

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS, ACCEPTING THE INCLUSION OF THE HEREIN DESCRIBED PROPERTY INTO THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF WILLOW PARK, AND EXTENDING THE BOUNDARY LIMITS OF SAID EXTRATERRITORIAL JURISDICTION TO INCLUDE SAID HEREIN DESCRIBED PROPERTY, AND GRANTING TO ALL INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OFFERED BY LAW AND BINDING SAID INHABITANTS BY ALL THE ACTS, ORDINANCES, RESOLUTIONS, LAWS AND REGULATIONS OF THE CITY OF WILLOW PARK AND THE STATE THAT MAY BE APPLIED OR ENFORCED**

**WHEREAS**, the City of Willow Park ("City") is a political subdivision of the State of Texas, organized as a Type A General Law municipality;

**WHEREAS**, the owner of the following property, Brothers in Christ Properties, LLC (the "Owner"), has petitioned the City of Willow Park to extend the present extraterritorial jurisdiction ("ETJ") of the City so as to include the following property in the ETJ of the City of Willow Park: 3.208 acre tract as described and depicted in attached Exhibit "A" (the "3 Acre Tract") and a 228.4 acre tract as described and depicted in attached Exhibit "B" (the "228 Acre Tract"), both of which are attached to Exhibit 1. (The 3 Acre Tract and the 228 Acre Tract may be collectively referred to herein as the "Property".)

**WHEREAS**, the 3 Acre Tract was in the ETJ of the City of Fort Worth and that property was released by the City of Fort Worth pursuant to Section 42.105(c) of the Local Gov't Code after a petition was duly filed by the Owner of the property.

**WHEREAS**, the 228 Acre Tract was in the ETJ of the City of Aledo and that property was released by operation of law from the City of Aledo's ETJ after the Owner complied with all requirements of Section 42.102 and 42.105 of the Local Gov't Code for release from the City of Aledo's ETJ, but the City of Aledo failed to take action to release the 228 Acre Tract from the City of Aledo ETJ within the time allowed by Section 42.105(d) and, in fact, denied the request for release.

**WHEREAS**, pursuant to Section 42.105(e), any property released from a city's ETJ under Section 42.105 of the Local Gov't Code may not be included in the ETJ or the corporate boundaries of another city unless the owner of the property subsequently requests that the property be included in the city's ETJ

**WHEREAS**, the City received a notarized petition titled "Petition for Voluntary ETJ Expansion" requesting inclusion of the Property into the City's ETJ attached hereto as Exhibit "1" from the Owner of the Property;

**WHEREAS**, the Property is not included in the ETJ or municipal boundaries of any other municipality;

**WHEREAS**, the Council held a meeting on Tuesday, June 11, 2024 at 6:00 p.m. and considered an agenda item that read, "Consider and take action on an ordinance accepting a petition to expand the City of Willow Park's Extraterritorial Jurisdiction to include a 3.208 Acre tract and a 228.4 acre tract of land owned by Brothers in Christ Properties, LLC", all in strict compliance with the TEXAS OPEN MEETINGS ACT, TEXAS GOVERNMENT CODE, Chapter 551; and

**WHEREAS**, at that meeting, the Council voted, by majority, to accept the petition and to include the Property into the ETJ of the City.

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

SECTION 1: The above recitals are hereby found to be true and correct and are incorporated herein for all purposes. The recitals and language of the petition for inclusion into City's ETJ, shall be incorporated herein for all purposes.

SECTION 2: Exhibit "1" is a petition for inclusion into the City's ETJ and accurately identifies the Property owned by Brothers in Christ Properties, LLC.

SECTION 3: The Property is hereby accepted into the City's ETJ, as described in Exhibit "1", to include all of the Property that Brothers in Christ Properties, LLC has legal title to, including the fee to the center of any roadway (right-of-way) abutting the Property, for which Brothers in Christ Properties, LLC has legal title to by grant, reservation or common law.

SECTION 4: The Council finds that the Property, which is the subject of this petition for inclusion into the City's ETJ, is not within the ETJ of any other municipality.

SECTION 5: The Council finds that a proper request for inclusion of the Property into the City's ETJ pursuant to Section 42.105(e) was made by the Owner in full compliance with law.

SECTION 6: The City Secretary shall maintain a file of the original petition and any relevant supporting documents for the Property included in Exhibit 1 .

SECTION 7: If the petition subject to this Ordinance shall be deemed unlawful, unconstitutional, or otherwise invalid, the validity or legality of any other ETJ inclusion requests received before or after shall remain unaffected and shall be in full force and effect.

SECTION 8: This Ordinance shall become effective immediately upon its passage.

SECTION 9: The City Administrator is directed to update the City's boundary and ETJ map available to the public to include the Property into the city's ETJ and to make said map available to any government or coalition of governments that maintains such city boundary maps.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Willow Park, Texas, on this the 11<sup>th</sup> day of June, 2024.

\_\_\_\_\_  
Doyle Moss, Mayor

**ATTEST:**

\_\_\_\_\_  
Crystal Dozier, City Secretary

**APPROVED AS TO FORM:**

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William P. Chesser, City Attorney

The Willow Park City Council is acting on Ordinance No. 905-24, did on the 11<sup>th</sup> day of June, 2024 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>
Doyle Moss	_____	_____	_____
Eric Contreras, Place 1	_____	_____	_____
Chawn Gilliland, Place 2	_____	_____	_____
Greg Runnebaum, Place 3	_____	_____	_____
Lea Young, Place 4	_____	_____	_____
Nathan Crummel Place 5	_____	_____	_____