

ORDINANCE NO. 18

AN ORDINANCE OF THE CITY OF POST OAK BEND, TEXAS, DISANNEXING THE HEREAFTER DESCRIBED TRACT OF LAND FROM THE CITY OF POST OAK BEND; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is the desire of the City of Post Oak Bend to disannex the following described tract of land, which is at least 10 acres contiguous to the City and which contains fewer than one occupied residence or business structure for every two acres and fewer than three on any one acre; **NOW, THEREFORE**,

BE IT 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 no longer be a part of the City of Post Oak Bend for any purpose whatsoever, said tract of land being more particularly described in Exhibit "A".

SECTION 2. The City of Post Oak Bend hereby relinquishes any and all right, jurisdiction or control over the above-described tract of land, but retains its extraterritorial jurisdiction.

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 disannexing the said tract of land 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 January 2005.

APPROVED:


MAYOR

ATTESTED:


CITY SECRETARY

APPROVED AS TO FORM:

CITY ATTORNEY (RLD – 12/29/04: 70437)

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 January, 2005, 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 January 2005.


Mayor, City of Post Oak Bend

Exhibit "A"

**LEGAL DESCRIPTION
DISANNEXATION AREA**

STATE OF TEXAS
COUNTY OF KAUFMAN

BEING a part of the City Limits of Post Oak Bend and being a part of the R. Anthony Survey, A-I, Kaufman County, Texas, and being more particularly described as follows;

COMMENCING at the centerline intersection of County Road No. 278 and County Road No. 277;

THENCE about N44°56'W, along the centerline of County Road No. 277, a distance of 1450 feet to a point for corner;

THENCE about S43°41'W, along the northwest line of the existing Post Oak Bend City Limits, a distance of 2130 feet to the POINT OF BEGINNING;

THENCE about S46°07'E, 400 feet southwest of and parallel to the centerline of Klassic K. Road, a distance of 1000 feet to a point for corner;

THENCE about S43°41'W, 450 feet northwest of and parallel to the centerline of County Road No. 278, a distance of 136 feet to bend;

THENCE about S22°15'W, 450 feet northwest of and parallel to the centerline of County Road No. 278, a distance of 1156 feet to bend;

THENCE about N46°03'W, a distance of 1020 feet to a point for corner at an ell bend in said City Limits;

THENCE about N17°32'E, along the northwest line of the existing Post Oak Bend City Limits, a distance of 910 feet to bend;

THENCE about N43°41'E, along the northwest line of the existing Post Oak Bend City Limits, a distance of 391 feet to the POINT OF BEGINNING and containing 29.20 acres of land.