



ORDINANCE 661-2018-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF VENUS, JOHNSON AND ELLIS COUNTIES, TEXAS, ACCEPTING THE INCLUSION OF THE HEREIN DESCRIBED PROPERTY INTO THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF VENUS, AND EXTENDING THE BOUNDARY LIMITS OF SAID EXTRATERRITORIAL JURISDICTION TO INCLUDE SAID HEREIN DESCRIBED PROPERTY, AND GRANTING TO ALL INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OFFERED BY LAW AND BINDING SAID INHABITANTS BY ALL THE ACTS, ORDINANCES, RESOLUTIONS, LAWS AND REGULATIONS OF THE CITY OF VENUS AND THE STATE THAT MAY BE APPLIED OR ENFORCED WITHIN THE EXTRATERRITORIAL JURISDICTION.

WHEREAS, the City of Venus ("City") is a political subdivision of the State of Texas, organized as a Type A General Law municipality;

WHEREAS, TEXAS LOCAL GOVERNMENT CODE Section 42.022(b), provides that owners of land contiguous to the existing extraterritorial jurisdiction ("ETJ") of a municipality, may petition to be included in the municipality's ETJ;

WHEREAS, the authority granted by TEXAS LOCAL GOVERNMENT CODE Section 42.022(b) requires consent of the governing body ("Council") of the municipality before inclusion into the ETJ;

WHEREAS, the City received a notarized petition titled "Petition Requesting Inclusion in the Extraterritorial Jurisdiction of the City of Venus, Texas" (Exhibit "1") from Donald White and Robert White seeking inclusion into the City's ETJ;

WHEREAS, the property subject to the petition and request ("Property") has been identified by its Central Appraisal District of Johnson County ("Appraisal District") Geo ID 126.1115.00087, approximately and as described in the petition as approximately 100.6 acres of land;

WHEREAS, the Property is not included in the ETJ or municipal boundaries of any other municipality;

WHEREAS, the Council held a meeting on Monday, July 9, 2018 at 7:00 p.m. and considered an agenda item that read, "Discuss and possible action on the adoption of Ordinance

6_-2018-07 to accept landowner Donald White and Robert White's request for a tract of land to become a part of Venus's extraterritorial jurisdiction, namely; a tract identified by Johnson County CAD number 126.1115.00087", all in strict compliance with the TEXAS OPEN MEETINGS ACT, TEXAS GOVERNMENT CODE, Chapter 551; and


WHEREAS, at that meeting, the Council voted, by majority, to accept the petition and to include the Property into the ETJ of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENUS, JOHNSON AND ELLIS COUNTIES, TEXAS THAT:

- SECTION 1: The above recitals are hereby found to be true and correct and are incorporated herein for all purposes. The recitals and language of the petition for inclusion into City's ETJ, shall be incorporated herein for all purposes.
- SECTION 2: Exhibit "1" is a petition for inclusion into the City's ETJ and accurately identifies a tract of land ("Property") owned by Joyce and James Howard.
- SECTION 3: The Property is hereby accepted into the City's ETJ, as described in Exhibit "1", to include all of the Property Joyce and James Howard have legal title to, including the fee to the center of any roadway (right-of-way) abutting the tract of land, for which Joyce and James Howard have legal title to by grant, reservation or common law.
- SECTION 4: The Council finds the Property, subject to this petition for inclusion into the City's ETJ, is contiguous to the City's existing ETJ at the time of the acceptance, in full compliance with law.
- SECTION 5: The City Secretary shall maintain a file of the original petition and any relevant supporting documents for the Property included in Exhibit "1".
- SECTION 6: For purposes of determining the date by which the Property was included into the City's ETJ, the effective date of this Ordinance shall govern.
- SECTION 7: If the petition subject to this Ordinance shall be deemed unlawful, unconstitutional, or otherwise invalid, the validity or legality of any other ETJ inclusion requests received before or after shall remain unaffected and shall be in full force and effect.
- SECTION 8: This Ordinance shall become effective immediately upon its passage.
- SECTION 9: The City Secretary is directed to record/file a certified copy of this Ordinance and its supporting exhibits and paperwork with the Ellis County Clerk's land records and deeds.

SECTION 10: The City Administrator is directed to update the city's boundary and ETJ map available to the public to include the new tract of land into the city's ETJ and to make said map available to any government or coalition of governments that maintains such city boundary maps.

PASSED AND APPROVED by the City Council of the City of Venus, Texas, on this the 9th day of July, 2018.



JAMES BURGESS – MAYOR

7-18-18
DATE

ATTEST:



RANA GAMEL – CITY SECRETARY

7-18-18
DATE

DATE

**PETITION REQUESTING INCLUSION IN THE EXTRATERRITORIAL
JURISDICTION OF THE CITY OF VENUS, TEXAS**

TO THE MAYOR AND GOVERNING BODY OF THE CITY OF VENUS, TEXAS:

I(We), the undersigned, am(are) the owner(s) of a tract of land ("Tract"). The Tract is identified by deed, legal description, map, survey, address, and/or appraisal district geo code/account number as attached here as "Exhibit A" and included herein as if fully described. I(We) petition for the Tract be included in the City of Venus ("City") extraterritorial jurisdiction ("ETJ") as authorized by TEXAS LOCAL GOVERNMENT CODE SECTION 42.022(b). I(We) understand that for the Tract to be considered for acceptance into the City's ETJ, it must be contiguous to the city's existing ETJ or corporate boundaries. I(We) also understand that this may depend on the successful acceptance of other ETJ inclusion requests before our request may be considered and accepted.

The Tract Petitioner(s) seek to be included, is not believed to be located within any other municipality's existing ETJ or corporate boundaries; however if incorrect, Petitioner(s) request(s) the boundaries of the Tract be revised and reformed so that none of the Tract to be included within the City's ETJ shall be located within any other municipality's existing ETJ. If any portion of this Petition is invalid or unenforceable for any reason, including but not limited to parts of the Tract being ineligible for inclusion in the City's ETJ, such invalidity or unenforceability shall not affect any other provision hereof or any part of the Tract which is eligible for inclusion in the City's ETJ, and this Petition shall be construed as if such invalid or unenforceable provision had never been contained herein.

And Petitioner(s) request(s) any prior request(s) for inclusion into the City for the Tract or portion thereof by Petitioner(s) or prior landowners be construed to be reaffirmed by this request and not invalidated. Petitioner(s) sole intent in that circumstance is to show continued intent for the Tract to be included in the ETJ of the City and not that of another municipality. Petitioner(s) also expressly grant(s) this covenant or agreement to run with the land. Petitioner(s) also agree(s) that if this petition should be accepted and approved by the City Council that the Tract will remain, as a matter of law, included in the City's ETJ unless the City Council agrees to release the ETJ.

Signed and executed this the 23RD day of May, 2018

[Signature]

Property Owner Signature

Property Owner Signature

Donald White

Printed Name

Printed Name

The State of Texas,
County of TARRANT

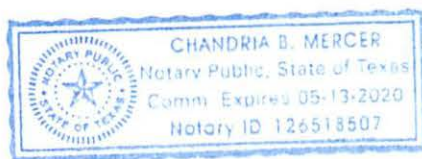
Before me, the undersigned authority, on this day personally appeared DONALD WHITE

and _____ known to me to be the person(s) whose name(s) is(are) subscribed to the foregoing instrument and each acknowledged to me that he(she) executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 23RD day of May, 2018

Chandria B. Mercer

Notary Public



SEAL

Exhibit A

(As described in our filed "Petition Requesting Inclusion in the Extraterritorial Jurisdiction of the City of Venus, Texas" the following description accurately reflects the "Tract" of land we seek to have included into the City's ETJ.)

Robert White

Property Owner Signature

Property Owner Signature

Robert White

Printed Name

Printed Name

Property Description: (Please be as specific as possible, particularly if the property is a part of a larger area of land. And, please include attachments/maps/surveys to precisely identify the property.)

JOHNSON COUNTY CENTRAL APPRAISAL DISTRICT GEO ID 126.1115.00087 (100.6 ACRES) CR 213 VENUS, TEXAS 76084, PUSUANT TO TEXAS LOCAL GOVERNMENT CODE 42.021(a). ATTACHED MAP AND PROPERTY INFORMATION INCLUDED.



Central Appraisal District of Johnson County

109 North Main St
Cleburne, Texas 76033
Phone: (817) 648-3000
Fax: (817) 645-3105

Account Details for 126.1115.00087

Ownership

Owner Name: White Betty A
Owner Address: P O Box 45, Venus, TX 760840000
Property Location: Cr 213
Ownership Interest: 1.000000
Description: ABST 1115
TR 8
L KELSEY
Deed Date: 1944-12-09
Deed Type: Warranty Deed
Page #: 42
Volume #: 00339
Instrument #:

Exemptions

Tax Entities

- Johnson County
- Venus ISD
- Hill College VES
- Lateral Road
- Johnson Co ESD#1
- Venus Fire Dept
- Precinct4

Improvement State Code:

Land State Code:

Productivity State Code: D1 - Real, Acreage, Ranch Land

GEO Num: 126.1115.00087
Last Update: Jun 20 2018 8:18AM

A zero value indicates that the property record has not yet been completed for the indicated tax year.
† Appraised value may be less than market value due to state-mandated limitations on value increases.

Value

Improvement Value	\$0
Land Market Value:	\$301,800
AG Market Value:	\$301,800
AG Value:	\$15,142
Prod Loss:	\$286,658
Total Market Value:	\$301,800
† Appraised Value:	\$15,142
Land Acres	100.6000
Impr Area Size	0
Year Built	0

Appraisal History +

* This information is intended for reference only and is subject to change. It may not accurately reflect the complete status of the account as actually carried in Johnson Appraisal District's database and may not be used as a basis of protest or appeal.