

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING THE SALE OF 10.588 ACRES OF LAND LOCATED IN THE THOMAS J. HANKS SURVEY, ABSTRACT NO. 644, MANSFIELD, TARRANT COUNTY, TEXAS, AND INCLUDING A PORTION OF BLOCKS 40 AND 41 AND A PORTION OF OAK STREET, ORIGINAL TOWN OF MANSFIELD, ACCORDING TO THE PLAT RECORDED IN VOLUME 63, PAGE 53, OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS TO THE MANSFIELD PARK FACILITIES DEVELOPMENT COPORATION; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS; the City of Mansfield, Texas, (the “City”) 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 City owns 10.588 acres of land located in the Thomas J. Hanks Survey, Abstract No. 644, Mansfield, Tarrant County, Texas and including a portion of Blocks 40 and 41 and a portion of Oak Street, Original Town of Mansfield, according to the plat recorded in Volume 63, Page 53, of the plat records of Tarrant County, Texas as described and shown attached hereto as Exhibit “A” and “B” respectively; and

WHEREAS; the City Council has determined that it is in the best interest of the City to sell said land to the Mansfield Park Facilities Development Corporation (MPFDC) for the purpose of a public park; and

WHEREAS; the City also agrees to provide access to said land through a 30 foot ingress/egress easement as shown and described attached hereto as Exhibit “B” and “C” respectively; and

WHEREAS; this sale is authorized by the Texas Local Government Code Section 272.001(g); and

WHEREAS; the City has agreed to sell said land to MPFDC for Two Hundred Thousand Dollars (\$200,000).

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

SECTION 1.

The City Manager or his designee is hereby authorized and directed to execute the necessary legal documents for the sale of said land to the MPFDC for an amount of Two Hundred Thousand Dollars (\$200,000), including said 30 foot ingress/egress easement.

SECTION 2.

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with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.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 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and section of this Ordinance are severable, and if any phrase clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and section of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 4.

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

FIRST READING APPROVED ON THE 25TH DAY OF NOVEMBER, 2013

SECOND READING APPROVED ON THE 9TH DAY OF DECEMBER, 2013

DULY PASSED ON THE THIRD AND FINAL READING BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THIS THE _____ DAY OF _____.

David L. Cook, Mayor

ATTEST:

Vicki Collins, City Secretary

APPROVED AS TO FORM AND LEGALITY:

City Attorney