

ORDINANCE NO. 2022-36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A BOUNDARY ADJUSTMENT AGREEMENT BETWEEN THE CITY OF WYLIE AND THE CITY OF LAVON; AUTHORIZING THE MAYOR TO EXECUTE THE BOUNDARY ADJUSTMENT AGREEMENT ON BEHALF OF THE CITY OF WYLIE; CLARIFYING THAT THE PROPERTY AS DESCRIBED IN THE BOUNDARY ADJUSTMENT AGREEMENT RELEASED FROM WYLIE'S EXTRATERRITORIAL JURISDICTION AND INCORPORATED INTO LAVON'S EXTRATERRITORIAL JURISDICTION; PROVIDING A REPEALING/SAVINGS CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Wylie, Texas ("City Council") desires to enter into a Boundary Adjustment Agreement between the City of Wylie, Texas ("Wylie") and the City of Lavon, Texas ("Lavon"), as set forth in Exhibit 1, attached hereto and incorporated herein by reference; and

WHEREAS, the City Council finds that it would be advantageous and beneficial to Wylie and its citizens to approve the Boundary Adjustment Agreement and to confirm that the property described in the Boundary Adjustment Agreement is released from Wylie's extraterritorial jurisdiction and incorporated into Lavon's extraterritorial jurisdiction in order to promote orderly development and delivery of municipal services within such property; and

WHEREAS, the City Council finds that all legal notices, procedures and other requirements for approving the Boundary Adjustment Agreement have been performed and completed in the manner and form required by law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Approval of Boundary Agreement. The City Council hereby approves the terms and conditions of the Boundary Adjustment Agreement attached as Exhibit 1. The Mayor is authorized and directed to execute, on behalf of Wylie, the Boundary Adjustment Agreement attached as Exhibit 1.

SECTION 3: Official Map and Boundaries Amended. Upon adoption of this Ordinance and the mutual execution of the Boundary Agreement, the official map and boundaries of Wylie shall be amended, if necessary, in accordance with the Boundary Agreement. A certified copy of this Ordinance with the mutually executed Boundary Adjustment Agreement shall be filed in the County Clerk's Office of Collin County, Texas.

SECTION 4: Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 5: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase thereof regardless of the fact that any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 6: Effective Date. This Ordinance shall become effective from and after its adoption.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS on this 26th day of April, 2022.

Matthew Porter, Mayor

**ATTESTED TO AND
CORRECTLY RECORDED BY:**

Stephanie Storm, City Secretary

Exhibit 1
Boundary Adjustment Agreement

[8 pages attached hereto]