

# CITY OF WILLOW PARK

ORDINANCE NO. 593-09

**AN ORDINANCE PROVIDING FOR THE ACCEPTING AND CONSIDERING OF A PETITION OF ANNEXATION FILED WITH THE CITY OF WILLOW PARK, TEXAS BY MIT-MAR LAND, L.P. AND M H2, L.P. (OWNERS), TEXAS LIMITED PARTNERSHIPS, ORGANIZED UNDER THE LAWS OF THE STATE OF TEXAS; THE ANNEXATION OF THAT CERTAIN 118.82 ACRE TRACT OF LAND SITUATED IN THE WESLEY FRANKLIN SURVEY ABSTRACT NO. 468, THE ISAAC HEADLEY SURVEY, ABSTRACT NO. 21, 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 118.82 acre tract of land, did file with the City of Willow park a Petition for Annexation in which the authorized agent of the Owner stated under oath that: Mit-Mar Land, L.P. and M H2, L.P. 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 19.287 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 118.82 acre tract described in Exhibit "A" and depicted in Exhibit "B", which are attached hereto and made a part hereof, and filed with the City.

## 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.

SECTION 6. EFFECTIVE DATE

This Ordinance shall take effect from and after its adoption.

PASSED AND APPROVED this 16<sup>th</sup> day of March, 2009.

/s/ Marvin Glasgow  
Mayor

ATTEST:

/s/ Joel Hoffman  
City Secretary/Clerk

APPROVED AS TO FORM:

/s/ \_\_\_\_\_  
City Attorney

The Willow Park City Council in acting on Ordinance No. 593-09, did on the 16<sup>th</sup> day of March, 2009 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
Marvin Glasgow, Mayor	_____	_____
Barry K. Tatum, Place 1	_____✓	_____
J. Teresa Welch, Place 2	_____	_____
Barry Brown, Place 3	_____✓	_____
Kenneth Hawkins, Place 4	_____✓	_____
Hale Alderman, Place 5	_____✓	_____

State of Texas        )(  
                          )(  
County of Parker     )(

Petition for Annexation

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

I, Jim Martin, authorized agent for Mit-Mar Land, L.P. and M H2, L.P. do state and certify that Mit-Mar Land, L.P. and M H2, L.P. are the sole owners of that certain 118.82 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 118.82 acre tract of land is further described as follows:

Being a 118.82 acre tract situated in the WESLEY FRANKLIN SURVEY, ABSTRACT NO.468; the ISAAC HEADLEY SURVEY, ABSTRACT NO. 619; and the DAVID ADDINTON SURVEY, ABSTRACT NO. 21, Parker County, Texas and being a portion of these certain tracts of land conveyed to Mit-Mar Land, L.P. and M H2, L.P. as evidenced by deeds recorded in Volume 2630, Page 1889 and Volume 2652, Page 1672 respectively, Deed Records Parker County, Texas said 118.82 acres being more particularly described as follows:

COMMENCING at a point in the north line of Interstate Highway 20 for the intersection of the Interstate Highway 20 north line and the east line of Crown Lane, said point being the southwest corner of said Mit-Mar Land, L.P. tract;

THENCE S 67° 46' 13" E with the Interstate 20 north line a distance of 300.06 feet to an angle point;

THENCE S 67° 54' 54" E with the Interstate Highway 20 north line a distance of 309.83 feet to a point for the intersection of the Interstate Highway 20 north line and the existing city of Willow Park corporate limit line, said point being the POINT OF BEGINNING;

THENCE N 33° 48' 51" W with the existing City of Willow Park corporate limit line a distance of 982.83 feet to a point;

THENCE N 58° 26' 06" E, leaving said corporate limit line a distance of 1071.31 feet to a point in the east line of proposed Crown Pointe Boulevard;

THENCE S 43° 30' 12" E with said east line a distance of 136.64 feet to a point in the Mit-Mar Land, L.P. and M H2, L.P. common line;

THENCE N 58° 59' 56" E with the Mit-Mar Land, L.P. and M H2, L.P. common line a distance of 140.73 feet to an angle point;

THENCE N 56° 58' 06" E, continuing with said common line, a distance of 908.35 feet to a point in the approximate centerline Clear Fork Trinity River;

THENCE leaving said Mit-Mar Land, L.P. and M H2, L.P. common line, with the approximate centerline of Clear Fork Trinity River the following courses and distance;

S 35° 12' 35" E, 78.28 feet;  
S 83° 09' 07" E, 303.51 feet;  
S 37° 18' 16" E, 465.27 feet;  
S 22° 39' 51" E, 280.36 feet;  
S 00° 43' 55" W, 261.71 feet;  
S 50° 13' 20" E, 215.39 feet;  
S 07° 24' 55" E, 123.34 feet;  
S 16° 27' 11" W, 242.57 feet;  
S 51° 52' 53" E, 289.92 feet;  
S 19° 40' 02" W, 68.26 feet;  
S 23° 00' 26" W, 75.76 feet;  
S 19° 41' 21" E, 205.06 feet;  
S 37° 58' 56" E, 210.00 feet;  
S 76° 15' 15" E, 302.35 feet;  
S 46° 03' 55" E, 59.97 feet;  
S 06° 06' 13" E, 341.87 feet;  
S 20° 11' 36" E, 160.36 feet to the most easterly, northeast corner of said Mit-Mar Land, L.P. tract;

THENCE S 58° 19' 15" W, leaving the approximate centerline of Clear Fork Trinity River, a distance of 326.35 feet to a point in the north line of Interstate Highway 20, said point being the beginning of a non-tangent curve to the right having a radius of 11378.15 feet, a central angle of 02° 57' 21", and a long chord which bears N 69° 23' 34" W, 586.90 feet;

THENCE along said curve to the right and north line of Interstate Highway 20 an arc distance of 586.97 feet to a point;

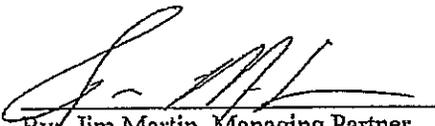
THENCE N 67° 54' 54" W, continuing with said north line, a distance of 2334.62 feet to the POINT OF BEGINNING and CONTAINING 5, 175, 667 square feet, 118.82 acres of land, more or less.

Signed, acknowledged and executed this the \_\_\_\_ day of February, 2009.

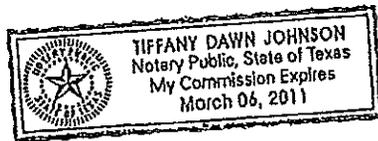
Mit-Mar Land, L.P.

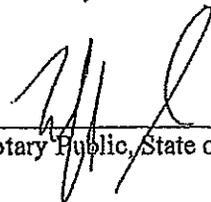
  
By: Jim Martin, Managing Partner

MH2, L.P.

  
By: Jim Martin, Managing Partner

Before me this the \_\_\_\_ day of February, 2009 appeared Jim Martin as the managing partner of Mit-Mar Land, L.P. and M H2, L.P., who swears that he is in the capacity stated herein, and with the authority to sign, execute and bind Mit-Mar Land, L.P. and M H2, L.P., as set forth in said Petition; subscribed to and sworn before me, the undersigned authority, on this \_\_\_\_ day of February, 2009, to certify which witness my hand and seal of office.



  
\_\_\_\_\_  
Notary Public, State of Texas

My Commission Expires:

March 6, 2011

