

RESOLUTION NO. 2019-13(R)

A JOINT RESOLUTION OF THE CITY COUNCILS OF THE CITIES OF LUCAS, TEXAS AND WYLIE, TEXAS (“CITIES”), CLARIFYING AND ESTABLISHING THE CITIES’ COMMON BOUNDARY LINE BY AMENDING THE JOINT RESOLUTION ADOPTED ON AUGUST 31, 1987, THAT WAS AMENDED AND REPUBLISHED ON APRIL 26, 1988, LUCAS RESOLUTION R-1988-04-00055; AUTHORIZING THE MAYORS OF THE CITIES TO EXECUTE THE NECESSARY ANNEXATION AND DE-ANNEXATION AGREEMENTS ON BEHALF OF THE CITIES; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Cities entered into an Amended Joint Resolution, Lucas Resolution R-1988-04-00055 on April 26, 1988 (the “Amended Joint Resolution”), that amended the Joint Resolution adopted on August 31, 1987, which is attached hereto as Exhibit “A” that established the Cities’ common boundary line; and

WHEREAS, the Amended Joint Resolution did not include a depiction of the common boundary line and contained ambiguities; and

WHEREAS, the Cities now desire to clarify the Amended Joint Resolution in order to establish with certainty the Cities’ common boundary line and agree to enter into any necessary annexation and de-annexation agreements to establish the common boundary line;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCILS OF THE CITIES OF LUCAS, TEXAS AND WYLIE, TEXAS:

SECTION 1. That the Cities desire to establish the common boundary line that is described and depicted in Exhibits “B” and “C” (“Common Boundary Line”).

SECTION 2. That the Cities agree to initiate the de-annexation of any territory conflicting with the Common Boundary Line on or before October 1, 2019.

SECTION 3. That City Councils of the Cities hereby authorize staff to prepare any necessary annexation or de-annexation ordinances for the purpose of establishing the Common Boundary Line provided such ordinances are brought before the Councils for individual consideration.

SECTION 4. That all provisions of the Resolutions of the Cities of Lucas, Texas and Wylie, Texas, that are in conflict with the provisions of this Resolution be, and the same are hereby, repealed, and all other provisions of the Resolutions of the Cities not in conflict with the provisions of this Resolution shall remain in full force and effect.


SECTION 5. That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Resolution, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said resolution, which shall remain in full force and effect.

SECTION 6. That this Resolution shall take effect immediately upon its passage.


DULY RESOLVED AND ADOPTED by the City Council of the City of Lucas, Texas,

on the 16 day of May, 2019.

ATTEST:


Stacy Henderson, City Secretary
(01-15-2019:TM105397)

APPROVED:

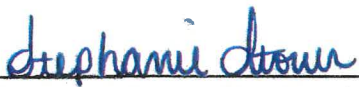

Jim Olk, Mayor



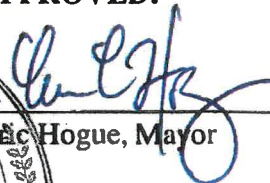
DULY PASSED AND APPROVED by the City Council of the City of Wylie, Texas, on

the 23rd day of April, 2019.

ATTEST:


Stephanie Storm, City Secretary

APPROVED:


Eric Hogue, Mayor

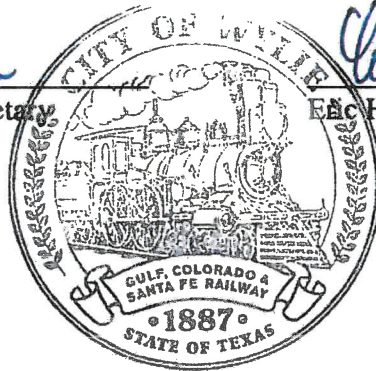


EXHIBIT "A"
Amended Joint Resolution

New Resolution #
R-1988-04-00055

AMENDED JOINT RESOLUTION
BETWEEN THE CITIES OF
WYLIE AND LUCAS, TEXAS

87-08-31A
Ref. 88-04-07

WHEREAS, the cities of Lucas and Wylie, Texas, adopted a Joint Resolution on August 31, 1987, to establish their ultimate boundaries;

WHEREAS, the City of Wylie desires certain changes in the resolution adopted August 31, 1987;

WHEREAS, the City of Lucas has no objection and agrees to the changes requested by the City of Wylie;

WHEREAS, the following is the Joint Resolution Between The Cities Of Wylie And Lucas, Texas of August 31, 1987, as amended and republished:

WHEREAS, the cities of Lucas and Wylie, Texas, desire to establish with certainty their ultimate common boundaries now and in the future; and

WHEREAS, it is the desire of the cities of Lucas and Wylie to establish their common extraterritorial jurisdiction boundary line, and in order to accomplish this end, the governing bodies of the cities of Lucas and Wylie have met and desire to enter into an agreement apportioning, by mutual consent, that the territory between these two cities and their overlapping extraterritorial jurisdiction (E.T.J.);

THEREFORE BE IS RESOLVED that the common E.T.J. line or ultimate common boundary of the City of Lucas and the City of Wylie, Collin County, Texas, is as described in Exhibit "A" attached hereto and included herein for all purposes as hereby adopted by the cities of Wylie and Lucas.

BE IT FURTHER RESOLVED that in order to implement this boundary agreement, the City of Wylie will on or before June 1, 1988, disannex the territory annexed by the City of Wylie in the following Wylie Annexation Ordinances: 86-42, 86-43 and 86-44. In addition, the City of Wylie will disannex a portion of the territory annexed under Wylie Ordinances 86-12 and 86-45, the same being described as that territory in the first 600 feet south of the north line of Abstract 303 and that territory in the first 3200 feet east of the west line of Abstract 303.

BE IT FURTHER RESOLVED that as consideration for this agreement and the Wylie disannexations described herein, Lucas will not file suit against Wylie for encroachment on Lucas' extraterritorial jurisdiction and Lucas will not consent without Wylie's prior approval of any municipal utility district or any

COPY

other similar governmental subdivision that may require Lucas' consent as a prerequisite for formation in the territory that Wylie will disannex as heretofore described.

BE IT FURTHER RESOLVED that in further consideration of this agreement Lucas will disannex that territory that is south of the center-line of Parker Road, F.M. 2514.

BE IT FURTHER RESOLVED that upon passage of this Joint Resolution by the City Councils of both Wylie and Lucas, that both cities will direct their respective City Attorneys to draft Ordinances and contracts to finalize and implement the Wylie-Lucas ultimate common boundary agreement.

APPROVED AND SIGNED this the 7 day of April, 1988.


Gerry Ann Guzman, Mayor, Lucas, Texas

APPROVED AND SIGNED this the 26th day of April, 1988.


Chuck Trimble, Mayor, Wylie, Texas

EXHIBIT A

**DESCRIPTION OF PROPOSED ULTIMATE CITY LIMIT LINE
BETWEEN WYLIE AND LUCAS, TEXAS**

BEGINNING at the intersection of the East line of Aztec Trail and the South line of the LEROY FARMER SURVEY, ABSTRACT NO. 334, the same being on the boundary line as agreed between the City of Lucas and the City of St. Paul dated July 17, 1975;

THENCE Northerly along the projection of the East line of Aztec Trail to the South line of the ORPHA SHELBY SURVEY, ABSTRACT NO. 799;

THENCE Easterly along the South line of the ORPHA SHELBY SURVEY (A-799) to the Southeast corner thereof;

THENCE Northerly along the East line of the ORPHA SHELBY SURVEY (A-799) and a projection thereof to a point that is 600 feet South of the Northwest corner of the D. FARMER SURVEY;

THENCE Easterly parallel to and 600 feet South of the North line of the D. FARMER SURVEY to a point that is 3,200 feet East of the West line of the D. FARMER SURVEY; and

THENCE Northerly parallel to and 3,200 feet East of the West line of the D. FARMER SURVEY to a point that intersects the Easterly extension of the Fairview-Lucas boundary agreement as described in a Joint Resolution Between The Cities Of Fairview And Lucas dated March 1, 1977 and filed in Volume 1045 at Page 775 of the Collin County Deed Records.

THENCE Westerly along the prolongation of the extension of the Fairview/Lucas Boundary Agreement referenced herein to the Corp of Engineers take line of the Lake Lavon Reservoir.

EXHIBIT "B"
Common Boundary Line Description

**A TWO-PART DESCRIPTION OF THE ULTIMATE BOUNDARY BETWEEN
THE CITY OF WYLIE AND THE CITY OF LUCAS, TEXAS**

PART 1

BEGINNING at the intersection of the South existing and future FM 2514 (also known as Parker Road) right-of-way line and the existing and future centerline of the Bois D'Arc Lane right-of-way of in the Squire T. Lewis Survey, Abstract No. 529;

THENCE Northerly along the existing and future centerline of the Bois D'Arc Lane right-of-way to the point of intersection with the existing and future centerline of the FM 2514 right-of-way;

THENCE Easterly along the existing and future centerline of the FM 2514 right-of-way;

ENDING at the intersection of the 1) existing and future centerline of the FM 2514 right-of-way and 2) the projected of the East existing and future FM 1378 (also known as Southview Drive in the City of Lucas and Country Club Road in the City of Wylie) right-of-way line in the M.L. Morris Survey, Abstract No. 561.

PART 2

BEGINNING at the intersection of the East existing and future Aztec Trail (also known as Country Road No. 303) right-of-way line and the projected South existing and future Aztec Trail (also known as Country Road No. 303) right-of-way line;

THENCE Northerly along the projection of the East existing and future Aztec Trail right-of-way line to the South line of the Orpha Shelby Survey, Abstract No. 799;

THENCE Easterly along the South line of the Orpha Shelby Survey, Abstract No. 799, to the Southeast corner of the Orpha Shelby Survey, Abstract No. 799;

THENCE Northerly along the East line of the Orpha Shelby Survey, Abstract No. 799, to the South line of the D. Farmer Survey, Abstract No. 303;

THENCE Northerly along the projected East line of the Orpha Shelby Survey, Abstract No. 799, and parallel to and East of the West line of the D. Farmer Survey, Abstract No. 303;

EXHIBIT "B"
Common Boundary Line Description

THENCE to a point being on the projected East line of the Orpha Shelby Survey, Abstract No. 799, and 600 feet south of the North line of the D. Farmer Survey, Abstract No. 303;

THENCE Easterly parallel to and 600 feet South of the North line of the D. Farmer Survey, Abstract No. 303, to a point that is 3,200 feet East of the West line of the D. Farmer Survey, Abstract No. 303;

THENCE Northerly parallel to and 3,200 feet East of the West Line of the D. Farmer Survey, Abstract No. 303, to a point that intersects with the South existing and future FM 3286 (also known as East Lucas Road) right-of-way line;

THENCE Northeasterly along the South existing and future FM 3286 right-of-way line;

ENDING to the intersection of the 1) South existing and future FM 3286 right-of-way line, 2) Army Corp of Engineer Lavon Lane take line, and 3) the Pecan Hills Installation No. 2, a subdivision to Collin Country, according to the map recorded in Volume D, Page 153 (Document No. 19840618000378270), Collin County Map and Plat.

EXHIBIT "C"

Common Boundary Line Depiction

PART 1

SHEET 1 of 3

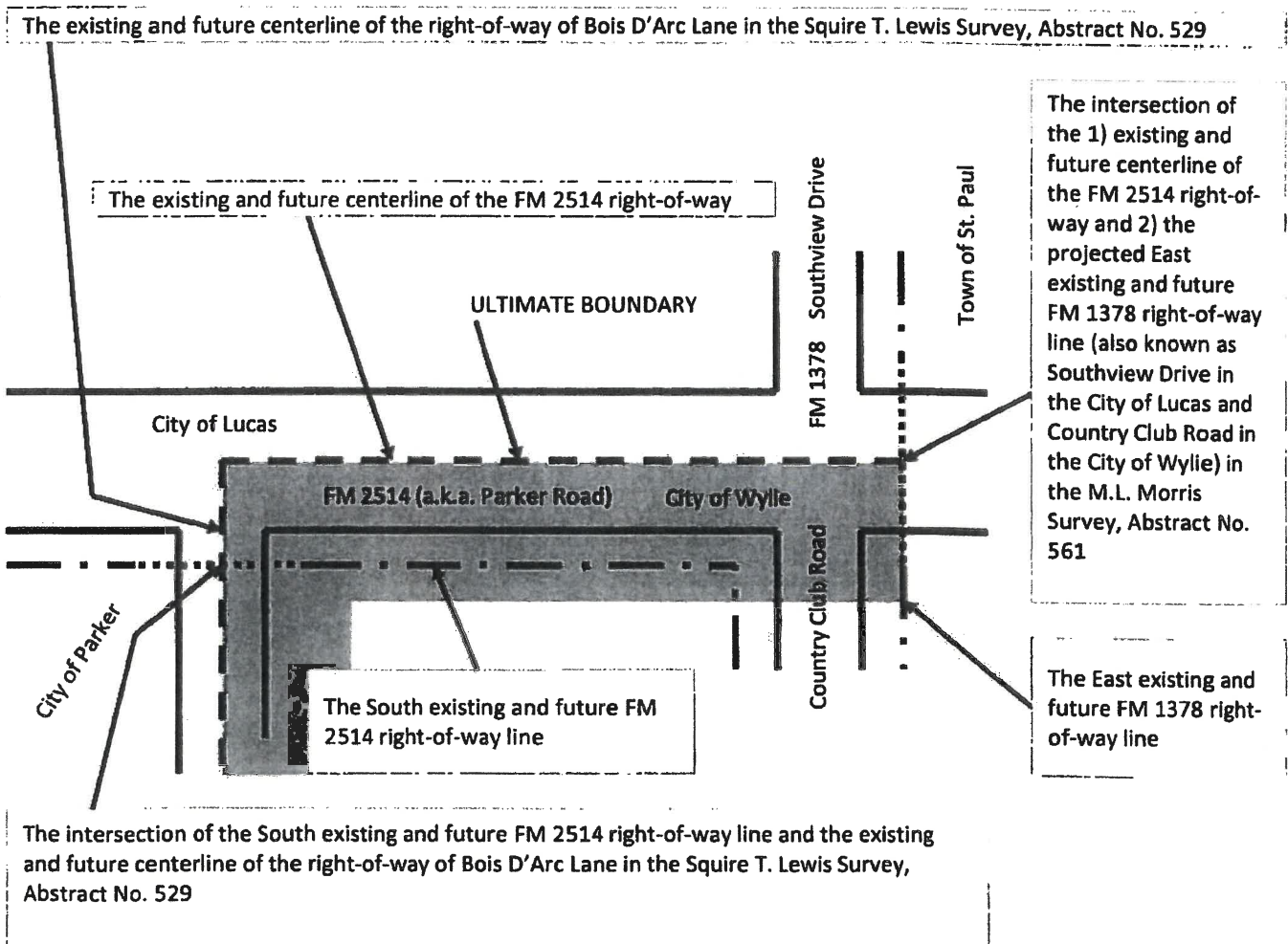


EXHIBIT "C"

Common Boundary Line Depiction

PART 2

SHEET 2 of 3

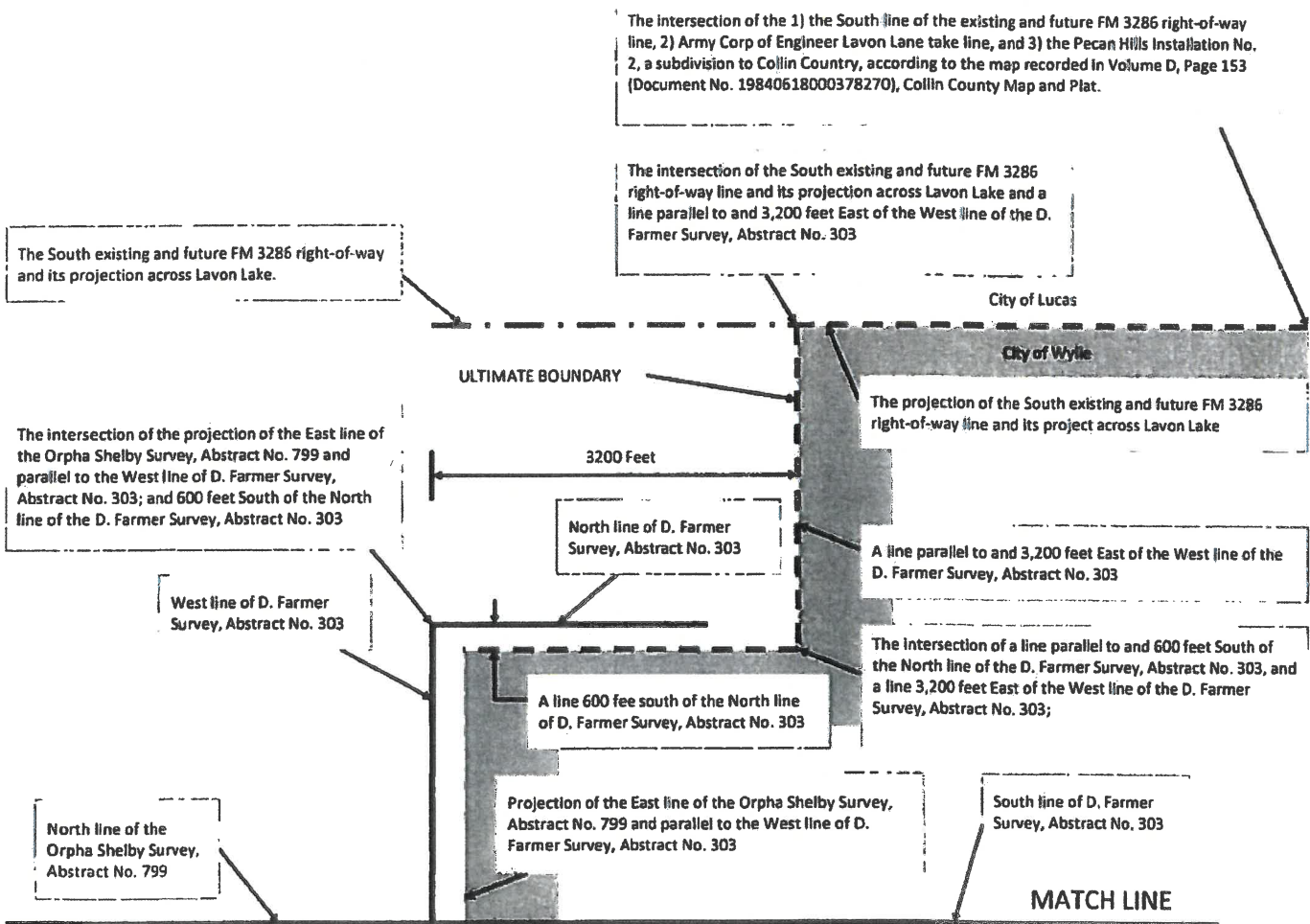


EXHIBIT "C"
Common Boundary Line Depiction
PART 2
SHEET 3 of 3

