

CITY OF JOSHUA, TEXAS

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, PROVIDING FOR THE ANNEXATION OF A TRACT OF LAND SITUATED IN THE THOMAS W. BAIRD SURVEY, ABSTRACT NO. 40, JOHNSON COUNTY, TEXAS, CONTAINING APPROXIMATELY 0.935 ACRES OF LAND; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT THE OWNER OF THE ABOVE-DESCRIBED TRACT OF LAND SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS OF JOSHUA AND BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND HEREAFTER ADOPTED; ADOPTING AN ANNEXATION SERVICE AGREEMENT FOR THE TRACT; PROVIDING FOR AMENDING AND CORRECTING THE OFFICIAL BOUNDARIES OF THE CITY; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Joshua, Texas ("City Council"), pursuant to the consensual annexation authority contained in Chapter 43 of the Texas Local Government Code, has investigated and determined that it would be advantageous and beneficial to Joshua and its inhabitants to annex the hereinafter described property ("Property") into the City of Joshua ("City") upon the request of the owner of said Property; and

WHEREAS, the City Council finds that all requisites relative to consideration and adoption of this Ordinance have been complied with, pursuant to Chapter 43, Texas Local Government Code; and

WHEREAS, the City Council finds that the Property that is the subject of this Ordinance is within the extraterritorial jurisdiction of the City and is adjacent and contiguous to the existing City limits of the City; and

WHEREAS, the City Council finds that the field notes close the boundaries of the Property being annexed; and

WHEREAS, the City Council has conducted a public hearing at which persons interested in the annexation were given an opportunity to be heard regarding the proposed annexation and the proposed service plan; and

WHEREAS, the City Council finds the public hearing was conducted and held in accordance with Chapter 43 of the Texas Local Government Code; and

WHEREAS, the City Council finds that the City and owner have entered into an Annexation Service Agreement that meets the requirements of Section 43.0672 of the Texas Local Government Code; and

WHEREAS, the City Council finds that all legal notices, hearings, procedures and publishing requirements for annexation have been performed and completed in the manner and form set forth by law.

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

SECTION 1

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2

The Property described in attached Exhibit A, incorporated for all purposes into the body of this Ordinance, is hereby annexed into the City and made a part thereof.

SECTION 3

The Annexation Service Agreement for the Property is attached hereto as Exhibit B and made a part hereof for all purposes, and the City Manager is hereby authorized to execute same on behalf of the City.

SECTION 4

From and after the passage of this Ordinance, the Property shall be a part of the City, and the inhabitants thereof shall be entitled to all the rights and privileges of all of the citizens of City and shall be bound by all of the ordinances and regulations enacted pursuant to and in conformity with the laws of the State of Texas.

SECTION 5

That the official map and boundaries of the City are hereby amended to include the Property as part of the City and that a certified copy of this Ordinance shall be filed in the County Clerk's Office of Collin County, Texas.

SECTION 6

The City Manager 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 add the territories hereby annexed as required by law.

SECTION 7

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

SECTION 8

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 9

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Joshua hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 10

This Ordinance shall become effective immediately upon its passage.

DULY PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, ON THIS 15TH DAY OF SEPTEMBER, 2022.

Scott Kimble, Mayor

ATTEST:

Alice Holloway, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, City Attorney

EXHIBIT A
(Property Description)

EXHIBIT B
(Annexation Service Agreement)