

**ORDINANCE NO. 16-0818I**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILMER, TEXAS ANNEXING APPROXIMATELY 2.0 ACRES OF LAND DESCRIBED IN EXHIBIT "A" ATTACHED HERETO INTO THE CITY OF WILMER, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF THE CITY SO AS TO INCLUDE SAID PROPERTY WITHIN THE CITY LIMITS; GRANTING TO ALL INHABITANTS AND OWNERS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING ALL INHABITANTS AND OWNERS BY ALL OF THE ORDINANCES, ACTS, RESOLUTIONS AND REGULATIONS OF THE CITY OF WILMER; ADOPTING A SERVICE PLAN AS EXHIBIT "B" ATTACHED HERETO; PROVIDING A REPEALING CLAUSE; PROVIDING SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, State law authorizes the annexation of territory; and

**WHEREAS**, pursuant to Chapter 43 of the Texas Local Government Code WHL Dallas 45, LLC voluntarily seeks to annex the property described and identified in Exhibit "A", attached hereto and incorporated herein, into the City of Wilmer, Texas; and

**WHEREAS**, the property is adjoining the present City limits of the City of Wilmer, and the City of Wilmer is authorized to annex the property; and

**WHEREAS**, the City Council finds that the required notices have been given and the required public hearings have been held, pursuant to Chapter 43 of the Texas Local Government Code; and

**WHEREAS**, the City Council has determined that a service plan for the property should be prepared and adopted in conjunction with annexation of the property, and said service plan is attached hereto as Exhibit "B" and incorporated herein for all purposes; and

**WHEREAS**, the procedures prescribed by the Texas Local Government Code and the laws of the State of Texas have been duly followed with respect to annexation of the Property;

**WHEREAS**, as this annexation will cause an area not in the City to be entirely surrounded, the City Council finds that the annexation surrounding the area not in the City is in the public interest; and

**WHEREAS**, the City Council has determined that it is in the best interests of the City to annex the property into the City, and the members of the City Council have concluded that said area should be annexed and made a part of the City of Wilmer, Texas.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILMER, TEXAS:**

**SECTION 1.** The property, being specifically described in Exhibit "A", attached hereto and incorporated herein, situated within the exclusive extraterritorial jurisdiction of the City and adjacent and contiguous thereto, is hereby annexed for all municipal purposes into the corporate

limits of the City of Wilmer, Texas, and said corporate limits are hereby extended so as to include the property. The official map of the City of Wilmer, Texas shall be hereby amended to include the property within the corporate limits, and the inhabitants of the annexed area shall hereafter be entitled to all of the rights and privileges of other citizens of the City of Wilmer and shall be bound by the ordinances, acts, resolutions and regulations of the City of Wilmer.

**SECTION 2.** The service plan for the Property, attached hereto as Exhibit "B" and incorporated herein for all purposes, is hereby approved and adopted as part of this ordinance.

**SECTION 3.** That all ordinances of the City of Wilmer, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed; provided, however, that all other provisions of said ordinances not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 4.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, or the City of Wilmer, Texas Code or Ordinances, as amended hereby, which shall remain in full force and effect.

**SECTION 5.** That the recitals within this ordinance are hereby incorporated into the body of this ordinance as if fully set forth in this section, and are hereby found and declared to be true and correct legislative findings and are adopted as part of this ordinance for all purposes.

**SECTION 6.** This ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and City Charter in such cases provide.

**DULY PASSED AND APPROVED** by the City Council of the City of Wilmer, Texas, this the 16th day of August, 2016.



Approved:

Casey Burgess  
Casey Burgess, Mayor

Attest:

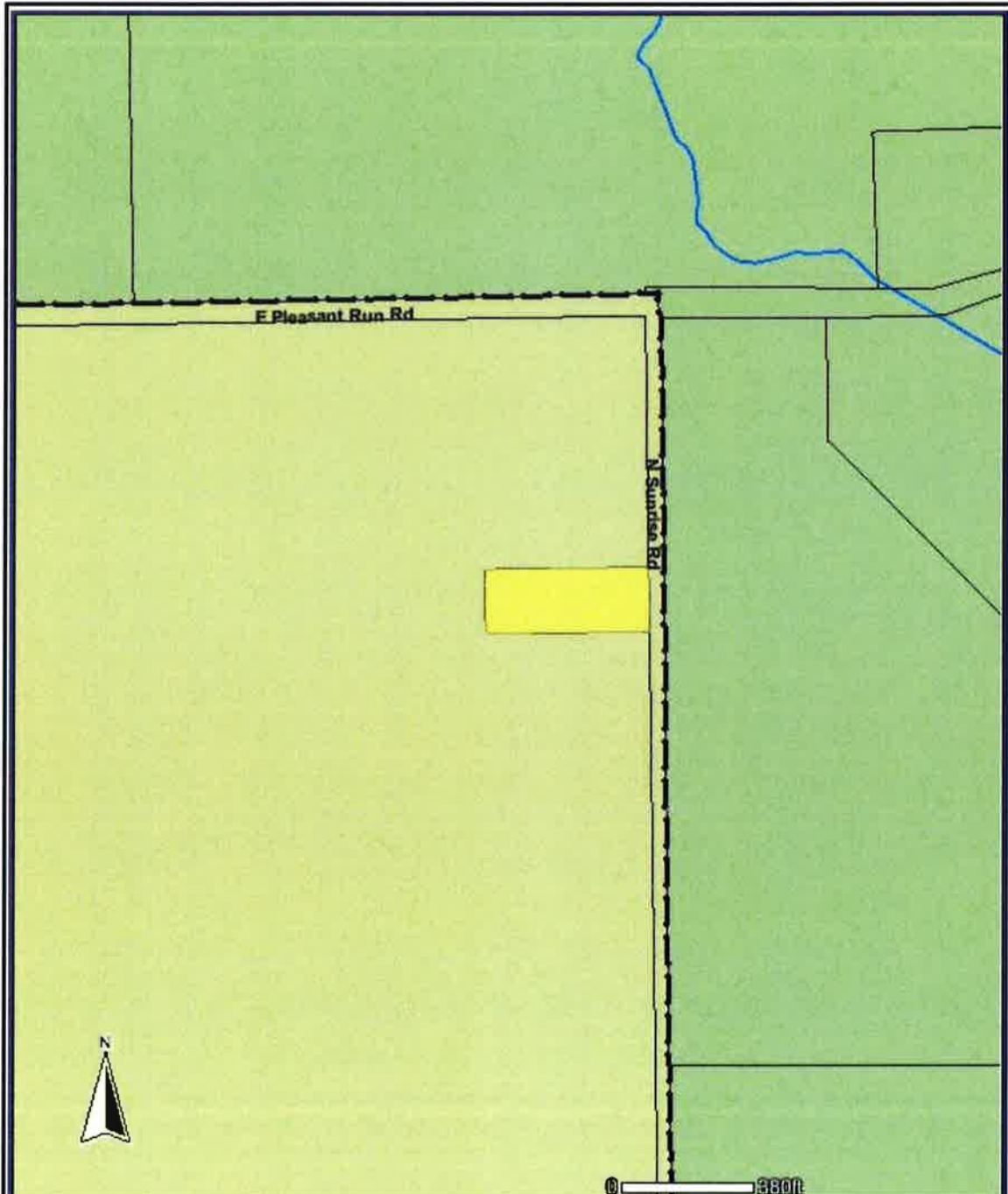
Elizabeth Lopez  
Elizabeth Lopez, City Secretary

Approved as to Form:

\_\_\_\_\_  
Michael Halla, City Attorney

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EXHIBIT "A"



**Dallas Central  
Appraisal District**  
www.dallascad.org

**DISCLAIMER**

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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**EXHIBIT "A", cont'd.**

**Prime Point  
Annexation Parcels  
City of Wilmer  
Parcel 11**

Legal Description of the Land

**BEING** a tract of land situated in the Jones Green Survey, Abstract No. 503, in Dallas County, Texas, and being all of a 2.00 tract of land described in a deed to James C. Bryce recorded in Volume 99009 Page 5892 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

**BEGINNING** at a 1/2" iron rod found in the west line of Sunrise Road for the southeast corner of said 2.00 acre tract;

**THENCE** with the south line of said 2.00 acre tract, South 89°18'47" West, a distance of 470.92 feet to a 1/2" iron rod found;

**THENCE** with the west line of said 2.00 acre tract, North 00°41'13" West, a distance of 185.00 feet to a 5/8" iron rod set with a plastic cap stamped "KHA" from which a 1/2" iron rod found bears North 67°14' West, 0.9 feet;

**THENCE** with the north line of said 2.00 acre tract, North 89°18'47" East, a distance of 470.92 feet to a 5/8" iron rod set with a plastic cap stamped "KHA" in the west line of said Sunrise Road;

**THENCE** with said west line, South 00°41'13" East, a distance 185.00 feet to the **POINT OF BEGINNING** and containing 2.00 acres of land.

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**EXHIBIT "B"**

**ANNEXATION SERVICE PLAN**

In connection with the annexation, by the City of Wilmer, Dallas County, Texas, of the tract of land described in Exhibit "A", the following service plan is adopted as required by Section 43.056 of the Texas Local Government Code.

The City of Wilmer, Texas will, to the extent it provides or authorizes such services itself or through contractual arrangements with other entities, provide the following services in the area upon the effective date of the annexation of the area:

- (1) Police protection;
- (2) Fire protection;
- (3) Emergency medical services;
- (4) Solid waste collection;
- (5) Operation and maintenance of water and wastewater facilities in the annexed area that are not within the service area of another water or wastewater utility;
- (6) Operation and maintenance of roads and streets, including road and street lighting;
- (7) Operation and maintenance of parks, playgrounds, and swimming pools; and
- (8) Operation and maintenance of any other publicly owned facility, building, or service.

The City of Wilmer will also provide other services such as planning, zoning, code enforcement, subdivision regulation, animal control, court, construction codes and general administration, to the extent it now provides any such service, on the effective date of the annexation. Capital services will be provided to the area in accordance with the development regulations of the City of Wilmer at the sole cost of the developers thereof.

Miscellaneous provisions:

- (1) This service plan is valid for ten years. Renewal of the service plan is at the discretion of the City of Wilmer.
- (2) This service plan does not require a uniform level of full municipal services to each area of the City, including the annexed area, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

- (3) This service plan shall not be amended unless public hearings are held in accordance with Section 43.052 of the Texas Local Government Code.
- (4) This service plan is adopted as Exhibit "B" to the Ordinance annexing the property described in Exhibit "A" into the City of Wilmer, Texas. The City shall provide the area or cause the area to be provided with services in accordance with this service plan.