

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, PROVIDING FOR THE RELEASE OF A PORTION OF ITS EXTRATERRITORIAL JURISDICTION AND REDUCTION THEREOF; UPDATING THE OFFICIAL TOWN MAP; MAKING FINDINGS RELATED THERETO; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 42.023 of the Texas Local Government Code, as amended, a municipality may reduce its extraterritorial jurisdiction by written consent; and

WHEREAS, that section of the Texas Local Government Code further provides that said written consent must be by ordinance or resolution; and

WHEREAS, the Town of Prosper wishes to release, relinquish and discontinue an approximate 24.94-acre area from its extraterritorial jurisdiction, as referenced in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:

SECTION 1

All of the above findings are hereby found to be true and correct and are hereby incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2

The Town of Prosper hereby releases and reduces an approximate 24.94-acre portion of its extraterritorial jurisdiction, which portion to be released and reduced is described in Exhibit A, attached hereto and incorporated by reference.

SECTION 3

The Town Secretary is hereby directed to amend the Town's official map to incorporate the changes effected by this Ordinance and to file copies with the County Clerk of Denton County, Texas.

SECTION 4

Any and all ordinances, orders, resolutions, rules, regulations, policies or provisions in conflict with the provisions of this Ordinance are hereby repealed and rescinded to the extent of any conflict herewith.

SECTION 5

If any section, subsection, clause, phrase or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses,

phrases or provisions of this Ordinance, or the application thereof to any person or circumstances, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

SECTION 6

This Ordinance shall become effective from and after its passage and publication.

**DULY PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE
TOWN OF PROSPER, TEXAS, ON THIS 10TH DAY OF MAY, 2022.**

Ray Smith, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, Town Attorney

EXHIBIT A

(Description of Property to be Released from Prosper's ETJ)