

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ANNEXATION INTO THE CITY OF MANSFIELD OF APPROXIMATELY 36.144 ACRES SITUATED IN JOHNSON COUNTY DESCRIBED BELOW AND DEPICTED ON EXHIBIT “A”, LOCATED WITHIN THE CURRENT EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF MANSFIELD, TEXAS, FOR ALL MUNICIPAL PURPOSES; APPROVING A SERVICE PLAN FOR SUCH TERRITORY; PROVIDING FOR FILING NOTICE OF THIS ANNEXATION IN DEED RECORDS OF JOHNSON COUNTY AND WITH THE JOHNSON COUNTY APPRAISAL DISTRICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Mansfield, Texas is a is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the property owner has submitted a proper petition requesting the annexation of the hereinafter described territory; and

WHEREAS, this is a voluntary annexation; and

WHEREAS, after proper notice was provided in accordance with Chapters 43 of the Texas Local Government Code, public hearings on the proposed annexations were held before the Mansfield City Council on March 26, 2018, and April 9, 2018; and

WHEREAS, all of the property described herein is adjacent to and within the exclusive extra-territorial jurisdiction of the City of Mansfield; and

WHEREAS, a Service Plan has been prepared and is attached to and adopted with this Ordinance; and

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

**SECTION 1.
ANNEXATION**

That all portions of the following parcel (the “Territory”) located in Johnson County, Texas, are hereby annexed to the City of Mansfield as a part of the city for all municipal purposes, and the city limits are extended to include such Territory: Approximately 36.144 acres situated in Johnson County, Texas, and being a tract of land situated in the Edward West Survey, Abstract No. 917, and the Seth M. Blair Survey, Abstract No. 72, Johnson County, Texas, generally located south of Ellis Street (CR 516) and east of Hardy Street (CR 623), more fully described and depicted on Exhibit “A” attached hereto and incorporated herein for all purposes.

**SECTION 2.
RIGHTS AND DUTIES OF OWNERS AND
INHABITANTS IN NEWLY ANNEXED AREA**

The owners and inhabitants of the Territory are entitled to all of the rights and privileges of all other citizens and property owners of the City of Mansfield, and are bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be subsequently adopted.

**SECTION 3.
OFFICIAL MAP**

The official map and boundaries of the City, previously adopted, are amended to include the Territory as a part of the City of Mansfield, Texas. The City Secretary is directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the town to add the territory annexed as required by law. A copy of the revised map shall be filed with the Johnson County Appraisal District.

**SECTION 4.
FILING CERTIFIED COPY**

The City Secretary is directed to file or cause to be filed a certified copy of this ordinance in the office of the county clerk of Johnson County, Texas and with the Johnson County Appraisal District.

**SECTION 5.
SERVICE PLAN**

The Service Plan for the Territory, attached as Exhibit "B" and incorporated in this Ordinance, is approved in all things and made a part of this ordinance for all purposes.

**SECTION 6.
CUMULATIVE CLAUSE**

This ordinance shall be cumulative of all provisions of ordinances of the City of Mansfield, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**SECTION 7.
SEVERABILITY CLAUSE**

Should any section or part of this ordinance be held unconstitutional, illegal or invalid, or the application thereof, the unconstitutionality, illegality, invalidity or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof, but as to such remaining portions, the same shall be and remain in full force and effect.

**SECTION 8.
AREAS EXCEPTED FROM ANNEXATION**

Should this ordinance for any reason be ineffective as to any part of the area hereby annexed to the City of Mansfield, such ineffectiveness of this ordinance as to any such part or parts of any such area shall not affect the effectiveness of this ordinance as to the remainder of such area. The City Council hereby declares it to be its purpose to annex to the City of Mansfield every part of the area described in Section 1 of this ordinance, regardless of whether any part of such described area is hereby not effectively annexed to the City. Provided, further, that if there is included within the general description of territory set out in Section 1 of this ordinance to be hereby annexed to the City of Mansfield any lands or area which are presently part of and included within the limits of any other City, Town or Village, for which permission is not granted for Mansfield to annex the same is hereby excluded and excepted from the territory to be annexed hereby as fully as if such excluded and excepted area were expressly described herein, if permission has not been granted.

**SECTION 9.
EFFECTIVE CLAUSE**

This ordinance shall take effect immediately from and after its passage on third and final reading and the publication of the caption, as the law and charter in such cases provide.

First reading approved on the _____ day of _____, 2018.

Second reading approved on the _____ day of _____, 2018.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 2018.

David L. Cook, Mayor

ATTEST:

Susana Marin, Interim City Secretary

APPROVED AS TO FORM AND LEGALITY

Allen Taylor, City Attorney