

**ORDINANCE NO. 01-12**

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WESTON LAKES, TEXAS, RELEASING CERTAIN TERRITORY IN FORT BEND COUNTY WITHIN AREAS DESCRIBED AS THE BOWSER ROAD, FULSHEAR FARMS, AND NORTHERN ETJ AREAS, ALL FROM THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF WESTON LAKES; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.**

\* \* \* \* \*

**WHEREAS**, the residents (hereinafter called the “ETJ Residents”) of the areas within the northern and western portions, commonly referred to as the Bowser Road, Fulshear Farms and Northern ETJ areas, of the extraterritorial jurisdiction (“ETJ”) of the City of Weston Lakes, Texas (the “City”) have petitioned the City to be released from the City’s ETJ; and

**WHEREAS**, the City of Weston Lakes does not recognize the enforceability of the newly adopted Section 42.0251 of the Local Government Code, due to such law being an unconstitutional local law; however, the City Council of the City has elected to listen to the requests of its ETJ Residents; and

**WHEREAS**, the ETJ Residents located within the City’s ETJ have requested the City to reduce its area of ETJ by releasing therefrom all of the area described as the “Petition Boundary” (shown as the shaded area in the minimized area map) in the attached and identified Exhibit “A” North and Exhibit “A” South; as well as releasing therefrom all of the area shown as the City’s ETJ north of FM 1093, as described in attached and identified Exhibit A The Northern ETJ. All such described tracts, Exhibit “A” North, Exhibit “A” South, and the Exhibit A The Northern ETJ, being hereafter referred to as the “Released Tracts” and being more particularly described and depicted by the aforementioned maps attached hereto under Exhibit “1” ETJ Released Tracts, and for all things made a part hereof; now, therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTON LAKES, TEXAS:**

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

**Section 2.** Pursuant to and in accordance with Section 42.023, Texas Local Government Code, the City Council of the City hereby consents to the reduction of its area of ETJ by releasing therefrom the Released Tracts.


**Section 3.** In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

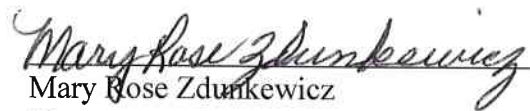
**Section 4.** All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

**PASSED AND APPROVED** by a vote of 5 "ayes" in favor and 0 "nays" against on this first and final reading on the 24<sup>th</sup> day of January, 2012.

**ATTEST:**

**APPROVED:**

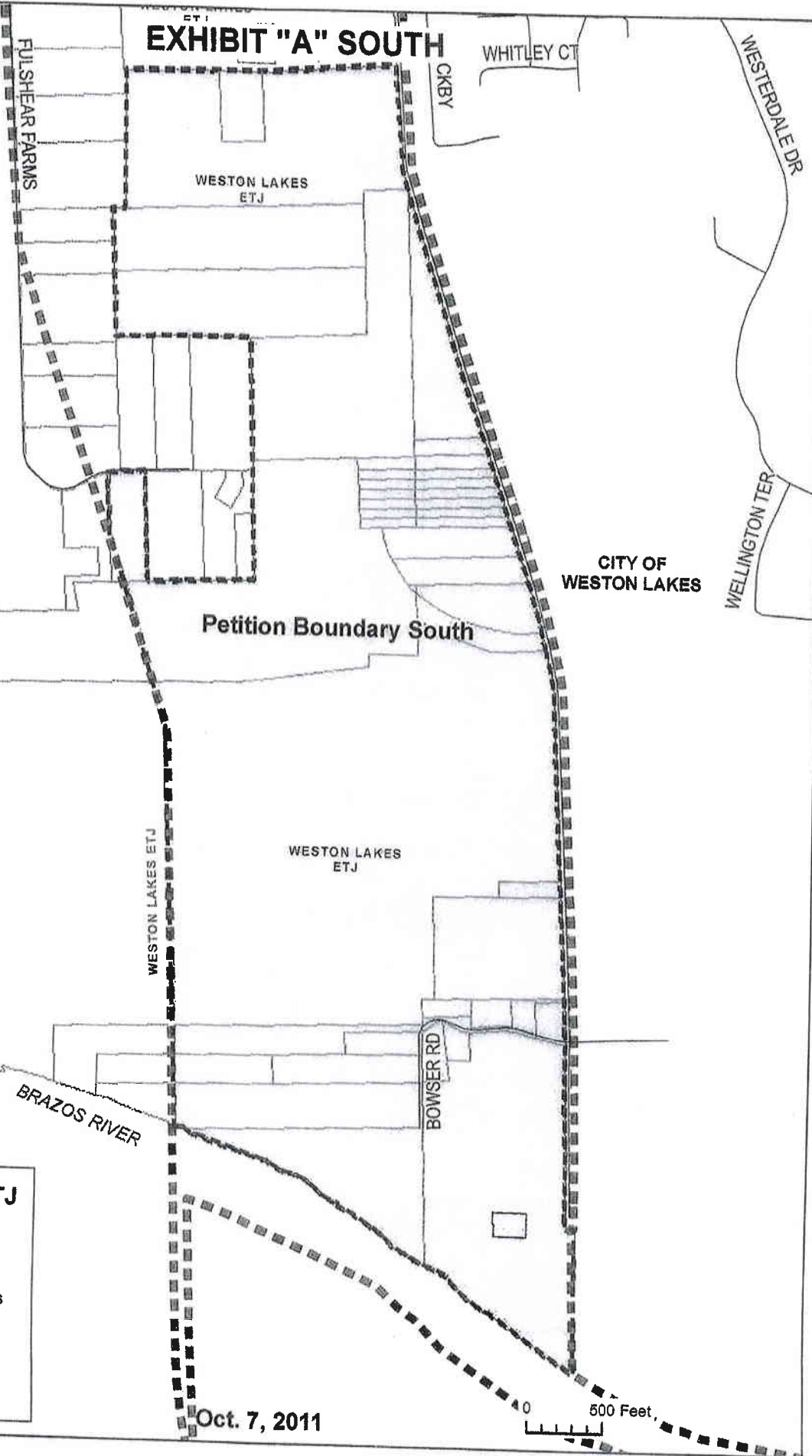
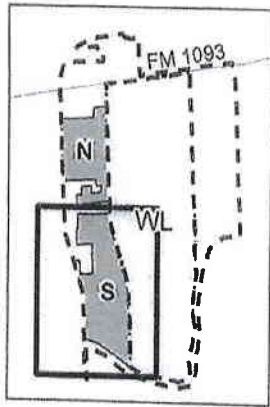
  
\_\_\_\_\_  
Marlee Freeman  
City Secretary

  
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Mary Rose Zdzunkewicz  
Mayor

**Exhibit "1"**

**ETJ Released Tracts**

# EXHIBIT "A" SOUTH



CITY OF WESTON LAKES

Petition Boundary South

WESTON LAKES ETJ

WESTON LAKES ETJ

BRAZOS RIVER

BOWSER RD

WHITLEY CT

CKBY

WESTERDALE DR

WELLINGTON TER

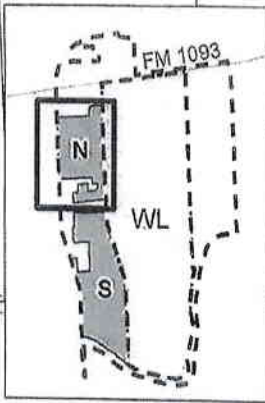
**WESTON LAKES ETJ**

- Petition Boundary
- Weston Lakes ETJ
- City of Weston Lakes
- Parcel Boundary
- Road Network
- Waterway

Oct. 7, 2011

500 Feet

# EXHIBIT "A" NORTH



WESTON LAKES  
ETJ

ASHE RD

WESTERNHAM  
HADDON CT

WESTON LAKES ETJ

FOREST CT  
WESTERNHAM  
CITY OF  
WESTON LAKES  
CALDER CT

WESTON LAKES  
ETJ

Petition Boundary North

LAKE VILLAGE DR

FULSHEAR FARMS

## WESTON LAKES ETJ

- Petition Boundary
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- Waterway

WESTON LAKES  
Oct. 7, 2011 ETJ



BOWSER RD

WICKBY

# Exhibit A The Northern ETJ

