

RESOLUTION NO. 2012-006

A RESOLUTION OF THE TOWN OF NEW HOPE, COLLIN COUNTY, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE A DEED TRANSFERRING OWNERSHIP OF PROPERTY FOR THE TOWN OF NEW HOPE.

WHEREAS, the Town of New Hope (the "Town") desires to transfer its ownership, if any, of three (3) tracts of land, which are located outside the Town's boundary, or only partially within the Town's boundary; and

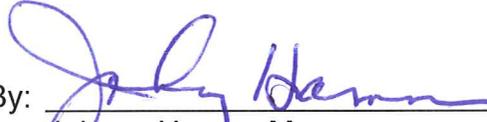
WHEREAS, the Town finds that it is in the it's best interest to transfer these tracts of land to the County of Collin, State of Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE NEW HOPE TOWN COUNCIL, THAT:

1. The deed attached as Exhibit A, is approved;
2. The duly elected mayor of the Town, the Honorable Johnny Hamm, is authorized to execute the attached deed; and
3. This resolution is effective upon its adoption by the Town Council.

ADOPTED by the New Hope Town Council on this 30th day of October, 2012.

APPROVED:

By: 
Johnny Hamm, Mayor

ATTEST:


Barbara Stevenson, Town Secretary

APPROVED AS TO FORM:


John Rapier, Town Attorney

EXHIBIT A

TO

RESOLUTION NO. 2012-006

AFTER RECORDING RETURN TO:

Collin County Commissioners Court
Collin County Administration Building
2300 Bloomdale Rd., Suite 4192
McKinney, Texas 75071

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Deed without Warranty

Date: Oct. 30th, 2012

Grantor: The Town of New Hope, a general law Texas municipality

Grantor's Mailing Address:

P. O. Box 562
McKinney TX 75070

Grantee: Collin County, Texas

Grantee's Mailing Address:

Collin County Commissioners Court
Collin County Administration Building
2300 Bloomdale Rd., Suite 4192
McKinney, Texas 75071

Consideration:

Ten Dollars and other good and valuable consideration.

Property (including any improvements):

TRACT 1:

Being Lot R001 of Tarvin Estates No. 2, a subdivision partially in the Town of New Hope, Collin County, Texas, according to the map filed in Cabinet 8293, at Page 158 the Plat Records of Collin County, Texas, and containing 1.3599 acres of land in the right-of-way of County Road 408;

TRACT 2:

Being Common Area 1 of Tarvin Estates No. 2, a subdivision partially in the Town of New Hope, Collin County, Texas, according to the map filed in Cabinet 8293, at Page 158 the Plat Records of Collin County, Texas, and containing 0.1803 acres of land adjacent to the right-of-way of County Road 408; and

TRACT 3:

Being Common Area 2 of Tarvin Estates No. 2, a subdivision partially in the Town of New Hope, Collin County, Texas, according to the map filed in Cabinet 8293, at Page 158 the Plat Records of Collin County, Texas, and containing 0.187 acres of land adjacent to the right-of-way of County Road 408.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty: None

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance, grants, gives, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever, without express or implied warranty. All warranties that might arise by common law as well as the warranties in section 5.023 of the Texas Property Code (or its successor) are excluded.

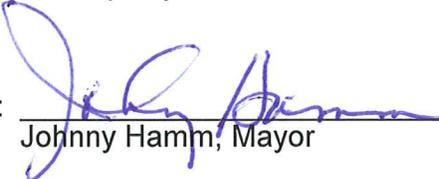
This conveyance is intended to include any property interests obtained by after-acquired title.

GRANTEE IS TAKING THE PROPERTY IN AN ARM'S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS OF AN "AS IS, WHERE IS" TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES. GRANTEE HAS NOT RELIED ON ANY INFORMATION OTHER THAN GRANTEE'S INSPECTION.

This deed has been prepared from the information furnished to Rapier, Wilson & Wendland, P.C. by Grantor ("Provider"), and there has been no title search of any nature performed, including, but not limited to any determination of ownership or outstanding debts and liens on said Property, nor has there been an investigation as to whether there are any delinquent taxes due on said Property, or a review of any contract connected with the conveyance of the Property. Further, there has been no survey performed, and the legal description has been taken from the information furnished by Provider, and may or may not be sufficient.

When the context requires, singular nouns and pronouns include the plural.

The Town of New Hope, a general law Texas municipality

By:  _____
Johnny Hamm, Mayor

STATE OF TEXAS)
)
COUNTY OF COLLIN)

This instrument was acknowledged before me on October 30, 2012, by Johnny Hamm, as the Mayor of The Town of New Hope, a general law home-rule Texas municipality, on behalf of said corporation.





Notary Public, State of Texas

ACCEPTANCE

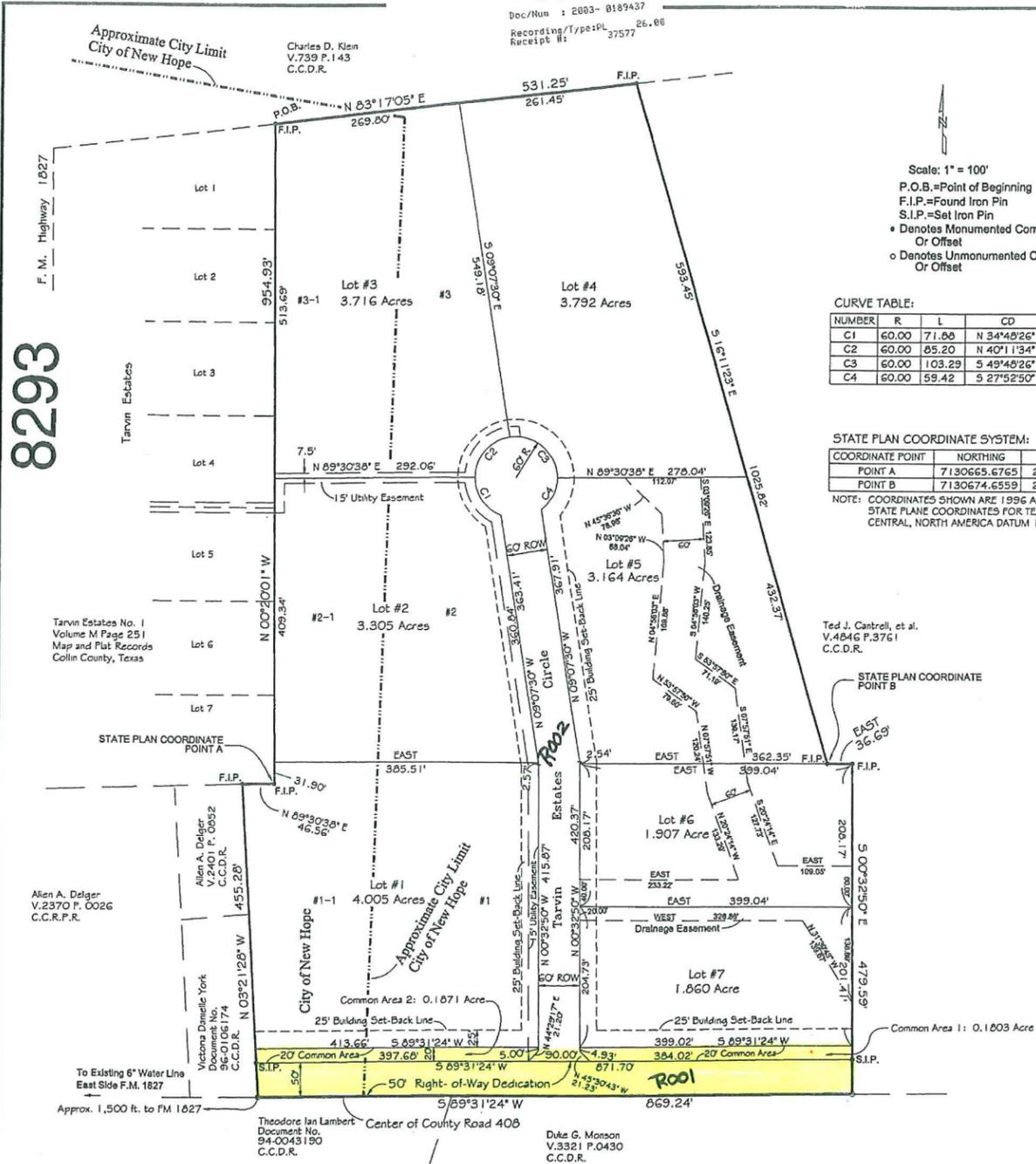
Collin County, Texas accepts the property described herein from the Town of New Hope.

Collin County, Texas

By: _____
Keith Self, County Judge

Filed for Record in:
Collin County, McKinney TX
Honorable Brenda Taylor
Collin County Clerk
On Sep 19 2003 P.158
At 2:24pm
Doc/Num : 2003-0189437
Recording/Type: PL 26.00
Receipt #: 37577

Charles D. Klein
V.739 P.143
C.C.D.R.



8293

Scale: 1" = 100'
P.O.B.=Point of Beginning
F.I.P.=Found Iron Pin
S.I.P.=Set Iron Pin
• Denotes Monumented Corner
○ Denotes Unmonumented Corner
○ Denotes Offset

CURVE TABLE:

NUMBER	R	L	CD	CD L
C1	60.00	71.80	N 34°42'26" W	67.65
C2	60.00	85.20	N 40°11'34" E	76.22
C3	60.00	103.29	S 49°42'26" E	91.00
C4	60.00	59.42	S 27°52'50" W	57.02

STATE PLAN COORDINATE SYSTEM:

COORDINATE POINT	NORTHING	EASTING
POINT A	7130665.6765	2563676.8024
POINT B	7130674.6559	2564485.4511

NOTE: COORDINATES SHOWN ARE 1996 ADJUSTMENT OF STATE PLANE COORDINATES FOR TEXAS NORTH CENTRAL, NORTH AMERICA DATUM 1983.

Field Notes

Situated about 3.5 miles North, 70° East, from the City of McKinney, Collin County, Texas, a part of the H. T. Chenoweth Survey, Abstract 157, also being a part of a 54.022 acre tract of land described in a deed from Gwendolyn Tarvin Cantrell to Ted J. Cantrell, et al., recorded in Volume 4846, Page 3761, of the Collin County Deed Records, and being further described as follows:
Beginning at an iron pin found in the North Line of said 54.022 acre tract, said point being the Northeast corner of Lot 1 of Tarvin Estates No. 1 as shown by plat recorded in Volume M, Page 251 of the Map and Plat Records of Collin County;
Thence North 63° 17' 05" East with said North Line a distance of 531.25 feet to an iron pin found for corner;
Thence South 16° 11' 23" East a distance of 1023.82 feet to an iron pin found for corner;
Thence East a distance of 36.88 feet to an iron pin found for corner;
Thence South 00° 32' 50" East, at 429.59 feet passing a set iron pin, continuing in all a distance of 479.59 feet to a point for corner in the center of County Road 408, the South Line of the 54.022 acre tract and the North Line of a tract of land conveyed to Duke G. Monson by deed recorded in Volume 3321, Page 430, of the Collin County Deed Records;
Thence South 89° 31' 24" West with the center of said road, the South Line of the 54.022 acre tract, the North Line of said Monson tract and the North Line of a tract of land conveyed to Theodore Ian Lambert by deed recorded in Document No. 94-0043190 of the Collin County Deed Records, in all a distance of 668.24 feet to a point at the most Southerly Southwest corner of the 54.022 acre tract and at the Southeast corner of a tract of land conveyed to Victoria Danielle York by deed recorded in Document No. 98-0108174 of the Collin County Deed Records;
Thence North 03° 21' 28" West with the West Line of the 54.022 acre tract and the East Line of said York tract, at 50.08 feet passing a set iron pin, continuing with said common line and passing the Northeast corner of the York tract and Southeast corner of a tract of land conveyed to Allen A. Delger by deed recorded in Volume 2401, Page 0852, of the Collin County Deed Records, continuing in all a distance of 455.28 feet to an iron pin found at the Northeast corner of said Delger tract and in the South Line of Lot 7 of the above-referenced Tarvin Estates No. 1;
Thence North 89° 30' 38" East with a North Line of the 54.022 acre tract and the South Line of said Lot 7 a distance of 48.56 feet to an iron pin set for corner at the Southeast corner of Lot 7;
Thence North 00° 20' 01" West with the East Line of Tarvin Estates (same line South 00° 20' 01" East according to plat of Tarvin Estates No. 1 and used as the bearing base) a distance of 954.93 feet to the place of beginning, and containing 24.474 acres of land

I, R. Brandon Chaney, Registered Professional Land Surveyor No. 4057, certify that this plat correctly represents a survey made under my supervision, all lot corners and boundary markers are correctly shown hereon, and the dimensions, bearings and other technical information needed for plotting each lot on the subdivision plat are furnished to an accuracy of one part in ten thousand (1:10,000).

R. Brandon Chaney
Registered Professional
Land Surveyor No. 4057

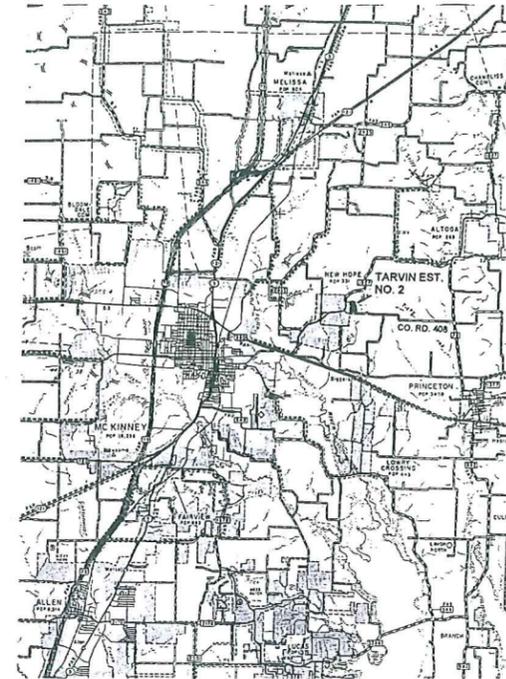
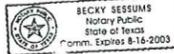
7-22-03
Date

State of Texas
County of Lamar

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State did personally appear R. Brandon Chaney, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 24th day of July, A. D. 2003

Becky Sessums
NOTARY PUBLIC, STATE OF TEXAS



VICINITY MAP
SCALE: 1" = 2 MILES

Recommended For Approval
0.0.0. (1/4/03)
Chairman, Planning and Zoning Commission
Town of New Hope, Texas
Date
Approved and Accepted
John... (8-21-03)
Mayor, Town of New Hope, Texas
Date

The undersigned, the Town Secretary of the Town of New Hope, Texas, hereby certifies that the foregoing final plat of the Tarvin Estates No. 2 Subdivision or Addition to the Town of New Hope was submitted to the Town Council on the 21 day of August, 2003, and the Council, by formal action, then and there accepted the dedication of streets, alleys, parks, easements, public places, and water and sewer lines, as shown and set forth in and upon said plat, and said Council further authorized the Mayor to note the acceptance thereof by signing his/her name as herein above subscribed.

Witness my hand this 21st day of August, 2003, A. D.

R. Wooddy
Town Secretary
Town of New Hope, Texas

Approved & Accepted by
Brie Whitfield
Mayor
City of McKinney, Texas
Date
9-9-03

Health Department Certificate:
I hereby certify that the sewer facilities described on this plat conform to applicable health laws of the State of Texas, that site evaluations have been submitted representing the area in which septic tanks are planned to be used.
Miss... 043127
Registered Sanitarian - Development Services
Collin County, Texas

FROM R-6157-002-0440-1
FROM R-6157-002-3240-1
FROM R-6157-002-3250-1
FROM R-6157-002-3260-1
FROM R-6157-002-3270-1
FROM R-6157-002-3280-1 YEAR 2004

S8293

RECORD PLAT
TARVIN ESTATES NO. 2

OWNER: GWEN CANTRELL
C/O Cantrell Co., 8144 Walnut Hill Lane, Suite 1440, Dallas, Tx. 75231
Phone (214) 368-4567 FAX (214) 368-2120
SURVEYOR: CHANEY ENGINEERING
722 S.E. 19th St. Paris, Tx. 75460
Phone (903) 784-6393 FAX (903) 783-9629
July 2003 24.474 Acres 1

JUST NEED
TO SCAN OVER
ORIGINAL &
REPLACE THIS