

ORDINANCE NO. 2023-48

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, RELEASING A PORTION OF THE CITY OF WYLIE'S EXTRATERRITORIAL JURISDICTION, CONSISTING OF A 0.697± ACRE TRACT OF LAND LOCATED IN THE HUNTERS GLEN ADDITION, LOT 1, BLK 1, DALLAS, DALLAS COUNTY, TEXAS, GENERALLY LOCATED AT 101 HUNTERS GLEN, DALLAS, DALLAS COUNTY, TEXAS, AND CONTRACTING THE BOUNDARY LIMITS OF THE CITY OF WYLIE'S EXTRATERRITORIAL JURISDICTION ACCORDINGLY; PROVIDING A SAVINGS/ REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, Rosser P. Miller, III ("Landowner") is the sole owner of real property within that certain area of land consisting of 0.697± acres located in the Hunters Glen Addition, Lot 1, Blk 1, Dallas, Dallas County, Texas; and

WHEREAS, the Landowner submitted a Petition to the City of Wylie, Texas ("Wylie"), requesting a release of the Property from Wylie's extraterritorial jurisdiction, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the Landowner's Petition satisfies the requirements set forth in Texas Local Government Code Section 42.103; and

WHEREAS, the City Council has investigated and determined that it would be advantageous and beneficial to Wylie and its citizens and the Landowner to release the Property from Wylie's extraterritorial jurisdiction under the authority of Chapter 42 of the Texas Local Government Code, including Section 42.023 and Section 42.103 of the Texas Local Government Code, and the Wylie City Charter; and

WHEREAS, the City Council finds that Wylie has complied with all requirements for the consideration and adoption of this Ordinance pursuant to Chapter 42 of the Texas Local Government Code and the Wylie City Charter; and

WHEREAS, the City Council finds that all legal notices, hearings, procedures and other requirements for releasing the Property from Wylie's extraterritorial jurisdiction 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: Property Released from Extraterritorial Jurisdiction. The Property is hereby released from Wylie's extraterritorial jurisdiction, and the boundary limits of Wylie's extraterritorial jurisdiction are contracted accordingly. The City Manager and/or his designee shall take all necessary steps to amend the official map of Wylie to show that the Property is released and removed from Wylie's extraterritorial jurisdiction. No other release of or reduction in Wylie's extraterritorial jurisdiction is intended except as expressly set forth in this Ordinance. A certified copy of this Ordinance shall be filed in the County Clerk's Office of Collin County, Texas.

SECTION 3: Savings/Repealing. 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 4: 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 5: 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 September, 2023.

Matthew Porter, Mayor

**ATTESTED TO AND
CORRECTLY RECORDED BY:**

Stephanie Storm, City Secretary