CITY OF WILLOW PARK

ORDINANCE NO. 523-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS, PROVIDING FOR THE ADOPTION OF THE 2004 AD VALOREM TAX (DEBT) RATE AND LEVY OF $00.00 PER HUNDRED DOLLARS OF ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY; PROVIDING FOR THE 2004 AD VALOREM TAX (MAINTENANCE AND OPERATION) RATE AND LEVY OF $0.22 PER HUNDRED DOLLARS OF ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY; PROVIDING FOR PENALITY AND INTEREST AND A LIEN TO ENFORCE COLLECTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Willow Park, Texas ("City"), 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 City Council of the City of Willow Park has received the Tax Year 2004 certified property tax roll submitted by the Parker County Appraisal District on July 23, 2004 and reviewed the same; and

WHEREAS, the effective rate and rollback rate have been duly calculated in accordance with the rules and regulations of the Texas State Property Tax Board; and

WHEREAS, a budget appropriating revenues generated by the collection of ad valorem and other revenue sources for the use and support of the municipal government of the City of Willow Park was duly and legally adopted by the Willow Park City Council as required by §102.009 of the TEX. LOCAL GOVERNMENT CODE. Which was adopted in accordance with law prior to the consideration of the Ordinance herein; and,

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

SECTION 1. AUTHORIZATION

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

SECTION 2. ACCEPTANCE OF CERTIFIED TAX ROLLS

The certified tax roll prepared and submitted by Larry Hammonds, Chief Appraiser for the Parker County Appraisal District, reflecting an adjusted taxable value of $192,779,971.00 is hereby accepted by the Willow Park City Council.

SECTION 3. APPROVAL OF 2004 TAX RATE AND LEVY

That there be and is hereby levied for the fiscal year 2004-2005, on all taxable property, real, personal and mixed, situated within the municipal limits of the City of Willow Park, Texas, and not exempt by the Constitution of the State and valid state laws, a tax of $0.22 on each One Hundred Dollars ($100.00) assessed value of taxable property, and shall be apportioned and distributed as follows:

(a) For the purpose of defraying the current expenses of the municipal government of the City (maintenance and operation), on each One Hundred Dollars ($100.00) assessed value of taxable property there is levied a tax rate of $0.22.

(b) For the purpose of creating a sinking fund to pay the interest and principal (debt) on all lawful outstanding indebtedness of the City, not otherwise provided for, a tax rate of $00.00 on each One Hundred Dollars ($100.00) assessed value of taxable property is hereby levied, which shall be applied to the payment of such interest and maturities of all outstanding indebtedness.

SECTION 4. PENALTY AND INTEREST

All taxes shall become a lien upon the property against which they are assessed and the Parker County Tax Authority is hereby authorized and empowered to enforce the collection of such taxes according to the Constitution and laws of the State of Texas and ordinances of the City of Willow Park and shall, by virtue of the tax rolls, fix and establish a lien by levying upon such property, whether real or personal, for the payment of said taxes, penalty and interest; and, the penalty and interest collected from such delinquent taxes shall bear interest from date of delinquency at the rate prescribed by state law. All delinquent ad valorem taxes related to penalties and interest for the tax years prior to 2003, which are collected during the fiscal year 2004-2005 shall be allocated to the general fund for maintenance and operation of the City of Willow Park, Texas.

SECTION 5. 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 Resolution.

SECTION 6. 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 7. REPEAL OF CONFLICTING ORDINANCES

All ordinances in conflict herewith be and the same are hereby repealed to the extent of such conflict.

SECTION 8. PUBLICATION

That the City Secretary of the City of Willow Park, Texas is hereby ordered and directed to cause this ordinance to be published pursuant to §52.011 TEX. LOCAL GOVERNMENT CODE.

SECTION 9. EFFECTIVE DATE

This Ordinance shall be effective on or after its publication in a newspaper of general circulation stating its purpose and penalty.

PASSED AND APPROVED this 21st day of September, 2004.

/s/ James H. Poythress
Mayor

ATTEST:

/s/ Andrea A. Scott
City Secretary/Clerk

APPROVED AS TO FORM:

/s/
City Attorney

The Willow Park City Council in acting on Ordinance No. 523-04, did on the 21st day of September 2004 vote as follows:

	FOR	AGAINST
James H. Poythress, Mayor		
LaDonna Allen, Place 1	✓	
Terry Skaggs, Place 2	✓	
Brad Johnson, Place 3	✓	
Jason Ellerbusch, Place 4	✓	
Marvin Glasgow, Place 5	✓	