

**CITY OF LAVON**  
**ORDINANCE NO. 2025-03-03**

ETJ Disannexation – 7.55 acres – Private Road 5400

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS, DISANNEXING THE HEREINAFTER DESCRIBED TERRITORY FROM THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS, AND ADJUSTING THE BOUNDARY LIMITS OF SAID EXTRATERRITORIAL JURISDICTION SO AS TO EXCLUDE THE DESCRIBED PROPERTY FROM WITHIN THE EXTRATERRITORIAL JURISDICTION; PROVIDING INSTRUCTIONS FOR FILING THIS ORDINANCE AND FOR CORRECTING THE OFFICIAL MAP AND BOUNDARIES OF SAID CITY; PROVIDING SEVERABILITY AND CUMULATIVE CLAUSES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on February 20, 2025, the owners of the hereinafter defined Property, submitted a Petition requesting to be released from the City of Lavon extraterritorial jurisdiction (the "ETJ"), such Property described herein in Exhibit "A" and depicted in Exhibit "B", each attached hereto and incorporated herein for all purposes (the "**Property**"); and

**WHEREAS**, in accordance with the provisions of Texas SB 2038, effective September 1, 2023, the City Secretary verified the Petition on February 24, 2025, and notified the landowners of the results of the Petition; and

**WHEREAS**, the City Council accepts the City Secretary's verification of the Petition, finds, and determines that disannexation of the Property from Lavon's ETJ is in the best interests of the citizens of Lavon.

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

SECTION 1. Findings. It is hereby officially determined that the findings and recitations contained above in the preamble of this ordinance are true and correct and are incorporated herein by reference.

SECTION 2. Disannexation from ETJ. The Property is hereby disannexed from the ETJ of Lavon, and the boundary limits of the ETJ of Lavon are hereby adjusted to exclude the Property from within the ETJ of Lavon.

SECTION 3. Official Map. The official map and boundaries of Lavon, previously adopted, are amended to exclude the Property from the ETJ of Lavon. The City Secretary is directed and authorized to perform or cause to be performed all acts necessary to correct the official map of Lavon to remove the disannexed Property as required by applicable law.

SECTION 4. Severability Clause. It is hereby declared by the City Council that if any of the sections, paragraphs, sentences, clauses, phrases, words, or provisions of this Ordinance should be declared unconstitutional or otherwise invalid for any reason, such event shall not affect any remaining sections, paragraphs, sentences, clauses, phrases, words, or provisions of this Ordinance.

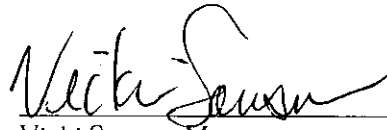
SECTION 5. Cumulative Clause. This Ordinance shall be cumulative of all provisions of ordinances of Lavon except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

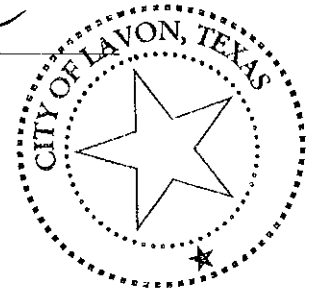
SECTION 6. Public Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required by law.

SECTION 7. Filing Instructions. The City Secretary is hereby directed to file a certified copy of this Ordinance with the County Clerk of Collin County, Texas, and with other appropriate officials and agencies as required by state and federal law.

SECTION 8. Effective Date. This Ordinance shall be in full force and effect immediately upon its passage and approval by the City Council.

**DULY PASSED AND APPROVED** by the City Council of the City of Lavon, Texas, this 4<sup>th</sup> day of March 2025.

  
Vicki Sanson, Mayor



**ATTEST:**

  
Rae Norton, City Secretary

**EXHIBIT A**

**Legal Description of the Property**

Property 1a.

Legal Description: Legal Description: Being a tract of land situated in the Drury Anglin Survey, Abstract No. 2 and in the J.P. Davis Survey, Abstract No. 249, Collin County, Texas and being a 1.999 acre tract of land conveyed to Ondrej Kudlacek and Danielle Kudlacek by deed recorded in Instrument No. 20171117001531450, Official Public Records, Collin County, Texas, and being more particularly described as follows:

Beginning at a 1/2" iron pin found for the southeast corner of said 1.999 acre tract and on the west line of a 6.000 acre tract of land conveyed to David Robert Moore and Holly Ann Moore by deed recorded in Instrument No. 20160923001279140, Official Public Records, Collin County, Texas;

Thence, South 89°28'51" West, along the south line of said 1.999 acre tract, a distance of 373.40 feet to a 1/2" iron pin found for the southwest corner of said 1.999 acre tract and the southeast corner of Tract 11, a 2.074 acre tract of land conveyed to Sandra J. McCarter & Vicki Martinez by deed recorded in Instrument No. 20100127000085830, Official Public Records, Collin County, Texas and re-entrant corner of a 40' Utility and Access Easement as recorded in Instrument No. 20060614000816280, Official Public Records, Collin County, Texas;

Thence, North 09°49'34" East, along the west line of said 1.999 acre tract, a west line of said 40' Utility and Access Easement and the east line of said Tract 11, a distance of 236.88 feet to a 1/2" iron pin found for the northwest corner of said 1.999 acre tract, the northeast corner of said Tract 11, a northwest corner of said 40' Utility and Access Easement and the southwest corner of a 1.999 acre tract of land conveyed to Ivan Kudlacek and Bronislava Kudlacek by deed recorded in Instrument No. 20171010001356940, Official Public Records, Collin County, Texas;

Thence, North 89°26'23" East, along the north line of said 40' Utility and Access Easement, the north line of said 1.999 acre tract and the south line of said 1.999 acre tract, a distance of 373.45 feet to a 1/2" iron pin found with yellow cap stamped "RPLS 4653" for the northeast corner of said 1.999 acre tract and the southeast corner of said 1.999 acre tract and being on the west line of said 6.000 acre tract;

Thence, South 09°49'34" West, along the east line of said 1.999 acre tract and the west line of said 6.000 acre tract, a distance of 237.15 feet to the Point of Beginning and containing 87,068 square feet or 1.999 acres of land.

Property 3a.

Legal Description: All that certain lot, tract or parcel of land situated in the J.P. Davis Survey, Abstract No. 249, Collin County, Texas, and being part of that tract of land described in a Deed from Marshall G. Norton to Carolyn W. Kerr as recorded in Document No. 95-0052599 of the Land Records of Collin County, Texas (hereinafter called Subject Tract), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for corner in the South line of that tract of land described as Tract Two in a Deed from Margaret L. Alston, et al, to Ronald W. Bazanele, et al, as recorded in Volume 5586, Page 1716 of the Land Records of Collin County, Texas, at the most Northerly Northwest corner of the above cited Subject Tract, said point also being the Northeast corner of that tract of land described in a Deed from Ivan Kudlacek, et al, to Ivan Kudlacek, et al, as recorded in Document No. 20171010001356940 of the Official Public Records of Collin County, Texas;

THENCE N. 89 deg. 22 min. 56 sec. E. with the South line of said Bazanele tract and the most Easterly North line of said Subject Tract a distance of 1790.13 feet to a 1/2" iron rod with plastic cap stamped "STOVALL & ASSOC." set for corner at the Southeast corner of said Bazanele tract, said point also being the Northeast corner of said Subject Tract;

THENCE S. 00 deg. 39 min. 12 sec. E. with the East line of said Subject Tract a distance of 133.42 feet to a 1/2" iron rod with plastic cap stamped "STOVALL & ASSOC." set for corner;

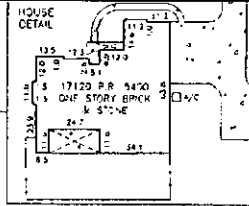
THENCE S. 89 deg. 20 min. 07 sec. W., passing a 1/2" iron rod with cap stamped "OWENS" found at the Northeast corner of that tract of land described in a Deed from Carolyn W. Kerr to David Robert Moore, et al, as recorded in Document No. 20160923001279140 of the Official Public Records of Collin County, Texas, at a distance of 1113.39 feet, and continuing with the North line of said Moore tract for a total distance of 1815.08 feet to a 1/2" iron rod with cap stamped "OWENS" found for corner in the most Northerly West line of said Subject Tract at the Northwest corner of said Moore tract;

THENCE N. 09 deg. 49 min. 34 sec. E. (Directional Control Line) with the most Northerly West line of said Subject Tract a distance of 137.18 feet to the POINT OF BEGINNING and containing 5.55 acres of land.

**EXHIBIT B**

**Depiction of the Property**

**"BOUNDARY SURVEY"**



**LEGAL DESCRIPTION**

STATE OF TEXAS  
COUNTY OF COLLIN

Being a tract of land situated in the Drury Angin Survey, Abstract No. 2 and in the J.P. Davis Survey, Abstract No. 249, Collin County, Texas and being a 1.999 acre tract of land conveyed to Ondrej Kudacek and Dymela Kudacek by deed recorded in instrument No. 2017111700183145C, Official Public Records, Collin County, Texas and being more particularly described as follows:

Beginning of a 1/2" iron pin found for the southeast corner of said 1.999 acre tract and on the west line of a 6.000 acre tract of land conveyed to David Robert Moore and Holly Ann Moore by deed recorded in instrument No. 20160922001279140, Official Public Records Collin County, Texas.

Thence, South 89°28'51" West, along the south line of said 1.999 acre tract, a distance of 373.40 feet to a 1/2" iron pin found for the southwest corner of said 1.999 acre tract and the southeast corner of Tract II, a 2.074 acre tract of land conveyed to Sandra J. McCarter & Vicki Martinez by deed recorded in instrument No. 201501270000054910, Official Public Records, Collin County, Texas and re-entrant corner of a 40' Utility and Access Easement as recorded in instrument No. 20060814000816280, Official Public Records, Collin County, Texas;

Thence, North 09°43'34" East, along the west line of said 1.999 acre tract, a distance of 236.88 feet to a 1/2" iron pin found for the northwest corner of said 1.999 acre tract, the northeast corner of said Tract II, a northwest corner of said 40' Utility and Access Easement and the southwest corner of a 1.293 acre tract of land conveyed to Ivan Kudacek and Bronislava Kudacek by deed recorded in instrument No. 20171076004156640, Official Public Records, Collin County, Texas.

Thence, North 89°25'23" East, along the north line of said 40' Utility and Access Easement the north line of said 1.999 acre tract and the south line of said 1.999 acre tract, a distance of 373.45 feet to a 1/2" iron pin found with yellow cap stamps "RPL3 4651" for the northeast corner of said 1.999 acre tract and the southwest corner of said 1.999 acre tract and being on the west line of said 6.000 acre tract;

Thence, South 09°49'34" West, along the east line of said 1.999 acre tract and the west line of said 6.000 acre tract, a distance of 237.15 feet to the Point of Beginning and containing 87,058 square feet or 1.999 acres of land.

I, James Barton Carroll, do hereby certify that this survey was made on the ground and shows the boundary lines with dimensions of the land indicated hereon, shows the location of all structures and other noticeable improvements and also items on the subject property, shows the location of all alleys, streets, easements, and other matters of record of which I have been advised affecting subject property, and except as shown, there are no visible easements, party walls, or conflicts on subject property.

SANDRA J. MCCARTER & VICKI MARTINEZ  
TRACT II - 2.074 ACRES  
INST. # 201501270000054910  
O.P.R.C.C.T.

IVAN KUDACEK & BRONISLAVA KUDACEK  
1.999 ACRES  
INST. # 20171012011356943  
O.P.R.C.C.T.

CAROLYN A. KERR  
REV-24.896 ACRES  
OCT 99-0052599  
O.P.R.C.C.T.

SANDRA J. MCCARTER & VICKI MARTINEZ  
TRACT II - 2.074 ACRES  
INST. # 201501270000054910  
O.P.R.C.C.T.

40' UTILITY & ACCESS EASEMENT  
INST. # 20060814000816280  
O.P.R.C.C.T.

DAVID ROBERT MOORE & HOLLY ANN MOORE  
6.000 ACRES  
INST. # 20160922001279140  
O.P.R.C.C.T.

87,058 SQ. FT.  
1.999 ACRES

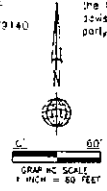
POINT OF BEGINNING

CAROLYN W. KERR  
REV-24.896 ACRES  
OCT 99-0052599  
O.P.R.C.C.T.

S89°28'51"W 373.40'

Bearings based on the west line of land recorded in instrument No. 20060814000816280, Official Public Records, Collin County, Texas

JOB # 2412-17  
MARCH 19, 2019

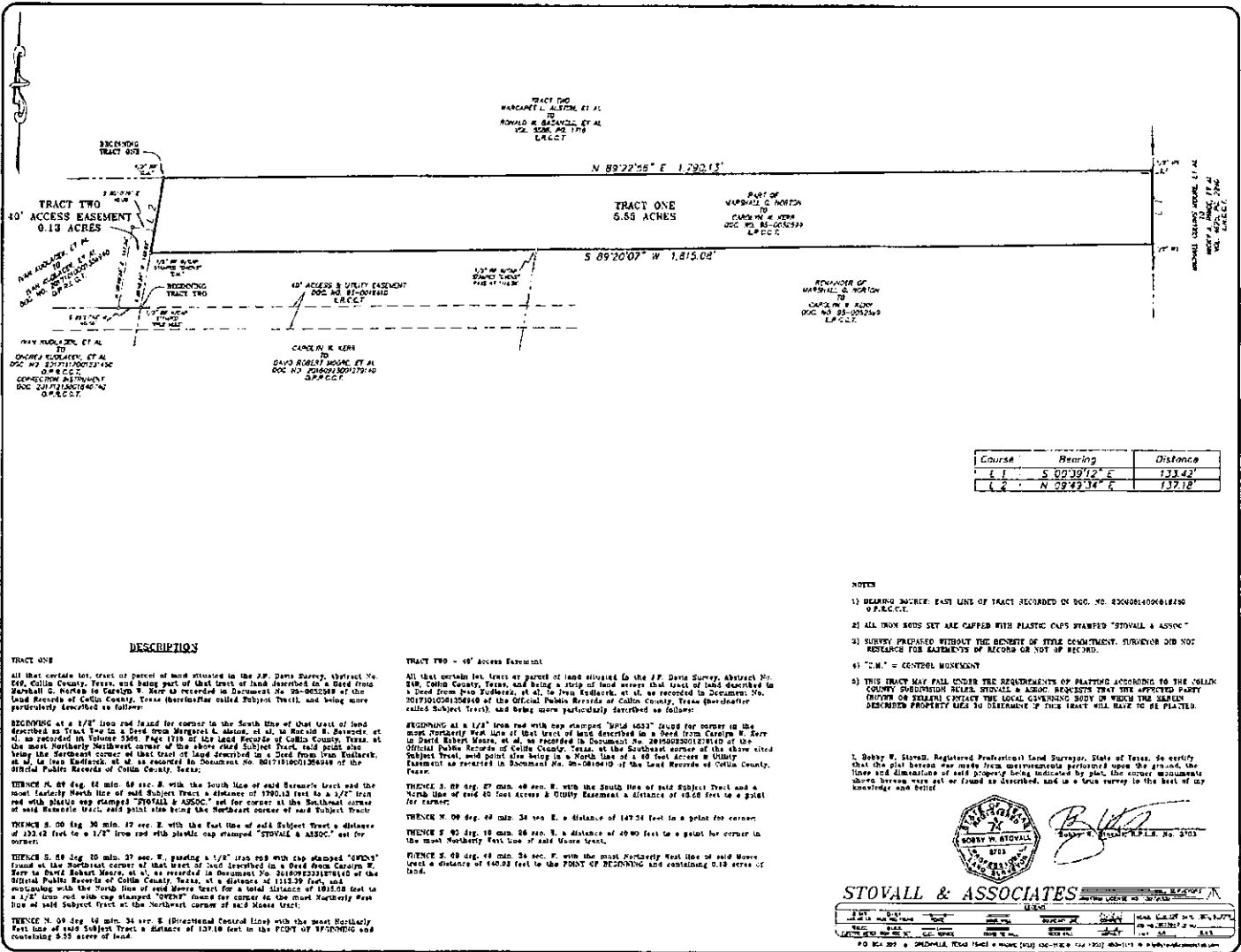


*James Barton Carroll*  
JAMES BARTON CARROLL  
R.P.L.S. NO. 5129



LEGEND	
[Symbol]	CONCRETE
[Symbol]	1/2" IRON PIN FOUND
[Symbol]	POWER POLE W/UTL WIRE

**CARROLL CONSULTING GROUP, INC.**  
P.O. BOX 11 LAJUN, TEXAS 75766 Cell (972) 742-4471  
TEXAS P.R.M. REGISTRATION NO. 10027200



TRACT TWO  
MARGARET L. ALSTON, ET AL.  
TO  
RONALD W. BASKIN, ET AL.  
D.C. NO. 2506, 02-178  
L.P.C.C.

N 89°22'45" E 1,790.13'

TRACT ONE  
6.55 ACRES

PART OF  
MARSHALL G. HORTON  
TO  
CAROL W. & BOB  
D.C. NO. 25-02523  
L.P.C.C.

S 89°20'07" W 1,815.02'

REMANANCE OF  
MARSHALL G. HORTON  
TO  
CAROL W. & BOB  
D.C. NO. 25-02523  
L.P.C.C.

REMANANCE OF  
MARSHALL G. HORTON  
TO  
CAROL W. & BOB  
D.C. NO. 25-02523  
L.P.C.C.

**DESCRIPTION**

**TRACT ONE**  
All that certain lot, tract or parcel of land situated in the J.P. Davis Survey, Abstract No. 240, Collin County, Texas, and being part of that tract of land described in a Deed from Marshall G. Horton to Carolyn B. Kerr as recorded in Document No. 25-02523 of the Land Records of Collin County, Texas (hereinafter called Subject Tract), and being more particularly described as follows:  
**BEGINNING** at a 1/8" iron rod found for corner to the South line of that tract of land described as Tract Two in a Deed from Margaret L. Alston, et al. to Ronald W. Baskin, et al. as recorded in Volume 5360, Page 1718 of the Land Records of Collin County, Texas, at the most Northerly Northwest corner of the above stated Subject Tract, said point also being the Southwest corner of that tract of land described in a Deed from Ivan Endreick, et al. to Ivan Endreick, et al. as recorded in Document No. 2017181901284018 of the Official Public Records of Collin County, Texas;  
**THENCE** N 89 deg. 22 min. 45 sec. E. with the South line of said Baskin's tract and the most Northerly West line of said Subject Tract a distance of 1790.13 feet to a 1/8" iron rod with plastic cap stamped "STOVALL & ASSOC." set for corner at the Southwest corner of said Baskin's tract; said point also being the Southwest corner of said Subject Tract;  
**THENCE** S 02 deg. 10 min. 42 sec. E. with the East line of said Subject Tract a distance of 132.42 feet to a 1/8" iron rod with plastic cap stamped "STOVALL & ASSOC." set for corner;  
**THENCE** S 89 deg. 10 min. 37 sec. E. passing a 1/8" iron rod with cap stamped "STOVALL & ASSOC." found at the Northeast corner of that tract of land described in a Deed from Carolyn B. Kerr to David Robert Moore, et al. as recorded in Document No. 26189823118140 of the Official Public Records of Collin County, Texas, at a distance of 1112.39 feet, and continuing with the North line of said Moore tract for a total distance of 1812.02 feet to a 1/8" iron rod with cap stamped "STOVALL & ASSOC." found for corner to the most Northerly West line of said Subject Tract at the Northeast corner of said Moore tract;  
**THENCE** N 02 deg. 10 min. 34 sec. E. (Reversed Central Line) with the most Northerly West line of said Subject Tract a distance of 137.18 feet to the POINT OF BEGINNING and containing 6.55 acres of land.

**TRACT TWO - 49' Access Easement**  
All that certain lot, tract or parcel of land situated in the J.P. Davis Survey, Abstract No. 240, Collin County, Texas, and being a strip of land across that tract of land described in a Deed from Ivan Endreick, et al. to Ivan Endreick, et al. as recorded in Document No. 2017181901284018 of the Official Public Records of Collin County, Texas (hereinafter called Subject Tract), and being more particularly described as follows:  
**BEGINNING** at a 1/8" iron rod with cap stamped "STOVALL & ASSOC." found for corner to the most Northerly West line of that tract of land described in a Deed from Carolyn B. Kerr to David Robert Moore, et al. as recorded in Document No. 26189823118140 of the Official Public Records of Collin County, Texas, at the Southwest corner of the above stated Subject Tract, said point also being a North line of a 40' Access & Utility Easement as recorded in Document No. 25-02523 of the Land Records of Collin County, Texas;  
**THENCE** S 89 deg. 27 min. 48 sec. E. with the South line of said Subject Tract and a North line of said 40' Access & Utility Easement a distance of 45.62 feet to a point for corner;  
**THENCE** N 02 deg. 40 min. 34 sec. E. a distance of 147.34 feet to a point for corner;  
**THENCE** S 92 deg. 10 min. 36 sec. E. a distance of 40.80 feet to a point for corner at the most Northerly West line of said Moore tract;  
**THENCE** S 02 deg. 40 min. 34 sec. E. with the most Northerly West line of said Moore tract a distance of 140.22 feet to the POINT OF BEGINNING and containing 0.13 acres of land.

Course	Bearing	Distance
L 1	S 02°09'12" E	132.42
L 2	N 02°42'34" E	137.18

- NOTES**
- 1) DEEMED SOURCE: EAST LINE OF TRACT RECORDED ON D.C. NO. 2506081406618100 & P.L.C.C.
  - 2) ALL IRON RODS SET ARE CAPPED WITH PLASTIC CAPS STAMPED "STOVALL & ASSOC."
  - 3) SURVEY PREPARED WITHOUT THE BENEFIT OF TITLE EXAMINATION. SURVEYOR DID NOT RESEARCH FOR EASEMENTS OF RECORD OR NOT OF RECORD.
  - 4) "C.M." = CONTROL MOVEMENT
  - 5) THIS TRACT MAY FALL UNDER THE REQUIREMENTS OF PLATTING ACCORDING TO THE COLLIN COUNTY SUBDIVISION RULES. STOVALL & ASSOC. REQUESTS THAT THE APPLICATED PARTY (OWNER OR SELLER) CONTACT THE LOCAL GOVERNING BODY IN WHICH THE SAID DESCRIBED PROPERTY LIES TO DETERMINE IF THIS TRACT WILL HAVE TO BE PLATTED.

I, Bobby W. Stovall, Registered Professional Land Surveyor, State of Texas, do certify that this plat contains true copies from measurements performed upon the ground, the true and accurate dimensions of said property being indicated by plat, the corner monuments shown herein were set or found as described, and to a true survey to the best of my knowledge and belief.



Bobby W. Stovall  
Bobby W. Stovall, P.L.S. No. 2703

**STOVALL & ASSOCIATES**

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DALLAS, TEXAS 75201  
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FAX: 214-741-1112  
WWW.STOVALLS.COM