

CITY OF WILLOW PARK

ORDINANCE NO. 539-05

AN ORDINANCE PROVIDING FOR THE ACCEPTING AND CONSIDERING OF A PETITION OF ANNEXATION FILED WITH THE CITY OF WILLOW PARK, TEXAS BY WILLOW PARK FIRE DEPT., A NON-PROFIT CORPORATION, ORGANIZED UNDER THE LAWS OF THE STATE OF TEXAS, THE OWNER OF THAT CERTAIN 0.405 ACRE TRACT OF LAND SITUATED IN THE I.G.&N. RR SURVEY ABSTRACT NO. 1998, PARKER COUNTY, TEXAS; AND, PROVIDING FOR AN EFFECTIVE DATE

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 0.405 acre tract of land, the Willow Park Fire Dept., did file with the City of Willow park a Petition for Annexation in which the authorized agent of Willow Park Fire Dept. stated under oath that: The Willow Park Fire Dept. was the sole owner of the property described therein, which was ½ mile or less in width, contiguous to the City of Willow Park, Texas and that fewer than three qualified voters reside in or on the said 0.405 acre tract, to which facts an Affidavit and Petition has been filed with the Mayor of the city; and

WHEREAS, the Mayor of the City of Willow Park did receive a Petition and Affidavit attesting to the above facts; and

WHEREAS, the Mayor has certified to the City Council of the City of Willow Park, the receipt of said Affidavit and Petition; and

WHEREAS, more than five days after the filing of the Petition, but less than 30 days after said filing, the City Council will schedule a Public Hearing on the Petition and receive arguments for and against annexation; and

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. RECEIPT OF PETITION

The City Council does hereby acknowledge that the Mayor has certified the receipt and filing of the Petition for Annexation, attached hereto as Exhibit "A" and made a part hereof, and that the facts stated therein meet the legal requirements of § 43.028 TEX. LOCAL GOVT CODE, prior to the consideration of this Ordinance.

SECTION 3. HEARING ORDERED

The City Secretary is hereby ordered to set, notice and post a Public Hearing on the Petition for Annexation of that certain 0.405 acre tract described in Exhibit "B" and depicted in Exhibit "C", which are attached hereto and made a part hereof, and filed with the City on July 19, 2005, not less than 5 days nor more than 30 days after its filing by the owner.

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.

PASSED AND APPROVED this 19th day of July, 2005.

James H. Poythress
/s/ _____
Mayor

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect from and after its adoption.

ATTEST: *Rendie J. Scott*
/s/ _____
City Secretary/Clerk

APPROVED AS TO FORM:

[Signature]
/s/ _____
City Attorney

The Willow Park City Council in acting on Ordinance No. 539-05, did on the 19th day of July, 2005 vote as follows:

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

State of Texas §
 §
County of Parker §

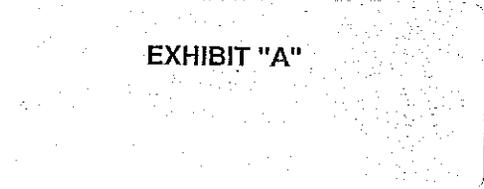
Petition for Annexation

Presented to the City of Willow Park,
Parker County, Texas

I, Bob Farnham, authorized agent for Willow Park Fire Department, A Texas Non-Profit Corporation, do state and certify that Willow Park Fire Department is the sole owner of that certain 0.405 acre tract of land, further described herein by metes and bounds, and do hereby petition the City of Willow Park, Parker County, Texas for annexation of said tract, which is less than one-half (1/2) mile in width, contiguous to the municipal boundary of the City of Willow Park, within its exclusive extraterritorial jurisdiction, and upon which fewer than three qualified voters reside, by filing said Petition with the City. The 0.405 acre tract of land is further described as follows:

0.405 acre situated in the I. & G.N. RR. Co. Survey, Abst. No. 1998, Parker County, Texas, being a portion of that certain tract of land conveyed to Bradford G. McDavid and William R. McDavid being Tract One by deed recorded in Volume 1623, Page 868, Real Property Records, Parker County, Texas, said 0.405 acre being more particularly described as follows:

Beginning at a 5/8" iron rod found in the south line of Bankhead Highway (R.O.W. varies), at the northwest corner of that certain tract of land conveyed to John L. Nolte and wife, Sandra C. Nolte, by deed recorded in Volume 388, Page 456, Deed Records, Parker County, Texas, said point being (per deed call) North 00 degrees 28 minutes 00 seconds West, 760.3 feet from the called southwest corner of the DAVID ADDINGTON SURVEY, Abst. No. 2, Parker County, Texas;



THENCE South 00 degrees 14 minutes 57 seconds East, along the common line of said McDavid/McDavid Tract One and Nolte tracts 110.45 feet to a 1/2" iron set;

THENCE South 64 degrees 37 minutes 55 seconds West, 153.12 feet to a 1/2" iron set;

THENCE North 25 degrees 28 minutes 05 seconds West 100.00 feet to a 1/2" iron set in the south line of said Bankhead Highway;

THENCE North 84 degrees 37 minutes 55 seconds East, along the south line of said Bankhead Highway 200.00 feet to the POINT OF BEGINNING and containing 0.405 acre of land.

Signed, acknowledged and executed this the 19th day of July, 2005.

Willow Park Fire Department

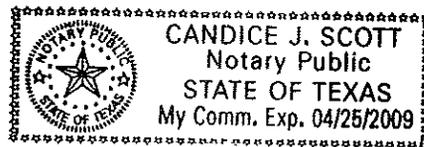
By: Bob Farnham, Chief
Bob Farnham, Chief
Willow Park Fire Department

Before me this the ____ day of July 2005, appeared Bob Farnham, Chief, Willow Park Fire Department, who swears that he is in the capacity stated herein, and with the authority to sign, execute and bind Willow Park Fire Department, as set forth in said Petition; subscribed to and sworn before me, the undersigned authority, on this 19th day of July 2005, to certify which witness my hand and seal of office.

Candice J. Scott
Notary Public, State of Texas

My Commission Expires:

4/29/05



Petition for Annexation

Received by Strasburger & Price, L.L.P., on 6/17/2005 4:03:45 PM [Central Daylight Time]

BEGIN

JUNE 7, 1912
AND 1913
SANDRA C. PRATT
V. 368, P. 659

I. & G. N. RR. CO. SURVEY
ABST. NO. 1998

0.405 ACRES

BRADFORD G. McDAVID
WILLIAM E. McDAVID
(TRUSTEES)
V. 368, P. 568

