

**CITY OF JOSHUA, TEXAS
ORDINANCE NO.**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, DISANNEXING THE TRACT 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 the tract 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

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 City Secretary 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 City Secretary 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 15TH DAY OF AUGUST 2024.

Scott Kimble, Mayor

ATTEST:

Alice Holloway, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, City Attorney

EXHIBIT A

Property ID: R000009435

GEO ID: 126.0348.00281

Address: 107 Wilson Ln.

Owner: Cuellar Jose S ETUX Maria S

Property ID: R000009437

GEO ID: 126.0348.00290

Address: 107 Wilson Ln.

Owner: Cuellar Jose S ETUX Maria S

Property ID: R000009436

GEO ID: 126.0348.00282

Address: 4310 Red Bird Ln.

Owner: Cuellar Jose

Property ID: R000054118

GEO ID: 126.3587.00010

Address: 101 Wilson Ln.

Owner: Cuellar Jose

Property ID: R000054119

GEO ID: 126.3587.00020

Address: 107 Wilson Ln.

Owner: Cuellar Jose S ETUX Maria S