

ORDINANCE NO. 914-24

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 EXPANDING 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, Beall-Dean Ranch, Ltd. (the "Owner"), has petitioned the City of Willow Park to expand the present extraterritorial jurisdiction ("ETJ") of the City so as to include the following property in the ETJ of the City of Willow Park: 321 acres as described by metes and bounds in attached Exhibit "A" and depicted in attached Exhibit "B" (the "Property");

WHEREAS, the Property was in the ETJ of the City of Fort Worth and 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, 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 And Inclusion" requesting the City to expand its present ETJ to include 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, November 12, 2024 at 6:00 p.m. and considered an agenda item that reads, "Consider and take action on an ordinance accepting a petition to expand the City of Willow Park's Extraterritorial Jurisdiction to include a 321 acre tract of land owned by Beall-Dean Ranch, Ltd....", 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 expansion and inclusion into City's ETJ, shall be incorporated herein for all purposes.

SECTION 2: The City has received a Petition for Voluntary ETJ Expansion and Inclusion of the Property owned by Beall-Dean Ranch, Ltd. from the Owner requesting that the City’s ETJ be expanded to include the Property.

SECTION 3: The City hereby expands the City's ETJ to include the Property described in attached Exhibit “A” and depicted in attached Exhibit “B”, including the fee to the center of any roadway (right-of-way) abutting the Property, for which Bell-Dean Ranch, Ltd. 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 expansion and inclusion into the City's ETJ, is not within the ETJ of any other municipality, and that a portion of the Property is within the one-mile ETJ distance of the City and the remaining portion of the Property is contiguous to that Property.

SECTION 5: The Council finds that a proper request for expansion and 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.

SECTION 7: If any portion of the expansion and inclusion of the Property in the City’s ETJ is invalid or unenforceable for any reason, including but not limited to parts of the Property being ineligible for inclusion in the City’s ETJ, such invalidity or unenforceability shall not affect any other provision hereof or any part of the Property which is eligible for inclusion in the City’s ETJ, and this Ordinance shall be construed as if such invalid or unenforceable provision had never been contained herein.

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

SECTION 9: The City Secretary 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 ____ day of _____, 2024.

Lea Young, Mayor Pro Tem

ATTEST:

Antonette A. Fisher, Interim City Secretary

APPROVED AS TO FORM:

William P. Chesser, City Attorney

The Willow Park City Council is acting on Ordinance No. _____, did on the ____ day of November, 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	_____	_____	_____