

## **RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS GRANTING A PETITION FILED BY WILLIAM AND PENNY WHITENER UNDER SECTION 42.102 OF THE LOCAL GOVERNMENT CODE AND REMOVING APPROXIMATELY 27.93 ACRES OF LAND OUT OF THE G.R. SHANNON SURVEY, ABSTRACT NO. 792, ADDRESSED AS 2304 CR 913, AND AS FURTHER DESCRIBED IN THE PETITION FROM THE CITY'S EXTRATERRITORIAL JURISDICTION.**

**WHEREAS**, the City of Burleson, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, Subchapter D "Release of Area by Petition of Landowner or Resident from Extraterritorial Jurisdiction" of Chapter 42 of the Local Government Code became effective on September 1, 2023; and

**WHEREAS**, on November 9, 2023, the City received a petition in accordance with Subchapter D from William and Penny Whitener, a copy of said petition being attached to this resolution as Exhibit "A" and incorporated herein by reference for all purposes; and

**WHEREAS**, the petition requests the City release the real properties commonly known and addressed as 2304 CR 913, and that is more fully described in the petition from the City's extraterritorial jurisdiction (the "Property"),

**WHEREAS**, the City Council finds that Subchapter D applies to the Property, that the petitioner has the authority to file the petition, and that the petition meets all of the requirements of Subchapter D; and

**WHEREAS**, in accordance with Section 42.105 of the Local Government Code, the City Council desires to release the real property described in the petition from the City's extraterritorial jurisdiction.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:**

### **Section 1.**

In accordance with Section 42.105 of the Local Government Code, the City hereby grants the petition and releases the Property from the City's extraterritorial jurisdiction.

### **Section 2.**

The City Manager is hereby directed to amend the official city map to reflect the removal of real property from the City's extraterritorial jurisdiction, in accordance with Section 41.001 of the Local Government Code. Additionally, the City Manager is hereby further directed to deliver a copy of this resolution to the petitioner, in accordance with Section 42.105 of the Local Government Code.

**Section 3.**

The foregoing recitals are adopted and incorporated herein for all purposes.

**Section 4.**

This resolution shall take effect immediately from and after its passage.

**PASSED, APPROVED, AND SO RESOLVED** by the City Council of the City of Burleson, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Chris Fletcher, Mayor  
City of Burleson, Texas

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Amanda Campos, City Secretary

\_\_\_\_\_  
E. Allen Taylor, Jr., City Attorney