

CITY OF HAWK COVE, TEXAS

ORDINANCE NO. 100-19

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF HAWK COVE, TEXAS, ANNEXING ADJACENT AND CONTIGUOUS TERRITORY, AS DESCRIBED AND DEPICTED IN EXHIBIT A AND COMMONLY REFERRED TO AS WHISKERS RETREAT NO. 3, TO THE CITY OF HAWK COVE, TEXAS; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED; PROVIDING THAT SUCH AREA SHALL BECOME A PART OF THE CITY AND THAT THE OWNERS AND INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BE BOUND BY THE ACTS AND ORDINANCES NOW IN EFFECT AND TO BE HEREAFTER ADOPTED; FURTHER PROVIDING FOR AMENDING AND CORRECTING THE OFFICIAL BOUNDARIES OF THE CITY AS HERETOFORE ADOPTED; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR SAID ORDINANCE TO TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE.

WHEREAS, the City of Hawk Cove, Texas ("City"), received on August 4, 2001, an Affidavit of Whiskers Retreat No. 3 Voters ("Affidavit") requesting the annexation of and, if necessary, the extension of the City's extraterritorial jurisdiction into, the platted residential subdivision commonly referred to as Whiskers Retreat No. 3, which subdivision is platted and filed of record in the Hunt County land records at Volume 400, Page 742, Cabinet C at cabinet page 293, filed of record on October 18, 1979; and

WHEREAS, the City, pursuant to Chapter 43 of the Texas Local Government Code has instituted annexation proceedings to annex additional territory lying adjacent to the City, which territory is described and depicted in Exhibit A and commonly referred to as Whiskers Retreat No. 3, which is attached hereto and incorporated herein for all purposes; and

WHEREAS, two public hearings were conducted in accordance with Chapter 43 of the Texas Local Government Code, commencing at 7:00 o'clock p.m. on August 20, 2001, and at 6:30 o'clock p.m. on August 23, 2001, respectively, at the Hawk Cove City Hall; and

WHEREAS, the public hearings were conducted and held not more than forty (40) days nor less than twenty (20) days prior to the institution of annexation proceedings; and

WHEREAS, notice of the public hearings was published in a newspaper of general circulation in the City and in the territory proposed to be annexed by publication at least once in said newspaper not more than twenty (20) days nor less than ten (10) days prior to each public hearing; and

WHEREAS, all required statutory notices pursuant to the Chapter 43 of the Texas Local Government Code have been accomplished; and

WHEREAS, in accordance with Chapter 43 of the Texas Local Government Code, a service plan, attached hereto as Exhibit B and incorporated herein for all purposes, was prepared by the City, which plan was available for inspection; and

WHEREAS, annexation proceedings were instituted relative to the territory to be annexed on September 13, 2001, by the introduction of this annexation ordinance during a Regular Session of the City Council of the City of Hawk Cove on said date; and

WHEREAS, Chapter 43 of the Texas Local Government Code requires the annexation of an area by a municipality to be completed within ninety (90) days after the date the governing body of the municipality institutes the annexation proceedings relative thereto, or those annexation proceedings are void; and

WHEREAS, the adoption of this annexation ordinance by the City Council of the City of Princeton on September 13, 2001, will complete the annexation proceedings relative to the territory to be annexed within the ninety (90) day period stipulated by Chapter 43 of the Texas Local Government Code; and

WHEREAS, the territory to be annexed is contiguous and adjacent to the corporate limits of the City of Hawk Cove and meets all applicable size and shape requirements of state law governing eligibility for annexation.

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

SECTION 1

All of the above premises are found to be true and correct legislative and factual findings and are incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2

The property described and depicted in Exhibit A commonly referred to as Whiskers Retreat No 3, which is attached hereto and incorporated herein for all purposes, be and is hereby annexed and brought within the corporate limits of the City of Hawk Cove, Hunt County, Texas, and same is hereby made a part of the City.

SECTION 3

The service plan, attached hereto as Exhibit B and incorporated herein for all purposes was submitted in accordance with Chapter 43 of the Texas Local Government Code and is hereby approved as part of this Ordinance, and is made a part hereof.

PASSED, APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF
HAWK COVE, TEXAS, THIS 13th DAY OF SEPTEMBER 2001.



Ava Havens, Mayor

APPROVED AS TO FORM AND LEGALITY:



Robert F. Brown, City Attorney

