

CITY OF WILLOW PARK

ORDINANCE NO. 525-04

AN ORDINANCE APPROVING THE REPLATING THAT CERTAIN TRACT OF PROPERTY MORE SPECIFICALLY DESCRIBED AS LOTS 3, 4 AND 5R, BLOCK 3 EL CHICO SOUTH, AN ADDITION TO THE CITY OF WILLOW PARK, PARKER COUNTY, TEXAS AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Willow Park, Texas ("City") is a municipal corporation organized under the laws of the State of Texas; and

WHEREAS, it is intent of the City of Willow Park to protect the health, safety and welfare and well being of its citizens; and

WHEREAS, Aledo Retail Properties, Ltd. is the sole owner of Lots 3, 4 and partial owner of Lot 5R, Block 3 El Chico South, an addition to the City of Willow Park, Parker County, Texas; and

WHEREAS, Dolgencorp of Texas, Inc. a Kentucky corporation, is the sole of owner of the remainder of Lot 5R, Block 3, El Chico South, an addition to the City of Willow Park, Parker County, Texas; and

WHEREAS, the owners jointly, through notarized authorizations on file with the City, have acknowledged that they are the sole owners of Lots 3, 4 and 5R, Block 3, El Chico South, an addition to the City of Willow Park, Parker County, Texas and do hereby consent to the replat of said property consistent with the replat prepared and submitted by Brent A. Mizell, RPLS No. 1967 (rev. Sept. 20, 2004); and

WHEREAS, the replat does not attempt to amend or remove any covenants or restrictions and is subsequent to the adoption of Ordinance 524-04 which preceded this ordinance; and

WHEREAS, pursuant to Chapter 756, HEALTH AND SAFETY CODE, subchapter G, notification was given to Shell Pipeline Company, L.L.C. by the applicant for the replat, including a concept plan for the proposed retail development and Shell Pipeline Company, L.L.C. did by correspondence acknowledge receipt of the Concept Plan and approve said plan as a result of the

dedication of open space that affects the adjacency to the pipeline easement; and

WHEREAS, the applicant has met all legal requirements of §212.014, TEX. LOCAL GOVT. CODE regarding the replat.

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

SECTION 1. AUTHORITY

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

SECTION 2. REPLAT

Lots 3, 4 and 5R Block 3, are hereby replatted as shown on the replat submitted by Brent A. Mizell, RPLS 1967 (rev. Sept. 20, 2004) which is a replat of Lots 3, 4 and 5R, Block 3, El Chico South, an addition to the City of Willow Park, Parker County, Texas according to the plat records recorded in Plat Cabinet B, Slide 97 and Plat Cabinet B, Slide 523 of the Plat Records of Parker County, Texas.

SECTION 3. RECORDING

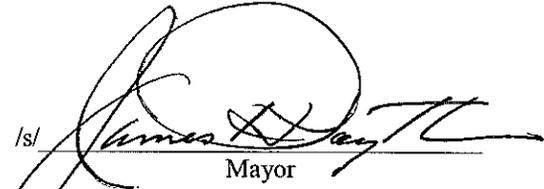
The applicant shall file the replat, as authorized by this Ordinance, with the County Clerk, Real Property Records within 30 days of the adoption hereof.

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. SEVERABILITY

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.

/s/ 
Mayor

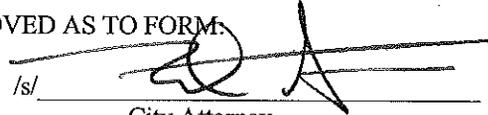
ATTEST:

/s/ 
City Secretary/Clerk

SECTION 6. EFFECTIVE DATE

This Ordinance shall be effective on or after its adoption by action of the City Council.

APPROVED AS TO FORM:

/s/ 
City Attorney

PASSED AND ADOPTED this 21st day of September 2004.

The Willow Park City Council in acting on Ordinance No. 525-04, 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

_____ ✓