

# **CITY OF WILLOW PARK**

ORDINANCE NO. 659-13

**AN ORDINANCE PROVIDING FOR ANNEXATION BY THE CITY OF WILLOW PARK, TEXAS OF THAT CERTAIN 10.10 ACRE TRACT OF LAND SITUATED IN THE WESLEY FRANKLIN SURVEY, ABSTRACT NO. 468 BEING A PORTION OF THAT TRACT OF LAND CONVEYED TO WILLOW PARK BAPTIST CHURCH OF TEXAS BY DEED RECORDED IN VOLUME 2896, PAGE 403 DEED RECORDS, PARKER COUNTY, TEXAS; PROVIDING FOR ENCOMPASSING THE AREA DESCRIBED BY THE PETITION FOR ANNEXATION WITHIN THE MUNICIPAL LIMITS OF THE CITY AND EXTENDING TO THE INHABITANTS OF THE AREA THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS OF THE MUNICIPALITY AND EXTENDING THE JURISDICTION OF THE ORDINANCES AND REGULATIONS OF THE CITY TO SAID 10.10 ACRE TRACT; AND PROVIDING FOR PUBLICATION, RECORDATION AND 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 10.10 acre tract of land, Willow Park Baptist Church (Owner), did file with the City of Willow Park on February 13, 2013, a Petition for Annexation in which the Owner stated under oath that Willow Park Baptist Church was the sole Owner of the property described therein, 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 10.10 acre tract; and

**WHEREAS**, the Mayor of the City of Willow Park did receive the Petition and Affidavit on or about February 13, 2013, attesting to the above facts; and

**WHEREAS**, notice of the hearing on the Petition has been provided in a newspaper of general circulation prior to the public hearing on the above-described Petition, providing the date, time and place of the hearing, and inviting testimony for and against the Petition; and

**WHEREAS**, the City did on the 13<sup>th</sup> of February 2013, accept the filing of the Petition for Annexation by action of the governing body on said date; and

**WHEREAS**, a hearing on the Petition pursuant to §43.028(d) TEX. LOCAL GOV'T CODE was scheduled after the fifth day, but before the 30<sup>th</sup> day that the Petition was lawfully filed with the City; and

**WHEREAS**, the public hearing, duly and legally noticed to hear arguments for and against the said Petition for Annexation, was conducted prior to the consideration of this Ordinance.

**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. FINDINGS**

The City Council does hereby find: 1) that the Petition for Annexation of that certain 10.10 acre tract described in Exhibit A, attached hereto and included herein for all purposes, has met and satisfied all the statutory requirements of §43.028 TEX. LOCAL GOV'T CODE; 2) a public hearing was held after the 5<sup>th</sup> day, but before the 30<sup>th</sup> day that the Petition for Annexation of that certain 10.10 acre tract was filed with the City.

## **SECTION 3. PETITION GRANTED**

The City council does hereby annex the 10.10 acre tract described on Exhibit A into the municipal limits of the City of Willow Park, Tx.

SECTION 4. EXTENSION OF JURISDICTION

That certain 10.10 acre tract of a land is hereby annexed into the City and is hereby made part of the City, and the inhabitants of the area so defined are entitled to the rights and privileges of other citizens of the City and are bound by the acts, regulations and ordinances as adopted by the City which are hereby extended to said tract.

SECTION 5. RECORDATION

The City Secretary is hereby ordered to forward a certified copy of this Ordinance, as adopted, together with a copy of the Petition for filing in the Office of the County Clerk, Parker County, the county in which the City is located.

SECTION 6. MAP AMENDMENT

The City Secretary is hereby directed to amend the official zoning map of the City to reflect the annexation of that certain 10.10 acre tract authorized herein consistent with marking specified by the municipal code of ordinances of the City.

SECTION 7. 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 8. 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

The Willow Park City Council in acting on Ordinance No. 659-13 did on the 26<sup>th</sup> day of February, 2013 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
Richard Neverdousky, Mayor	_____	_____
Brian Thornburg, Place 1	✓ _____	_____
Gene Martin, Place 2	✓ _____	_____
Amy Podany, Place 3	✓ _____	_____
Dan Stalling, Place 4	✓ _____	_____
Bernard Suchocki, Place 5	✓ _____	_____

this or any other Ordinance or Resolution of the City of Willow Park to which these rules and regulations relate.

SECTION 9. PUBLICATION

The City Secretary of the City of Willow Park is hereby directed to publish in the official newspaper of the City of Willow Park the caption hereof and the effective date of this ordinance as required by Section 52.011, TEX. LOCAL GOV'T CODE.

SECTION 10. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its adoption by the City Council of the city of Willow Park and after publication as required herein.

PASSED AND APPROVED this 26<sup>th</sup> day of February, 2013

/s/ Richard Neverdousky  
Mayor

ATTEST: /s/ Yael Hoffman  
City Secretary/Clerk

APPROVED AS TO FORM: \_\_\_\_\_  
/s/ \_\_\_\_\_  
City Attorney

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

Petition for Annexation

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

I, Clark Boshier, Senior Pastor of Willow Park Baptist Church of Texas, do state and certify that Willow Park Baptist Church is the sole owner of that certain 10.10 acre tract of land, further described herein by metes and bounds, and do hereby petition to 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 10.10 acre tract of land is further described as follows:

Being a 10.10 acre tract situated in the WESLEY FRANKLIN SURVEY, ABSTRACT No. 468, Parker County, Texas and being a portion of that certain tract of land conveyed to Willow Park Baptist Church of Texas, as evidenced by deed recorded in Volume 2896, Page 403, Deed Records, Parker County, Texas, said 10.10 acres being more particularly described as follows:

BEGINNING at a 1/2" found iron rod in the east line of Crown Pointe Boulevard, said point being the northwest corner of Lot 1, Block A, The Village at Crown Park, an addition to the City of Willow Park, Texas as recorded in Cabinet D, Slide 195, Plat Records, Parker County, Texas, said point also being on the existing city of Willow Park corporate limit line;

THENCE South 58°59'56" West, with the existing city of Willow Park corporate limit line, a distance of 5.10 feet to a point;

THENCE North 43°30'12" West, with said corporate limit line, a distance of 136.64 feet to a point;

THENCE South 58°26'06" West, with said corporate limit line, at 38.30 feet passing the most northerly northeast corner and at 73.95 feet passing the most northerly northwest corner of Crown Pointe Boulevard right-of-way as dedicated to the City of Willow Park, Texas by plat recorded in Cabinet D, Slide 73, Plat Records, Parker County, Texas, in all a distance of 809.64 feet to a point;

THENCE North 33°01'54" West, leaving said corporate limit line a distance of 401.57 feet to a point;

THENCE North 86°43'19" East a distance of 847.12 feet to the aforesaid most northerly northwest corner of Crown Pointe Boulevard right-of-way;

THENCE North 42°30'00" West a distance of 399.43 feet to a point;

THENCE North 47°30'00" East a distance of 517.531 feet to a point;

THENCE South 42°30'00" East a distance of 628.93 feet to a point on the existing City of Willow Park corporate limit line, said point also being on the north line of said Lot 1, Block A, The Village at Crown Park;

THENCE South 56°58'06" West, with said corporate limit line and the north line of said Lot 1, Block A, The Village at Crown Park, a distance of 308.83 feet to an angle point;

THENCE South 58°59'56" West, continuing with said corporate limit line and the north line of said Lot 1, Block A, The Village at Crown Park, a distance of 135.63 feet to the POINT OF BEGINNING and CONTAINING 439,970 square feet, 10.10 acres of land, more or less.

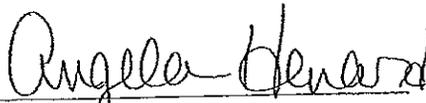
Signed, acknowledged and executed this the 13 day of February, 2013

Willow Park Baptist Church of Texas



By: Clark Boshier, Senior Pastor

Before me this the 13<sup>th</sup> day of February, 2013 appeared Clark Boshier of Willow Park Baptist Church, who swears that he is in the capacity stated herein, and with the authority to sign, execute and bind Willow Park Baptist Church, as set forth in said Petition; subscribed to and sworn before me, the undersigned authority, on this 13<sup>th</sup> day of February, 2013, to certify which witness my hand and seal of office.

  
Notary Public, State of Texas

My Commission Expires:

8/13/2014

