

**CITY OF JOSHUA, TEXAS**  
**ORDINANCE NO. 849-2022**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, DISANNEXING THOSE TRACTS OF LAND DESCRIBED IN EXHIBIT A, ATTACHED HERETO, FROM THE CITY LIMITS OF THE CITY OF JOSHUA, TEXAS, PURSUANT TO SECTION 43.142 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, in accordance with Section 43.142 of the Texas Local Government Code, as amended, the City of Joshua, Texas, desires to disannex those tracts of land described in attached Exhibit A, incorporated by reference, from the corporate limits of the City of Joshua, Texas; and

**WHEREAS**, Section 1.04, “Change of Boundaries,” of Article I, “Form of Government and Boundaries,” of the Home Rule Charter of the City of Joshua, Texas, authorizes the disannexation of property by the City Council; and

**WHEREAS**, the City and the Landowners referenced in Exhibit A have mutually agreed to this disannexation and the Landowners have instead opted for disannexation and the execution of a preannexation agreement for their properties; and

**WHEREAS**, the City and the Landowners agree and acknowledge that the City has provided direct benefit and services to the Landowners that exceed any tax proceeds referenced in Subchapter G of Chapter 43 of the Texas Local Government Code, as amended; and

**WHEREAS**, all of the provisions of state law including, but not limited to the applicable provisions of Chapter 43 of the Texas Local Government Code, have hereby been met, including any and all required notices.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, THAT:**

**SECTION 1**

All of the above findings are hereby found to be true and correct and are incorporated into the body of this Ordinance in their entirety.

**SECTION 2**

Those tracts of land described in attached Exhibit A, incorporated by reference, are hereby disannexed from the corporate limits of the City of Joshua, Texas.

### **SECTION 3**

The official map and boundaries of the City heretofore adopted and amended be and are hereby amended so as to exclude the property described in attached Exhibit A as part of the City.

### **SECTION 4**

The Mayor is hereby directed and authorized to perform or cause to be performed all acts necessary to effectuate this Ordinance, including any corrections to the official map of the City to exclude the territory hereby disannexed, as required by law.

### **SECTION 5**

The Mayor is hereby directed and authorized to file a certified copy of this Ordinance with the necessary governmental agencies.

### **SECTION 6**

Any provisions of the ordinances of the City of Joshua in conflict with the provisions of this Ordinance shall be and the same are hereby repealed and any provisions not so in conflict with the provisions of the Ordinance shall remain in full force and effect.

### **SECTION 7**

In the event any section, paragraph, subdivision, clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any entity or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Joshua, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

### **SECTION 8**

This Ordinance shall take effect immediately from and after its passage, as the law in such cases provides.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, ON THIS THE 17 TH DAY OF NOVEMBER 2022.**

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Scott Kimble, Mayor

**ATTEST:**

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Alice Holloway, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

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Terrence S. Welch, City Attorney

**EXHIBIT A**  
**(Disannexation Tracts)**

1. JCAD #: 126.0603.00780  
ABST 603 TR 20 of the WH Miller, being  $\pm.561$  acres
2. JCAD #: 126.0603.00847  
ABST 603 TR 26F of the WH Miller being  $\pm 2.00$  acres
3. JCAD #: 126.0040.00355  
ABST 40 TR 19F of the TW Baird, being  $\pm 1.0050$  acres
4. JCAD #: 126.0603.00870  
ABST 603 TR 26L of the WH Miller, being  $\pm 2.31$  acres
5. JCAD #: 126.0348.00230  
ABST 348 TR 46 of the D Hunter, being  $\pm 2.91$  acres
6. JCAD #: 126.0348.00231  
ABST 348 TR 46A of the D Hunter, being  $\pm 2.84$  acres
7. JCAD #: 126.3587.00030  
Lot 3,4,5, Block 21 of the Wilson Est, being  $\pm 1.372$  acres
8. JCAD #: 126.0603.00865  
ABST 603 TR 26H of the WH Miller, being  $\pm 1.00$  acres
9. JCAD #: 126.0603.01030  
ABST 603 TR 27,28 of the WH Miller, being  $\pm 19.31$  acres