



20100421000389560 04/21/2010 03:20:33 PM OR 1/10

CITY OF WESTON

O-2010-04-03 was incorrectly coded and should be O-2010-04-01

ORDINANCE NO. 0-2010-04-03

AN ORDINANCE OF THE CITY OF WESTON, TEXAS, DISANNEXING CERTAIN TERRITORY FROM THE CORPORATE LIMITS OF THE CITY PURSUANT TO V.T.C.A., LOCAL GOVERNMENT CODE SECTION 43.144; AMENDING THE CORPORATE LIMITS OF THE CITY TO COMPLY WITH THE SAID DISANNEXATION; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, Tracts of land which are along CR 209, more specifically described and depicted in Exhibit "A" attached to and made a part of this ordinance (the "Property") is currently an area that is part of the City of Weston, Texas (the "City" or "Weston"); and

WHEREAS, the Property consists of at least ten (10) acres of land that is contiguous to the City and the Property contains fewer than one (1) occupied residence or business structure for every two (2) acres and fewer than three (3) occupied residences or businesses on any one (1) acre; and

WHEREAS, the City Council of the City of Weston, Texas ("City Council") has investigated and determined that the Property qualifies for disannexation under Section 43.144 of the Texas Local Government Code, and finds that it will be advantageous and beneficial to the citizens of Weston to disannex certain territory from the corporate limits of the City; and

WHEREAS, the City Council has determined that disannexation of the Property will promote the general welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTON, 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: Disannexation of Area. Pursuant to V.T.C.A., Local Government Code Section 43.144, the Property is hereby disannexed from the corporate limits of the City.

SECTION 3: Corporate Limits Amended. The corporate limits of the City are hereby amended to comply with the disannexation described in this Ordinance.

SECTION 4. Intent. It is not the intent of the City Council, by the approval and adoption of this Ordinance that the City disannex any other property other than the Property described in Exhibit A.

SECTION 5. Authorization. The Mayor is hereby authorized and directed to implement this Ordinance immediately upon its adoption, amend the official City map to reflect the changes made by this Ordinance, and take any necessary steps to comply with state preclearance rules and regulations.

SECTION 6: Penalty. Any person, firm, corporation or entity violating this Ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not exceeding Five Hundred Dollars (\$500.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Weston from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 7: Savings/ Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed; but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of conflicting ordinances shall remain in full force and effect.

SECTION 8: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional 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 hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.


SECTION 9: Effective Date. This Ordinance shall become effective immediately upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WESTON, TEXAS, on this 13 day of April, 2010.

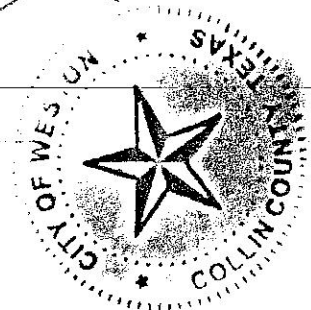


Scott Morrissey, Mayor

ATTEST TO:



City Secretary



Date(s) of publication April 13, 21 2010, in ^{the} ~~The~~ *Dallas Morning News - Collin County Edition*

EXHIBIT "A"
(Legal Description and Depiction)

Weston Disannexation Exhibit "A"

Tract 1

Land Record Information

6 sheets total (including cover sheet)

COUNTY ROAD 209

COUNTY ROAD 210

TRACT 1 P.O.B.

POINT 1

COUNTY ROAD 209

TRACT 1

COUNTY ROAD 285

POINT 22

POINT 21

LIMIT

WESTON
CITY LIMIT

Weston Disannexation Exhibit A

Tract 1

November 16, 2009

Sheet 2 of 5

WESTON CITY
LIMIT

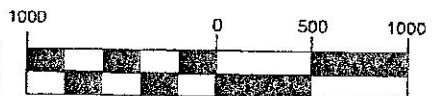
POINT 13
POINT 24

POINT 2, TRACT 2 P.O.B.
POINT 3



BWR
Right in the Center

GRAPHIC SCALE



Weston Disannexation Exhibit B
Legal Description

TRACT 1

Beginning at a point (TRACT 1 P.O.B.) which is the intersection of County Road 209 and County Road 210;

Thence, easterly to a point (POINT 1) which is the eastern corner of the current Weston city limits just south of County Road 210;

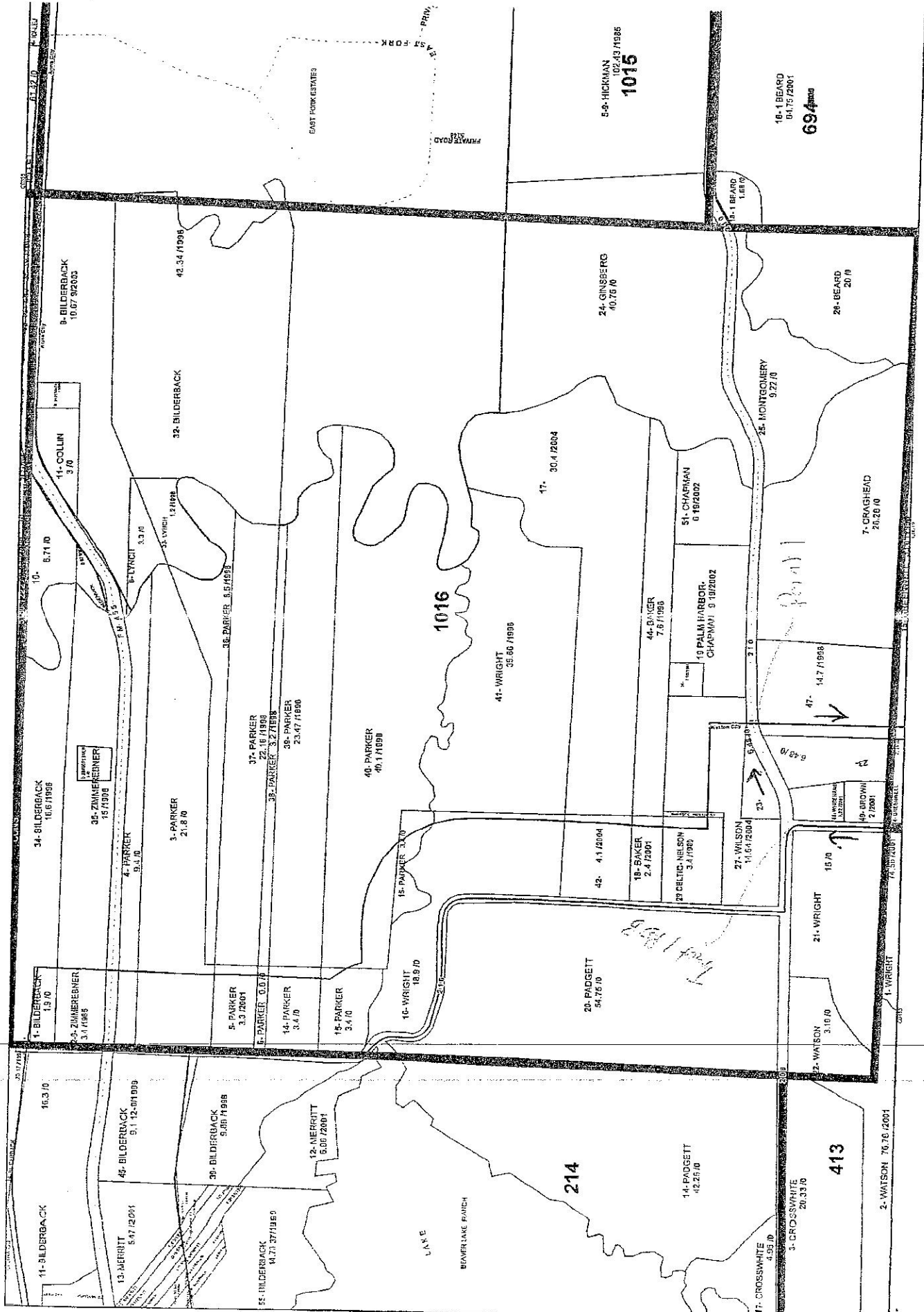
Thence, southerly along the eastern boundary of the current Weston city limits; to a point (POINT 2) which is on the south property line of Honey Creek Ranch #01, Lot 8;

Thence, westerly along the southern boundary of property known as Honey Creek Ranch #01, Lot 8 to the center line of County Road 209 (POINT 13);

Thence, northerly along said center line of County Road 209, which is also a western edge of the current Weston city limits, to the southeast corner (POINT 21) of a property known as Abstract A0963 Wilson JAS, Tract 21;

Thence, westerly and continuing along the current city limit line around property known as Abstract A0963 Wilson JAS, Tract 21 to its northeast corner (POINT 22) at the center line of County Road 209;

Thence, northerly along said center line of County Road 209 and western Weston city limit line to the Point of Beginning (TRACT 1 P.O.B).



Found sheet 2 of 5 exhibit C

Filed and Recorded
Official Public Records
Stacey Kemp, County Clerk
Collin County, TEXAS
04/21/2010 03:20:33 PM
\$52.00 TKING
20100421000389560



Stacey Kemp