



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: July 17, 2023

Re: 6800 Richland Road Annexation- Legal Description Scrivener's Error (Case #153-2023)

Executive Summary

Approval of the attached legislation will correct a scrivener's in the legal description of Ordinance # 025356 that was provided by the applicant's surveyor in association with the June 20, 2023 annexation of 103.73-acres located southwest of the intersection Richland and Olivet Roads commonly address as 6800 Richland Road and to be known as the "Richland Estates" subdivision.

Discussion

Crockett Engineering (agent), on behalf of Richland Olivet Farm, LLC, Charlotte Frazier, and Melissa Ussery (owners), requests the amendment of Ordinance # 025356 to correct a scrivener's error in the legal description used in association with the annexation of a 103.73-acre parcel commonly addressed as 6800 Richland Road and to be developed with the "Richland Estates" subdivision. Correction of this error is necessary to ensure the boundary description of the property that has been approved to be annexed into the City is correctly described and reflected in the City's legislative records as well as the City Code's description of the municipal boundary.

The legal description used in Ordinance # 025356 referenced an errant directional bearing along one of the property lines establishing the boundary of the eastern (Frazier & Ussery) tract of the overall acreage. The errant bearing has resulted in the boundary of the overall annexation tract to not be capable of properly closing (i.e. encompassing the entire 103.73-acres). The full description of the error is shown in the attached affidavit dated June 30, 2023, prepared by David W. Borden, PLS-20020000244, the licensed surveyor for Crockett Engineering who sealed the original legal descriptions contained within Ordinance # 025356.

Aside from this highly technical correction there are no substantive changes to the annexation of the subject 103.73-acre tract. The property depicted on the locator maps used during the annexation public hearing, permanent zoning, and proposed subdivision actions for this acreage accurately depicted the tract.

Locator maps, surveyor's affidavit, and legal descriptions and description graphics for each property are attached for review.



Fiscal Impact

Short-Term Impact: None.

Long-Term Impact: None.

Strategic & Comprehensive Plan Impact

Strategic Plan Impacts:

Primary Impact: Organizational Excellence, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

Comprehensive Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

Legislative History

Date	Action
6/20/23	Approved annexation of a 103.73-acres southwest of the intersection of Richland and Olivet Roads. (Ord. 025356)

Suggested Council Action

Approve the attached legislation to correct legal description scrivener's error.