

ORDINANCE NO. 2922

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS APPROVING AN AGREEMENT TO APPORTION CERTAIN EXTRA-TERRITORIAL JURISDICTION AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE TOWN OF SUNNYVALE, TEXAS APPORTIONING SAID EXTRA-TERRITORIAL JURISDICTION; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

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

SECTION 1. That the City of Mesquite, Texas for and in consideration of the execution by the Town of Sunnyvale, Texas of the agreement attached hereto does hereby agree to the apportionment of the extra-territorial jurisdiction indicated in said agreement and does hereby authorize the Mayor to execute the attached agreement to implement said apportionment.

SECTION 2. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 3. That all Ordinances of the City of Mesquite in conflict with the provisions of this Ordinance shall be and are hereby repealed to the extent of such conflict.

SECTION 4. That fact that the apportionment of this extra-territorial jurisdiction is necessary to effect certain boundaries and establish annexation authority to the extra-territorial jurisdiction creates an urgency and an emergency for the protection and preservation of the health, safety, and welfare of the citizens of the City of Mesquite and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 4th day of October, 1993.

*Cathy Ray*  
Cathy Ray, Mayor

ATTEST:  
*Lynn Prugel*  
Lynn Prugel, City Secretary

APPROVED:  
*B.J. Smith*  
B.J. Smith, City Attorney

**AGREEMENT TO APPORTION  
OVERLAPPING EXTRA-TERRITORIAL JURISDICTION  
CITY OF MESQUITE/TOWN OF SUNNYVALE**

WHEREAS, the City of Mesquite, Texas claims certain territory to comprise a portion of its extra-territorial jurisdiction (ETJ) under Chapter 42, Texas Local Government Code; and

WHEREAS, such territory is completely surrounded by land heretofore annexed by the City of Mesquite; and

WHEREAS, such territory or a portion thereof may also be claimed as ETJ of the Town of Sunnyvale, Texas by virtue of its proximity to said town; and

WHEREAS, the City of Mesquite and the Town of Sunnyvale desire to apportion said ETJ as provided in Section 42.90L, Texas Local Government Code;

NOW, THEREFORE, the City of Mesquite and the Town of Sunnyvale hereby make and enter into the following agreement:

1. That the proposed common boundary between the City of Mesquite and the Town of Sunnyvale in the area east of Belt Line Road should ultimately be established along the south right-of-way line of Tripp Road and the west right-of-way line of Jobson Road.
2. That all land north and east, respectively, of the proposed common boundary, and not currently within the limits of the Town of Sunnyvale, shall be apportioned to the Town of Sunnyvale as its sole and undivided ETJ to the exclusion of the City of Mesquite. Such area is generally described as the rights-of-way of Tripp Road and Jobson Road.
3. That all land south and west, respectively, of the proposed common boundary, and not currently within the limits of the City of Mesquite, shall be apportioned to the City of Mesquite as its sole and undivided ETJ to the exclusion of the Town of Sunnyvale. Such area is generally described as the northern section of Samuell Farms, a City of Dallas Park.
4. That upon the execution of this agreement, the City of Mesquite agrees to deannex that portion of the area heretofore annexed and described as a ten (10) foot strip which lies within the ETJ apportioned to the Town of Sunnyvale, i.e. the ten (10) foot strip lying within the right of way of Jobson Road.

5. That the City of Mesquite and the Town of Sunnyvale may hereafter exercise, at their discretion and desire, their respective annexation powers as set out in the Texas Local Government Code within the ETJ areas apportioned to the jurisdiction.

The Agreement is hereby executed pursuant to an Ordinance of the appropriate governing body authorizing the execution, a copy of said Ordinances to be attached hereto.

**CITY OF MESQUITE, TEXAS**

Date: October 6, 1993

Cathy Ray  
Cathy Ray, Mayor

Attest:

Lynn Prugel  
Lynn Prugel, City Secretary

**TOWN OF SUNNYVALE, TEXAS**

Date: September 13, 1993

Jim Wade  
Mayor

Attest:

Anna L. Harrison  
City Secretary

**ORDINANCE NO. 238**

AN ORDINANCE OF THE TOWN OF SUNNYVALE, TEXAS, APPROVING AN AGREEMENT TO APPORTION CERTAIN EXTRA-TERRITORIAL JURISDICTION AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE CITY OF MESQUITE, TEXAS APPORTIONING SAID JURISDICTION; PROVIDING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS:

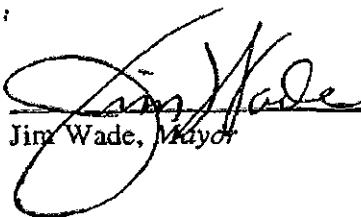
SECTION 1. That the Town of Sunnyvale, Texas for and in consideration of the execution by the City of Mesquite, Texas of the agreement attached hereto does agree to the apportionment of the extra-territorial jurisdiction indicated in said agreement and does hereby authorize the Mayor to execute the attached agreement to implement said apportionment.

SECTION 2. That should any word, phrase, sentence, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

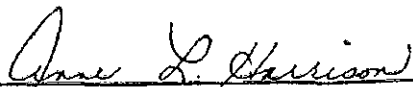
SECTION 3. That all Ordinances of the Town of Sunnyvale in conflict with the provisions of this Ordinance shall be and are hereby repealed to the extent of such conflict.

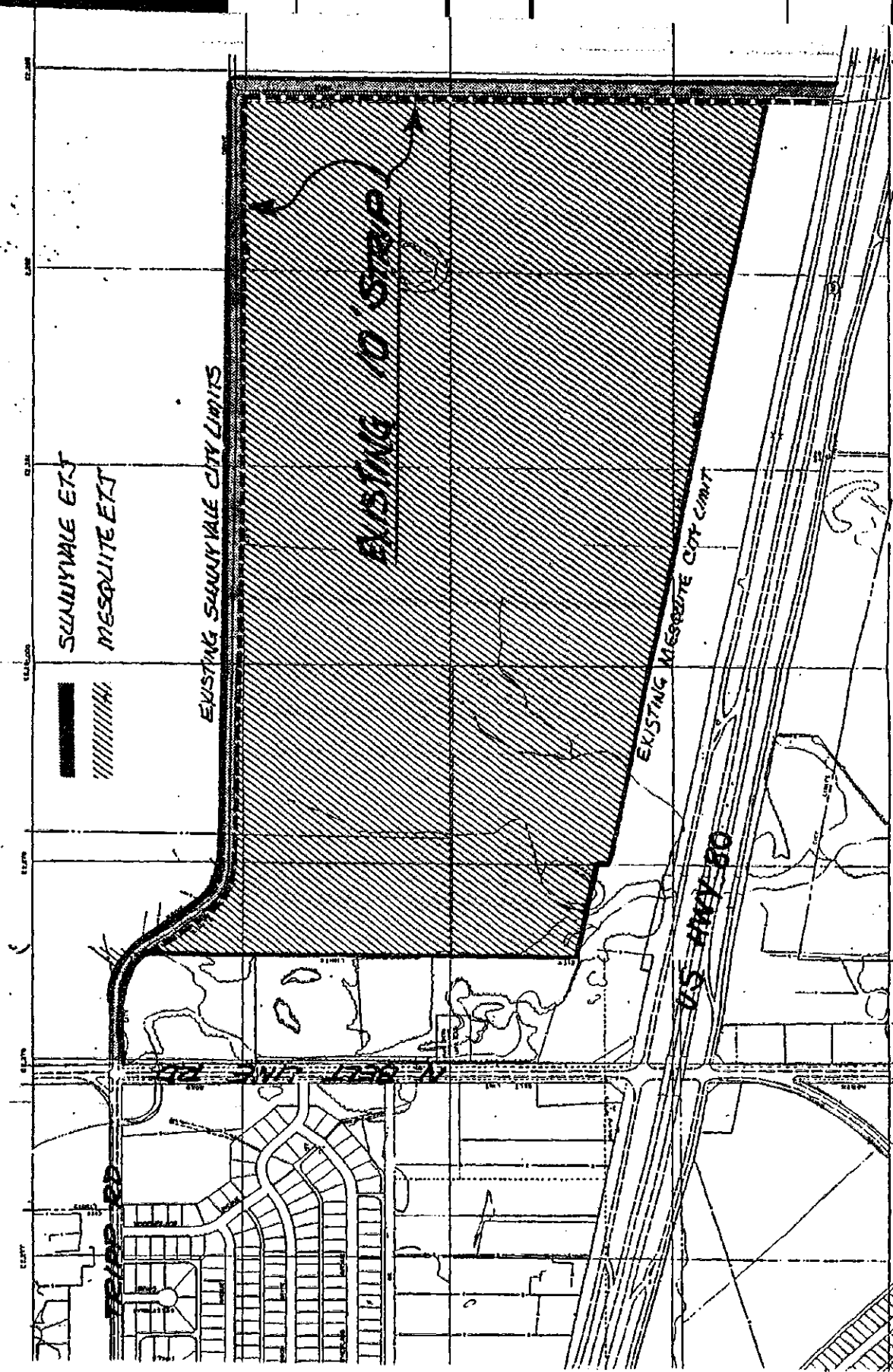
SECTION 4. The fact that the apportionment of this extra-territorial jurisdiction is necessary to effect certain boundaries and establish annexation authority to the extra-territorial jurisdiction creates an urgency and an emergency for the protection and preservation of the health, safety and welfare of the citizens of the Town of Sunnyvale and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

DULY PASSED AND APPROVED by the Town Council of the Town of Sunnyvale, Texas, on the 13th day of SEPTEMBER, 1993.

  
Jim Wade, Mayor

ATTEST:

  
Anne L. Harrison, Town Secretary



PLANNING MAP

SCALE 1" = 100'

SCALE 1" = 100'

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