

# CITY OF WILLOW PARK

ORDINANCE 499-03

**AN ORDINANCE PROVIDING FOR THE ANNEXATION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN THE PETITION OF ANNEXATION FILED WITH THE CITY OF WILLOW PARK BY JEFFREY DUKE FOR THAT CERTAIN 40.18 ACRE TRACT OF LAND SITUATED IN THE JOHN PHELPS SURVEY, ABSTRACT NO. 1046, THE, AJ HOOD SURVEY, ABSTRACT NO. 2587, THE JS OXER SURVEY, ABSTRACT NO. 1029 AND ELIZA OXER SURVEY, ABSTRACT NO. 1031**

**WHEREAS**, the City of Willow Park, is a municipal corporation duly and legally formed in the State of Texas; and

**WHEREAS**, the City is a general law municipality with specific powers delegated to it to protect the health, safety and general welfare of its citizens; and,

**WHEREAS**, the owner of that certain 40.18 tract of land Jeffrey B. Duke did file with the City of Willow Park a Petition for Annexation in which he stated under oath he was the sole owner of the property described therein, which was vacant and without residents or qualified electors, was contiguous to the city, less than ½ mile width, and thereby requested annexation into the City of Willow Park;

**WHEREAS**, the City of Willow Park received and filed the Petition for Annexation, as a matter of record on July 7, 2003;

**WHEREAS**, more than five days after the filing of the Petition, but less than 30 days after the filing, the City Council will hear the Petition and arguments for and against annexation;

**WHEREAS**, the City of Willow Park conducted two public hearings at which persons interested in the annexation were given the opportunity to be heard on August 19, 2003 pursuant to §43.063 TEX. LOCAL GOVT. CODE; and

**WHEREAS**, the Petition of Annexation, filed with the City on July 7, 2003 by the owner Jeffrey B. Duke, for a tract of land further described on Exhibit A hereto was granted and approved in all aspects by the adoption of Resolution 01-03 by the City Council of the City of Willow Park.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS THAT:**

## SECTION 1. AUTHORIZATION

The Mayor, or Mayor's designee, is hereby authorized and directed to implement the applicable provisions of this Ordinance.

## SECTION 2. ANNEXATION

That certain track of land described in the Petition for Annexation and granted by Resolution 01-03, and also identified as Exhibit 'A' hereto is hereby annexed into an made a part of the City of Willow Park, Texas for all purposes. On the effective date of this Ordinance the area described on Exhibit "A" becomes a part of the municipality and the inhabitants of the area so described are entitled to the full rights and privileges of other citizens of the municipality and are bound by the acts and ordinances adopted by the municipality.

## SECTION 3. NOTICE TO OWNER

The City Secretary is instructed to notify the owner of the action taken by the City Council herein.

## SECTION 4. RECITALS

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Ordinance.

## SECTION 5. SEVERABLILITY

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Ordinance shall be held invalid, it shall not affect any valid provisions of this or any other Ordinance of the City of Willow Park to which these rules and regulations relate.

## SECTION 6. PUBLICATION

The City Secretary of the City of Willow Park is hereby directed to publish in the official newspaper of



## EXHIBIT A

Being a 40.18 acre tract of land situated in the John Phelps Survey, Abstract No. 1046 the A. J. Hood Survey, Abstract No. 2587, the J. S. Ozer Survey, Abstract No. 1029, and the Eliza Ozer Survey, Abstract No. 1031, and being that tract of land conveyed by Warranty Deed with Vendor's Lien from Lumar Development, Inc. to Jeffrey Duke, as recorded in Volume 2105 on Page 732, Deed Records, Parker County, Texas, and being more particularly described as follows:

Commencing at a found iron rod at the intersection of the southerly line of Interstate Highway 20 (variable width R.O.W.) with the east line of Simpson Lane (50' R.O.W.);

Thence South  $71^{\circ}24'32''$  West a distance of 62.66' along the southerly line of Interstate Highway 20 (variable width R.O.W.) to a found iron rod for corner;

Thence South  $02^{\circ}09'48''$  West a distance of 1009.86' departing the southerly line of Interstate Highway 20 (variable width R.O.W.) to a point for corner, said corner being the Place of Beginning;

Thence South  $02^{\circ}09'48''$  West a distance of 2008.95' to a found iron rod for corner;

Thence South  $88^{\circ}55'31''$  East a distance of 73.16' to a found iron rod for corner, said corner being in the northerly line of Bankhead Highway (variable wide R.O.W.) and the beginning of a curve to the right;

Thence, 374.47' along the arc of said curve to the right and continuing along said northerly line of Bankhead Highway (variable width R.O.W.), through a central angle of  $44^{\circ}12'40''$ , said curve having a radius of 485.30' and a long chord length of 385.25' which bears North  $70^{\circ}26'15''$  West to a found iron rod for corner;

Thence North  $49^{\circ}46'07''$  West a distance of 700.76' continuing along said northerly line of Bankhead highway (variable width R.O.W.) To a found concrete monument for corner;

Thence North  $06^{\circ}13'16''$  East a distance of 1335.87' departing said northerly line of Bankhead Highway (variable width R.O.W.) to a found iron rod for corner;

Thence North  $89^{\circ}50'20''$  East a distance of 106.57' to a found concrete monument for corner;

Thence North  $00^{\circ}07'35''$  East a distance of 318.92' to a point for corner;

Thence south  $74^{\circ}38'15''$  East a distance of 804.87' back to the Place of Beginning and containing 40.18 acres (1,750.404 sq. ft.) of land.