

CITY OF JOSHUA, TEXAS

ORDINANCE NO. ____

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 18 TH DAY OF AUGUST, 2022.

Scott Kimble, Mayor

ATTEST:

Alice Holloway, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, City Attorney

EXHIBIT A
(Disannexation Tracts)

1. JCAD #: 126.3436.00510
Lot 12, Block 2 of the Caddo Acres, being ± 1.47 acres
2. JCAD #: 126.3436.00520
Lot 13, Block 2 of the Caddo Acres, being ± 4.00 acres
3. JCAD #: 126.3436.00530
Lot 14, Block 2 of the Caddo Acres, being ± 1.96 acres
4. JCAD #: 126.3436.00300
Lots 29 and 30, Block 1 of the Caddo Acres, being ± 3.00 acres
5. JCAD #: 126.3436.00270
Lots 27 and 28, Block 1 of the Caddo Acres, being ± 3.00 acres
Street Address: 1009 Oak Lane Drive, Joshua, Texas 76058
6. JCAD #: 126.3436.00590
Lot 20, Block 2 of the Caddo Acres, being ± 1.47 acres
Street Address: 1112 Oak Lane Drive, Joshua, Texas 76058
7. JCAD #: 126.3436.00540
Lot 15, Block 2 of the Caddo Acres, being ± 1.96 acres
8. JCAD #: 126.3436.00610
Lot 22, Block 2 of the Caddo Acres, being ± 2.08 acres
9. JCAD #: 126.3436.00615
Lot 22 Pt, Block 2 of the Caddo Acres, being ± 1.00 acres
Street Address: 1120 Oak Lane Drive, Joshua, Texas 76058
10. JCAD #: 126.3436.00600
Lot 21, Block 2 of the Caddo Acres, being ± 1.98 acres
11. JCAD #: 126.3436.00100
Lot 10R, Block 1 of the Caddo Acres, being ± 3.00 acres
Street Address: 908 CR 910, Joshua, Texas 76058
12. JCAD #: 126.3357.01085
Lot 8 PT, Block 1 of the Scarlet Oaks Addition PH II, being ± 2.8643 acres
13. JCAD #: 126.3357.01075
Lot 7 PT, Block 1 of the Scarlet Oaks Addition PH II, being ± 3.1384 acres