

ORDINANCE NO. 15

AN ORDINANCE OF THE CITY OF POST OAK BEND, TEXAS, DE-ANNEXING THE HEREAFTER DESCRIBED TRACT OF LAND FROM THE CITY OF POST OAK BEND; PROVIDING THAT THE CITY OF POST OAK BEND RELINQUISHES ANY AND ALL EXTRATERRITORIAL JURISDICTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is the desire of the City of Post Oak Bend to de-annex the following described tract of land, which contains fewer than one occupied residence or business structure for every two acres and fewer than three on any one acre, and to relinquish any and all extraterritorial jurisdiction it may have in and to said tract; **NOW, THEREFORE,**

BE IF ORDAINED BY THE CITY COUNCIL OF THE CITY OF POST OAK BEND, TEXAS:

SECTION 1. That the following described tract of land be, and the same is hereby de-annexed and discontinued as a part of the City of Post Oak Bend so that the same will not longer be a part of the City of Post Oak Ben for any purpose whatsoever, said tract of land being more particularly described as the Gibson Road Parcel, a parcel of land contiguous to the City, starting 400 feet from the center of CR 277 at Gibson Road and extending northeast 2,400 feet, with a width of 1,210 feet, and being 67 acres of land, more or less.

SECTION 2. The City of Post Oak Ben hereby relinquishes any and all extraterritorial jurisdiction which it has or may have under the provisions of Chapter 42 of the Texas Local Government Code, and upon passage of this Ordinance, the said City of Post Oak Bend shall no longer have or exercise any right, jurisdiction or control over the above described tract of land.

SECTION 3. Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

SECTION 4. The City Council finds that the best interest and welfare of the general public of the City of Post Oak Bend will be served by de-annexing the said tract of land and by the relinquishment of extraterritorial jurisdiction of said tract and that this ordinance should take effect immediately from and after its passage as the law in such cases provides, and it is accordingly so ordained.

DULY PASSED by the City Council of the City of Post Oak Bend, Texas, on the 4th
day of February, 2003.

APPROVED:

Wayne Robby
MAYOR

ATTEST:

L. A. S. Demaske
CITY SECRETARY


APPROVED AS TO FORM:

CITY ATTORNEY
(RLD/1-23-03)

ORDER

The above and foregoing disannexation ordinance having been passed by the City Council of the CITY of POST OAK BEND, Texas, on the 4th day of February, 2003, it is my order that the territory described in Exhibit "A" attached to said ordinance be, and the same is hereby, ordered discontinued from the CITY limits of the CITY of POST OAK BEND as of the date of the entry of this order.

SIGNED AND ORDER ENTERED this 4th day of February, 2003.



Mayor
CITY of POST OAK BEND, Texas