

ORDINANCE NO. 1932

AN ORDINANCE CREATING EULESS REINVESTMENT ZONE NUMBER 1; MAKING CERTAIN LEGISLATIVE FINDINGS; PROVIDING FOR THE DURATION OF REINVESTMENT ZONE NUMBER 1; ALLOWING TAX ABATEMENT AGREEMENTS TO BE EXECUTED CONCERNING PROPERTY LOCATED WITHIN REINVESTMENT ZONE NUMBER 1; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Euless, Texas, has adopted guidelines and criteria for potential tax abatements within the City of Euless; and

WHEREAS, the City Council of Euless has conducted a public hearing on the creation of Euless Reinvestment Zone Number 1; and

WHEREAS, proper notice of such public hearing was published in a newspaper of general circulation in the City at least seven (7) days before the date of said public hearing, as required by law; and

WHEREAS, written notice of the public hearing was delivered to the presiding officer of each other taxing unit with jurisdiction over the property contained in Reinvestment Zone Number 1, at least seven (7) days prior to the public hearing thereon as required by law; and

WHEREAS, at such public hearing, after hearing all public comments for and against the creation of Euless Reinvestment Zone Number 1, the Euless City Council found that the improvements sought within said reinvestment zone are feasible and would be of benefit to the zone after the expiration of any tax abatement agreement concerning such improvements, and further found that the Euless Reinvestment Zone Number 1 meets one of the legal criteria for reinvestment zones; to wit, the retention or expansion of primary employment and the attraction of major investment to the area that would be a benefit to the property contained within the zone and that would contribute to the economic development of the City of Euless, and

WHEREAS, based on the information available to it, together with input received at such public hearing, the City Council of the City of Euless, Texas, desires by the terms of this ordinance to create Euless Reinvestment Zone Number 1 on the property described on Exhibit "A" attached hereto and incorporated herein for all purposes.

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

SECTION 1

The property described on Exhibit "A" attached hereto and incorporated herein by reference for all purposes be hereby designated Euless Reinvestment Zone Number 1, under the provisions of Chapter 312 of the Texas Tax Code. Such reinvestment zone shall continue to exist for a period of five (5) years from the effective date of this ordinance, and may be renewed for successive five-year periods by future action of the Euless City Council. The City shall be hereby authorized to enter into tax abatement agreements with the owners of taxable real property or leasehold interests in tax-exempt real property located within the Euless Reinvestment Zone Number 1, subject to compliance with all legal requirements therefor, but shall not be obligated to enter into any such agreement. Properties within the zone shall be eligible for commercial-industrial tax abatement in accordance with the City's adopted guidelines and criteria.

SECTION 2

The Euless City Council hereby finds that the improvements sought within the zone are feasible and practical and would be a benefit to the land to be included within the zone and to the City of Euless after the expiration of any tax abatement agreement concerning property located within the reinvestment zone. The City Council also finds that the Euless Reinvestment Zone Number 1 meets the applicable criteria for reinvestment zones, in that such property is reasonably likely as a result of the designation as Reinvestment Zone Number 1 to contribute to the retention or expansion of primary employment and to attract major investment in the zone that will be a benefit to the property and that will contribute to the economic development of the City of Euless.

SECTION 3

SEVERABILITY CLAUSE. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4

EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its passage, as provided by the Euless City Charter and the laws of the State of Texas.

PRESENTED AND APPROVED ON FIRST AND FINAL READING at a regular meeting of the Eules City Council on the 22nd day of November, 2011, by a vote of ____ ayes, ____ nays, and ____ abstentions.

APPROVED:

Mary Lib Saleh, Mayor

ATTEST:

Kim Sutter, TRMC, City Secretary

APPROVED AS TO FORM:

Wayne K. Olson, City Attorney



709 S. Walnut Street
Cleburne, Texas 76033
Phone 817-774-3338
Fax 817-774-3339

Email:
surveyingtexasland@abcglobal.net
buffalocreeksurveyor.com

SITUATED ON BUFFALO CREEK

Exhibit "A"

PROPERTY DESCRIPTION

Being all of that certain tract or parcel of land situated in the ALLEN M. DOWNEN SURVEY, a.k.a. A.M. DOWNING SURVEY, ABSTRACT NO. 415, City of Euless, Tarrant County, Texas, and being a portion of that certain called 5.393 acre tract of land as conveyed by Donald H. Dilmore, Trustee to Mad Triangle, LLC, by the Warranty Deed with Vendors Lien recorded as Instrument No. D210279836, of the Official Public Records of Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a capped (stamped "Prism") 1/2 inch iron rod found on an easterly right-of-way line of Debra Dr., said iron rod found for the most westerly northwest corner of said 5.393 acre tract of land, and said iron rod found being the southwest corner of Lot 13, Block 21 of Oakwood Terrace North, 1st Filing, an addition to the City of Euless according to the plat recorded in Volume 388-31, Page 73 of the Plat Records of Tarrant County, Texas;

THENCE along the common lines between said 5.393 acre tract and said Block 21, of Oakwood Terrace North, 1st Filing the following courses and distances:

South 89 degrees 57 minutes 57 seconds East, leaving said right-of-way and along a common line of said Lot 13 and said 5.393 acre tract, a distance of 119.32 feet to a 3/8 inch iron rod found for an inset ell corner of said 5.393 acre tract and said iron rod found being the southeast corner of said Lot 13;

North 00 degrees 30 minutes 20 seconds East, a distance of 249.82 feet, to a 1/2 inch iron rod found for the most northerly northwest corner of said 5.393 acre, and said iron rod found for the common corner of Lot 10 and Lot 8;

South 89 degrees 24 minutes 37 seconds East, a distance of 513.06 feet, to a capped (stamped "Prism") 1/2 inch iron rod found for the most northerly northeast corner of said 5.393 acre tract, said iron rod found being the southeast corner of Lot 1, and said iron rod found being on a westerly line of Tract B, Common Area;

THENCE South 00 degrees 36 minutes 32 seconds West, a distance of 156.74 feet, to a 1/2 inch iron rod found for a common corner of said 5.393 acre tract of land and of said Tract B;

THENCE North 68 degrees 52 minutes 26 seconds East, along a northwesterly line of said 5.393 acre tract, a distance of 9.05 feet, to a capped (stamped "Prism") 1/2 inch iron rod found for an outset corner of said 5.393 acre tract of land;

THENCE South 00 degrees 47 minutes 39 seconds East, along an easterly line of said 5.393 acre tract, a distance of 158.48 feet, to a capped (stamped "RPLS 3946") 1/2 inch iron rod found for the southeast corner of said 5.393 acre tract, said iron rod found being on a northwesterly right-of-way line of State Highway No. 10;

THENCE South 66 degrees 39 minutes 29 seconds West, along a southwesterly line of said 5.393 acre tract, and along a northwesterly right-of-way line of State Highway No. 10, at a distance of 14.06 feet, passing a capped (stamped "RPLS 3946") 1/2 inch iron rod found, and continuing in all, a distance of 63.46 feet, to a 1/2 inch iron rod found for an outset corner of said 5.393 acre tract of land, said iron rod found for the southeast corner of that certain tract of land conveyed to Susan G. Masure, dba In The Wind, by the deed recorded in Volume 14048, Page 463, of the Deed Records of Tarrant County, Texas;

THENCE along the common lines between said 5.393 acre tract and said In The Wind tract the following courses and distances:

THENCE North 01 degrees 55 minutes 40 seconds West, a distance of 87.73 feet to a 1/2 inch in diameter pipe found for a common corner between said tracts;

THENCE North 89 degrees 33 minutes 46 seconds West, a distance of 157.55 feet to a 5/8 inch iron rod found for a common corner between said tracts;

THENCE South 89 degrees 18 minutes 48 seconds East, along a southerly line of the herein described tract of land, a distance of 193.64 feet, to a capped (stamped "RPLS 5614") 1/2 inch iron rod set for an outset ell corner of the herein described tract of land;

THENCE South 00 degrees 02 minutes 03 seconds West, along an easterly line of the herein described tract, a distance of 17.34 feet, to a capped (stamped "RPLS 5614") 1/2 inch iron rod set for an angle point and a corner of the herein described tract of land;

THENCE South 41 degrees 39 minutes 13 seconds West, along a southeasterly line of the herein described tract, a distance of 62.14 feet, to a capped (stamped "RPLS 5614") 1/2 inch iron rod set for an angle point and a corner of the herein described tract of land;

THENCE South 89 degrees 57 minutes 57 seconds East, along a southerly line of the herein described tract, a distance of 190.39 feet, to a capped (stamped "RPLS 5614") 1/2 inch iron rod set for the most westerly southwest corner of the herein described tract, said iron rod set on a westerly line of said 5.393 acre tract, and said iron rod set on an easterly right-of-way line of Debra Dr.;

THENCE North 00 degrees 28 minutes 48 seconds East, along a westerly line of said 5.393 acre tract, and along an easterly right-of-way line of Debra Dr., a distance of 65.07 feet, to the POINT OF BEGINNING and containing 3.390 acres of land more or less, as surveyed by Buffalo Creek Surveyor, LLC, Joe Davis Ballard, RPLS No. 5614.

REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5614



Job No. 04911