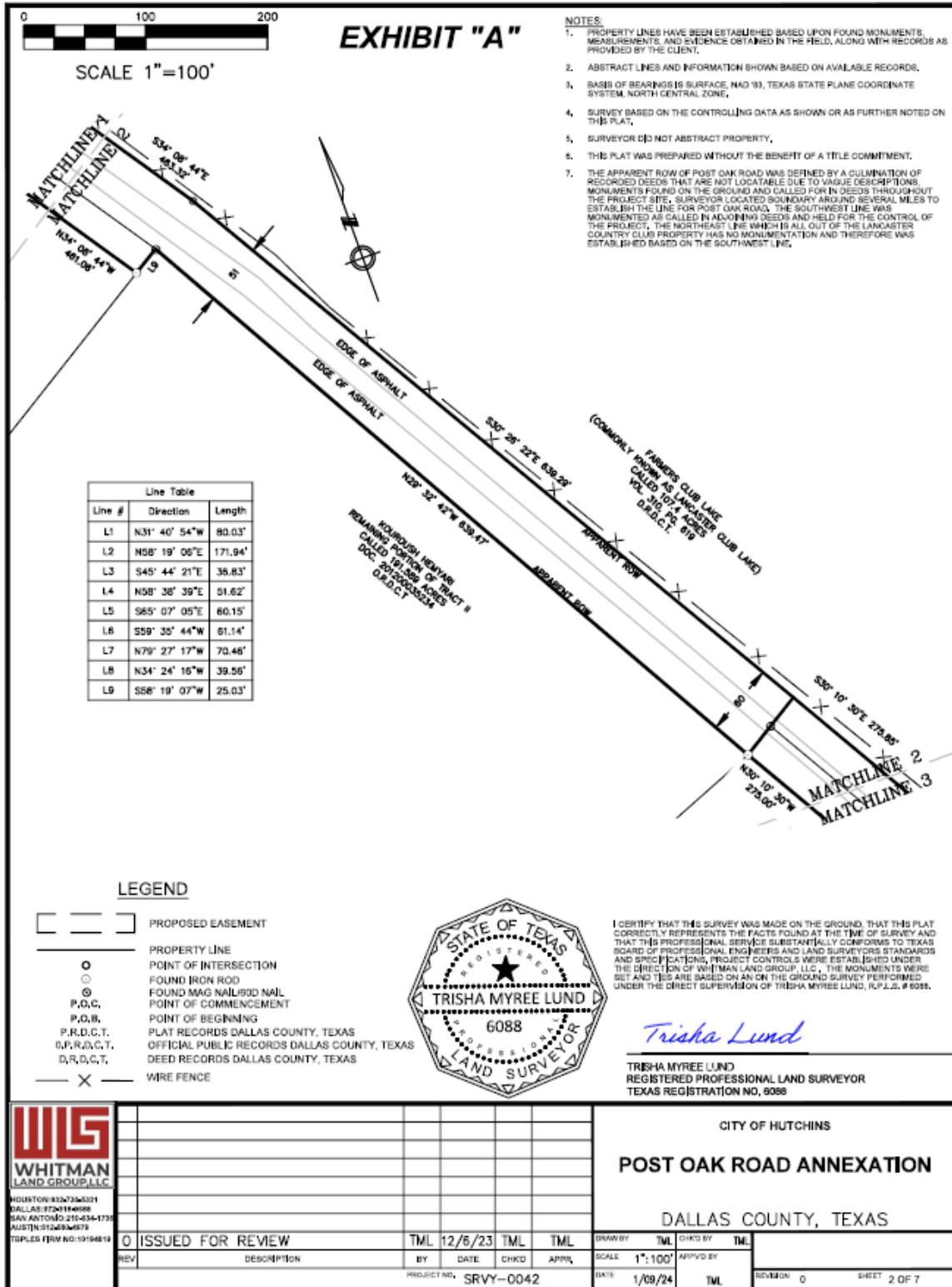


EXHIBIT "A"

Depiction

Post Oak Road (±7.87-Acre Tract)

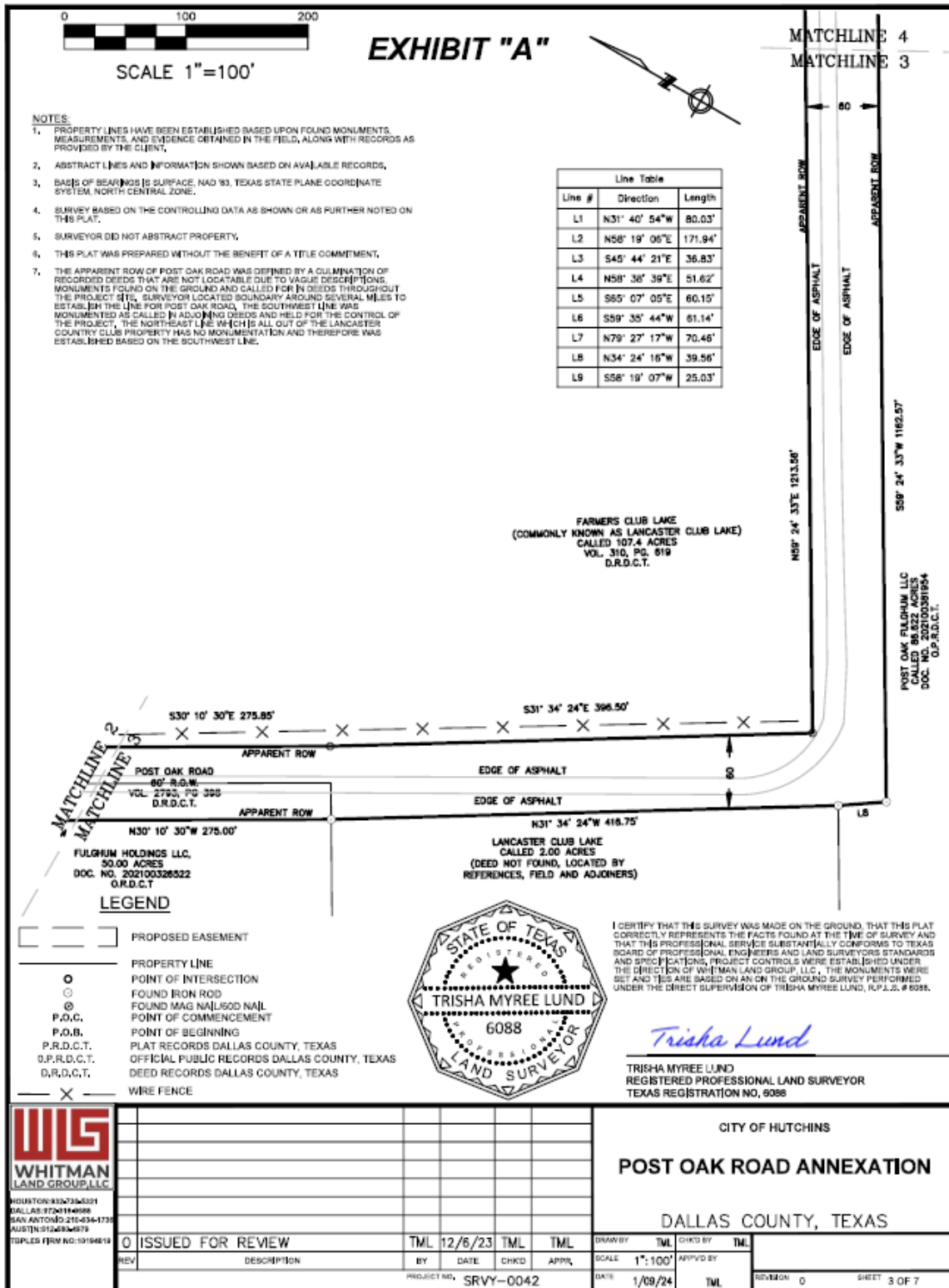


EXHIBIT "A"
Depiction
Post Oak Road (±7.87-Acre Tract)

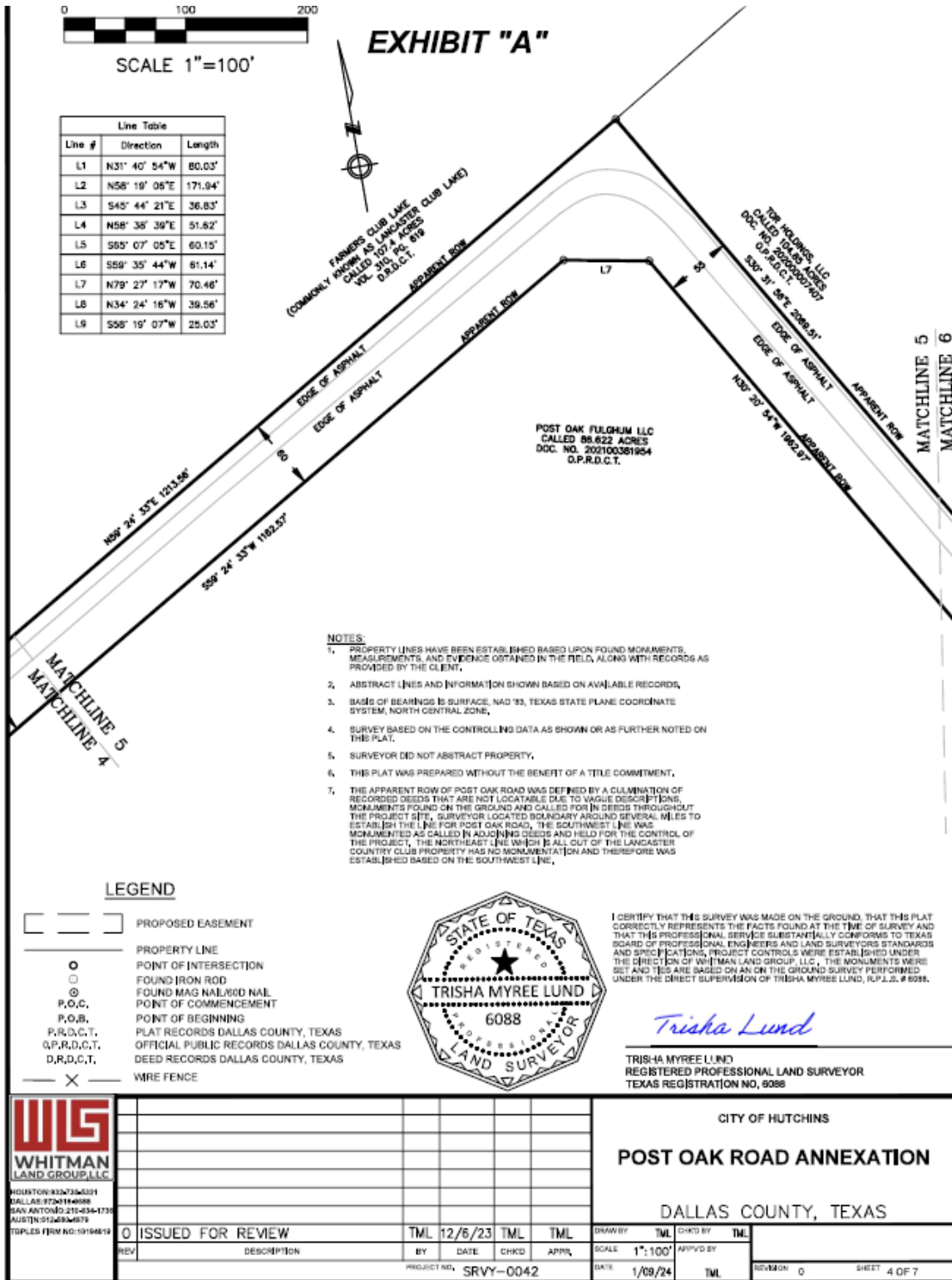


EXHIBIT "A"

Depiction

Post Oak Road (±7.87-Acre Tract)

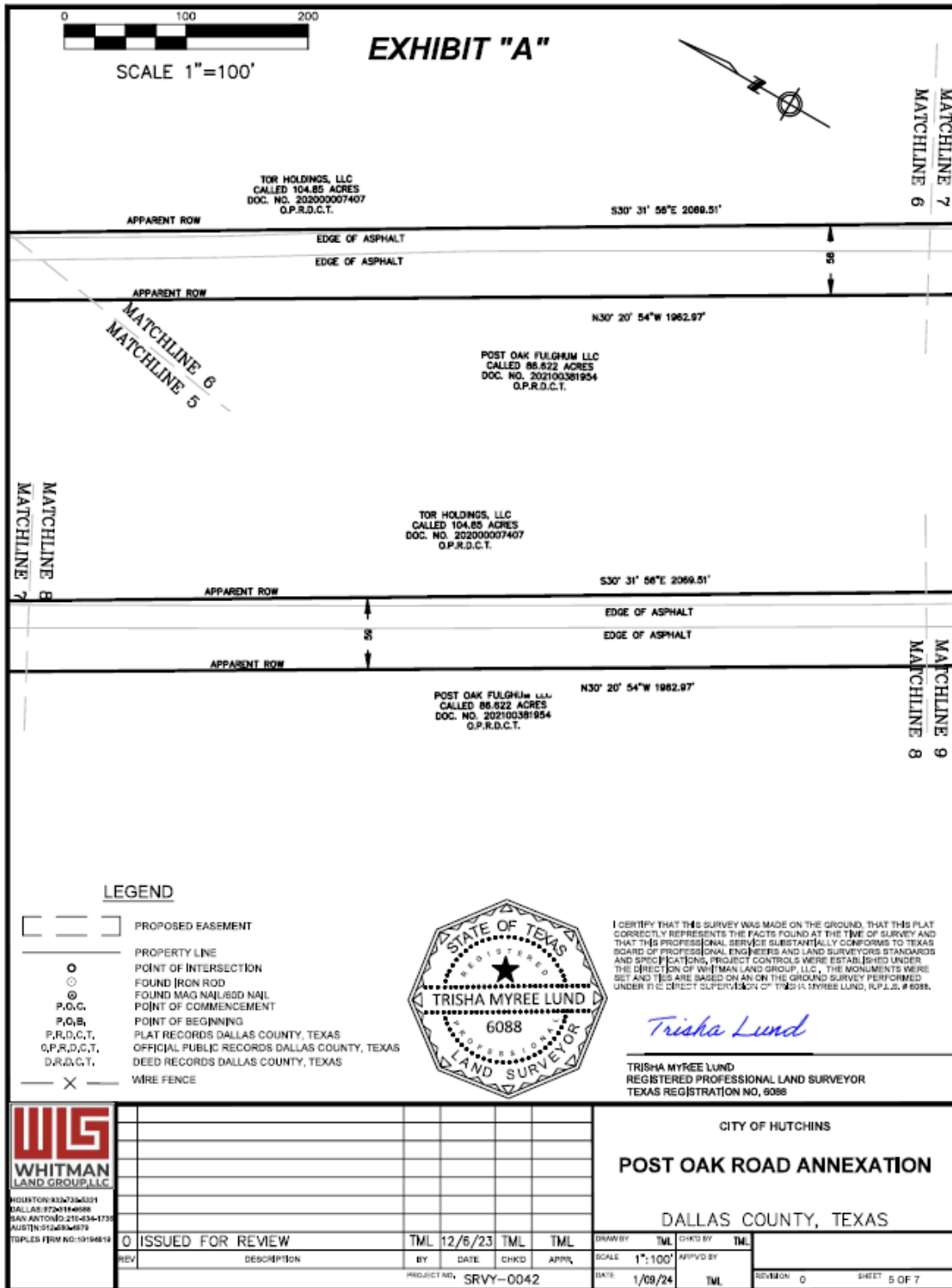


EXHIBIT "A"

Depiction

Post Oak Road (±7.87-Acre Tract)

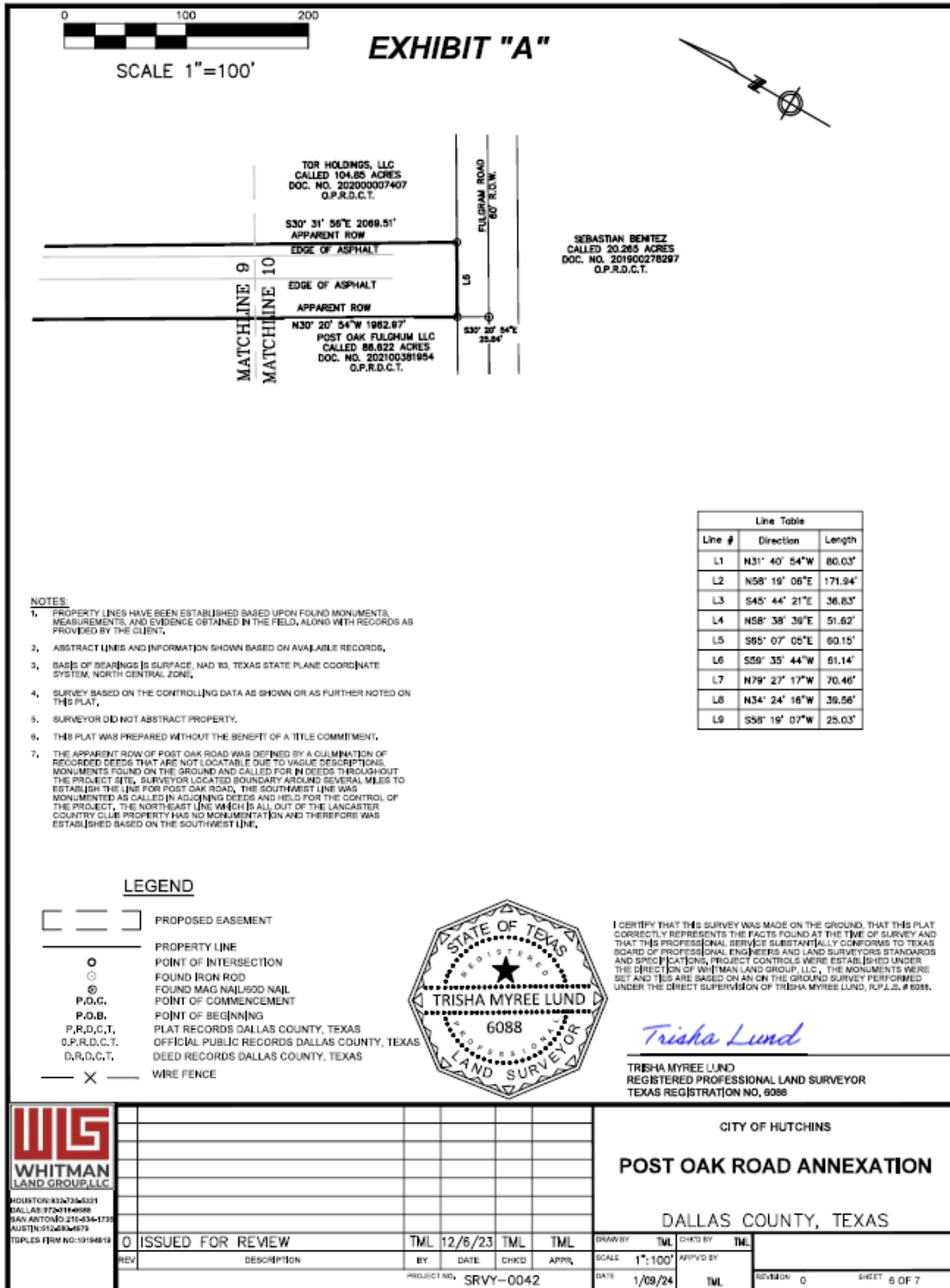


EXHIBIT "B"

Metes and Bounds

Post Oak Road (±7.87-Acre Tract)

METES AND BOUNDS										
<p>BEING A DESCRIPTION OF THE APPARENT VARIABLE WIDTH RIGHT-OF-WAY (ROW) FOR POST OAK ROAD SAID ROW BEING PARTIALLY DESCRIBED IN VOLUME 2793, PAGE 400 AND VOLUME 2793, PAGE 398 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS (D.R.D.C.T.) ALONG WITH SUBSEQUENT STRIP DEDICATIONS AND BEING BASED ON OBSERVED FIELD EVIDENCE TO DETERMINE THE APPARENT ROWS HENCE FORTH (BEARINGS AND DISTANCES CITED HEREIN ARE GRID BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NAD 83):</p> <p>BEGINNING AT A FOUND 5/8-INCH IRON ROD FOUND AT THE INTERSECTION OF THE SOUTH ROW OF SAID POST OAK ROAD AND WINTERGREEN ROAD (60' ROW) AND BEING ON THE NORTHWEST LINE OF LOT 3, SORIANO ESTATES LOTS 1,2,3, AND 4 AS FILED IN DOCUMENT NO. 202100235997 PLAT RECORDS DALLAS COUNTY, TEXAS (P.R.D.C.T.) FROM WHENCE A FOUND 5/8-INCH IRON ROD AT THE NORTHWEST CORNER OF SAID LOT 3 BEARS SOUTH 58°19'07" WEST, A DISTANCE OF 419.28 FEET FOR THE POINT OF BEGINNING;</p> <p>THENCE, NORTH 53°26'11" EAST, WITH THE SOUTH ROW OF SAID WESTER ROAD, A DISTANCE OF 1,528.67 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 13</p> <p>THENCE, NORTH 31°40'54" WEST, DEPARTING THE SOUTH ROW OF SAID POST OAK ROAD AND SAID WINTERGREEN ROAD AND CROSSING SUCH, A DISTANCE OF 80.03 FEET TO A POINT ON THE NORTHWEST ROW OF SAID POST OAK ROAD AND BEING ON THE SOUTH LINE OF A CALLED 50 ACRE TRACT DESCRIBED IN DEED UNTO MRS. R. G. AYERS IN VOLUME 2275, PAGE 595 D.R.D.C.T.;</p> <p>THENCE, NORTH 58°19'06" EASTBLOCK 1, CONTINUING ALONG THE NORTHWEST ROW OF SAID POST OAK ROAD AND THE SOUTH LINE OF SAID 50 ACRE TRACT, A DISTANCE OF 171.95 FEET TO A POINT FOR THE SOUTHEAST CORNER OF SAID 50 ACRE TRACT AND BEING ON THE SOUTH LINE OF THE REMAINING PORTION OF A CALLED 107.4 ACRE TRACT DESCRIBED IN DEED UNTO FARMERS CLUB LAKE (KNOW KNOWN AS LANCASTER CLUB LAKE) IN VOLUME 310, PAGE 619 D.R.D.C.T.;</p> <p>THENCE, CONTINUING ALONG THE NORTHWEST ROW OF SAID POST OAK ROAD AND THE SOUTH LINE OF SAID 107.4 ACRES THE FOLLOWING COURSES AND DISTANCES:</p> <p style="padding-left: 20px;">SOUTH 45°44'21" EAST, A DISTANCE OF 36.83 FEET TO A FOUND MAG NAIL;</p> <p style="padding-left: 20px;">NORTH 58°38'39" EAST, A DISTANCE OF 51.62 FEET TO A POINT;</p> <p style="padding-left: 20px;">SOUTH 65°07'05" EAST, A DISTANCE OF 60.15 FEET TO A POINT;</p> <p style="padding-left: 20px;">SOUTH 32°08'30" EAST, A DISTANCE OF 175.47 FEET TO A POINT;</p> <p style="padding-left: 20px;">SOUTH 34°08'44" EAST, A DISTANCE OF 463.32 FEET TO A POINT;</p> <p style="padding-left: 20px;">SOUTH 30°26'22" EAST, A DISTANCE OF 639.29 FEET TO A POINT;</p> <p style="padding-left: 20px;">SOUTH 30°10'30" EAST, A DISTANCE OF 275.85 FEET TO A POINT;</p> <p style="padding-left: 20px;">SOUTH 31°34'24" EAST, A DISTANCE OF 396.50 FEET TO A POINT;</p> <p style="padding-left: 20px;">NORTH 59°24'33" EAST, A DISTANCE OF 1,213.56 FEET TO A POINT;</p> <p style="padding-left: 20px;">SOUTH 30°31'56" EAST, A DISTANCE OF 2,069.51 FEET TO A POINT ON THE WEST ROW OF FULGRAM ROAD (60' ROW) SAME BEING THE EAST LINE OF A CALLED 104.85 ACRE TRACT DESCRIBED IN DEED UNTO TOR HOLDINGS, LLC IN DOCUMENT NO. 20200007407 OFFICIAL PUBLIC RECORDS DALLAS COUNTY, TEXAS (O.P.R.D.C.T.);</p> <p>THENCE, SOUTH 59°35'44" WEST, DEPARTING THE NORTHWEST ROW OF SAID POST OAK ROAD AND WITH THE WEST ROW OF SAID FULGRAM ROAD, A DISTANCE OF 61.14 FEET TO A POINT ON THE SOUTHEAST ROW OF SAID POST OAK ROAD SAME BEING THE NORTH LINE OF A CALLED 86.622 ACRE TRACT DESCRIBED IN DEED UNTO POST OAK FULGHUM LLC IN DOCUMENT NO. 202100381954 O.P.R.D.C.T. FROM WHENCE A FOUND MAG NAIL IN FULGRAM ROAD BEARS SOUTH 30°20'54" EAST, A DISTANCE OF 25.84 FEET;</p> <p>THENCE, WITH THE SOUTHEAST ROW OF SAID POST OAK ROAD THE FOLLOWING COURSES AND DISTANCES:</p> <p style="padding-left: 20px;">NORTH 30°20'54" WEST, A DISTANCE OF 1,962.97 FEET TO A POINT;</p> <p style="padding-left: 20px;">NORTH 79°27'17" WEST, A DISTANCE OF 70.46 FEET TO A POINT;</p> <p style="padding-left: 20px;">SOUTH 59°24'33" WEST, A DISTANCE OF 1,162.57 FEET TO A FOUND 5/8-INCH IRON ROD AT AN ANGLE POINT OF SAID 86.622 ACRES;</p> <p style="padding-left: 20px;">NORTH 34°24'16" WEST, A DISTANCE OF 39.56 FEET TO A FOUND 5/8-INCH IRON ROD AT AN EXTERIOR CORNER OF SAID 86.622 ACRES SAME BEING THE NORTHEAST CORNER OF A CALLED 2.00 ACRE TRACT OF LANCASTER CLUB LAKE (DEED NOT FOUND, LOCATED BY REFERENCES, FIELD AND ADJOINERS);</p> <p style="padding-left: 20px;">NORTH 31°34'24" WEST, A DISTANCE OF 416.75 FEET TO A FOUND 5/8-INCH IRON ROD AT THE NORTHWEST CORNER OF SAID 2.00 ACRES SAME BEING THE NORTHEAST CORNER OF A CALLED 50.00 ACRE TRACT DESCRIBED IN DEED UNTO FULGHUM HOLDING, LLC IN DOCUMENT NO. 202100326522 O.P.R.D.C.T.;</p> <p style="padding-left: 20px;">NORTH 30°10'30" WEST, A DISTANCE OF 275.00 FEET TO A FOUND 5/8-INCH IRON ROD AT THE NORTHWEST CORNER OF SAID 50.00 ACRE TRACT SAME BEING THE NORTHEAST CORNER OF THE REMAINING PORTION OF TRACT II CALLED 191.589 ACRES AS DESCRIBED IN DEED UNTO KOUROUGH HEMYARI IN DOCUMENT NO 201200035234 O.P.R.D.C.T.;</p> <p style="padding-left: 20px;">NORTH 29°32'42" WEST, A DISTANCE OF 639.47 FEET TO A FOUND NAIL AT THE NORTHWEST CORNER OF THE REMAINING PORTION OF SAID 191.589 ACRES;</p> <p style="padding-left: 20px;">SOUTH 58°19'07" WEST, A DISTANCE OF 25.03 FEET TO A FOUND 5/8-INCH IRON ROD FOR THE NORTHEAST CORNER OF LOT 1 SAID SARIANO ESTATES;</p> <p style="padding-left: 20px;">NORTH 34°08'44" WEST, PASSING A FOUND 600 NAIL AT 259.34 FEET AT THE NORTHWEST CORNER OF SAID LOT 1 SAME BEING THE SOUTHEAST CORNER OF LOT 4 SAID SARIANO ESTATES AND CONTINUING FOR A TOTAL DISTANCE OF 461.06 FEET TO A FOUND 60 D NAIL AT THE NORTHWEST CORNER OF SAID LOT 4 SAME BEING AN EXTERIOR CORNER OF SAID LOT 3 AND BEING ON A CURVE TO THE LEFT;</p> <p>THENCE, 293.75 FEET ALONG SAID CURVE TO THE LEFT HAVING A RADIUS OF 192.27 FEET, A DELTA ANGLE OF 87°32'11" AND A CHORD BEARING AND DISTANCE OF NORTH 77°54'49" WEST, A DISTANCE OF 10.02 ALONG A DISTANCE OF 266.00 FEETBLOCK 1, TO THE POINT OF BEGINNING AND CONTAINING 7.87 ACRES (342,780 SQUARE FEET) OF LAND, MORE OR LESS.</p>										
					<p>[CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY AND THAT THIS PROFESSIONAL SERVICE SUBSTANTIALLY CONFORMS TO TEXAS BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS STANDARDS AND SPECIFICATIONS, PROJECT CONTROLS WERE ESTABLISHED UNDER THE DIRECTION OF WHITMAN LAND GROUP, LLC, THE MONUMENTS WERE SET AND THIS ARE BASED ON AN ON-THE-GROUND SURVEY PERFORMED UNDER THE DIRECT SUPERVISION OF TRISHA MYREE LUND, R.P.L.S., # 6088,</p> <p style="text-align: right;"><i>Trisha Lund</i></p> <p>TRISHA MYREE LUND REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS REGISTRATION NO. 6088</p>					
					<p>CITY OF HUTCHINS</p> <p>POST OAK ROAD ANNEXATION</p> <p>DALLAS COUNTY, TEXAS</p>					
<p>0 ISSUED FOR REVIEW</p>					<p>TML 12/6/23 TML TML</p>		<p>DRAWN BY TML CHKD BY TML</p>		<p>SCALE NTS</p>	
<p>REV DESCRIPTION</p>					<p>BY DATE CHKD APPR</p>		<p>DATE 1/09/24</p>		<p>REVISION 0 SHEET 7 OF 7</p>	
<p>PROJECT NO. SRVY-0042</p>										

EXHIBIT “C”
Service Plan
±7.87-Acre Annexed Tract (Post Oak Road)

ANNEXATION SERVICE PLAN FOR THE CITY OF HUTCHINS, TEXAS

For the territory consisting of a ±7.87-acre tract of land, more or less, and which is more particularly described and identified in Exhibit “A” and Exhibit “B” attached hereto.

FOR SERVICES EFFECTIVE IMMEDIATELY AFTER DATE OF ANNEXATION

1. POLICE PROTECTION

The City of Hutchins, Texas will provide police protection to the newly annexed tract at the same or similar level now being provided to other areas of the City of Hutchins, Texas with similar topography, land use and population within the newly annexed area.

2. FIRE PROTECTION AND AMBULANCE SERVICE

The City of Hutchins, Texas will provide fire protection to the newly annexed tract at the same or similar level of service now being provided to other areas of the City of Hutchins, Texas, with similar topography, land use and population with the City. Ambulance service will be provided to the newly annexed tract at the same or similar level of service now being provided to other areas of the City of Hutchins, Texas, with similar topography, land use and population with the City.

3. SOLID WASTE COLLECTION

The City of Hutchins, Texas will provide residential solid waste collection to the newly annexed tract at the same or similar level now being provided to other areas of the City of Hutchins, Texas with similar topography, land use and population within the newly annexed area.

4. WATER FACILITIES

Maintenance of any public water facilities in the area to be annexed that are not in the service area of another water utility will begin upon the effective date of the annexation using existing personnel and equipment.

5. MAINTENANCE OF ROADS AND STREETS

Any and all roads, streets or alleyways which have been dedicated to the City of Hutchins, Texas, shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas with similar topography, land use and population density.

EXHIBIT “C”
Service Plan
±7.87-Acre Annexed Tract (Post Oak Road)

6. MAINTENANCE OF PARKS, PLAYGROUNDS AND SWIMMING POOLS

The City Council of the City of Hutchins, Texas, is not aware of the existence of any parks, playgrounds or swimming pools now located in the area proposed for annexation. Any existing private parks, playgrounds, swimming pools and other recreational and community facilities within the annexation area will be unaffected by the annexation.

7. MAINTENANCE OF PUBLICLY OWNED FACILITY, BUILDING OR MUNICIPAL SERVICE

The City Council of the City of Hutchins, Texas, is not aware of the existence of any publicly owned facility, building or other municipal service now located in the area proposed for annexation. In the event any such publicly owned facility, building or municipal service does exist and are public facilities, the City of Hutchins, Texas, will maintain such areas to the same extent and degree that it maintains publicly owned facilities, buildings or municipal services of the City now incorporated in the City of Hutchins, Texas.

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS

1. POLICE PROTECTION, FIRE PROTECTION AND SOLID WASTE COLLECTION

The Council of the City of Hutchins, Texas finds and determines it to be unnecessary to acquire or construct any capital improvement for the purposes of providing police protection, fire protection or solid waste collection. The City Council finds and determines that it has at the present time adequate facilities to provide the same type, kind and level of protection and service which is presently being administered to other areas already incorporated in the City of Hutchins, Texas, with the same or similar topography, land use and population density.

2. WATER AND WASTE WATER FACILITIES

The City Council of the City of Hutchins, Texas, finds and determines it to be unnecessary to construct any additional capital improvements for the purpose of providing water and waste water services. The City Council finds and determines that it has, at the present time, adequate facilities to provide the same type, kind and level of service which is presently being administered to other parts of Hutchins, Texas, with the same topography, land use and population density.

EXHIBIT “C”
Service Plan
±7.87-Acre Annexed Tract (Post Oak Road)

3. ROADS AND STREETS

Maintenance of properly dedicated roads and streets will be consistent with the maintenance provided by the City to other roads and streets will be consistent with the maintenance provided by the City to other roads and streets in areas of similar topography, land use and sub-development of the annexed property, the developers will be required pursuant to the ordinances of the City of Hutchins, Texas, to provide internal and peripheral streets and to construct those streets in accordance with the specifications required by the City of Hutchins, Texas, for the properly dedicated street.

4. CAPITAL IMPROVEMENTS

Notwithstanding any other provision of this service plan, a landowner within the newly annexed area will not be required to fund capital improvements necessary to provide municipal services in a manner inconsistent with Chapter 395 of the Local Government Code, unless otherwise agreed to by the landowner.

SPECIFIC FINDINGS

The City Council of the City of Hutchins, Texas finds and determines that this proposed Service Plan will not provide any fewer services, and it will not provide a lower level of service in the area proposed to be annexed than were in existence in the proposed area at the time immediately preceding the annexation process.

Because of the differing characteristics of topography, land utilization and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from services provided in other areas of the City of Hutchins, Texas. These differences are specifically dictated because of differing characteristics of the property and the City of Hutchins, Texas will undertake to perform consistent with this contract so as to provide the newly annexed area with the same type, kind and quality of service presently enjoyed by the citizens of the City of Hutchins, Texas who reside in areas of similar topography, land utilization and population.

4882-4379-2116, v. 1