

ORDINANCE NO. 1590-07-2025

AN ORDINANCE GRANTING THE PETITION FILED BY THE CITY OF GAINESVILLE, REQUESTING ANNEXATION OF APPROXIMATELY 83.2075 ACRES GENERALLY LOCATED AT FM 1202 AND COUNTY ROAD 444 IN COOKE COUNTY, TEXAS; AND EXTENDING THE BOUNDARY LIMITS OF THE CITY SO AS TO INCLUDE THE DESCRIBED PROPERTY WITHIN THE CITY LIMITS; AND GRANTING TO ALL THE INHABITANTS OF THE PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING THE INHABITANTS BY ALL OF THE ORDINANCES, RESOLUTIONS, ACTS AND REGULATIONS OF THE CITY; ZONING THE PROPERTY AS INDUSTRIAL (I); EXTENDING THE BOUNDARIES OF THE GATEWAY INDUSTRIAL PARK BUILDING HEIGHT OVERLAY DISTRICT TO INCLUDE THE ANNEXED PROPERTY; PROVIDING INSTRUCTIONS FOR FILING THIS ORDINANCE AND FOR CORRECTING THE OFFICIAL MAP AND BOUNDARIES OF THE CITY AND AMENDING THE ZONING MAP; PROVIDING SEVERABILITY AND CUMULATIVE CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Gainesville, Texas (the “City”), is a Home Rule Municipality located in Cooke County, Texas, created in accordance with the provisions of the Texas Local Government Code (the “Act”), and operating pursuant to the enabling legislation of the State of Texas and the City Charter of Gainesville; and

WHEREAS, the City is the owner of an area of land described hereinbelow (the “Property”) and submitted a petition requesting voluntary annexation of said Property containing all elements required by Section 43.0671 of the Act, approved by the City by Resolution 05-06-2025G; and

WHEREAS, said land is in the City of Gainesville’s extraterritorial jurisdiction per Section 42.021 of the Texas Local Government Code; and

WHEREAS, annexing said land to the City of Gainesville, Texas will not violate Section 43.055 of the Texas Local Government Code; and

WHEREAS, the City Council has determined that the Property to be annexed, as set forth in the petition, is not within the jurisdictional boundaries of any other municipality; and

WHEREAS, a public hearing on the proposed annexation was held on July 1, 2025, at which all interested persons were given the opportunity to appear and be heard in accordance with the requirements of the Act; and

WHEREAS, the City Council finds that granting the annexation petition and annexing the Property is in the best interest of the City and promotes the general health, safety, and welfare of the public; and

WHEREAS, the City Council further finds it appropriate to zone the Property as Industrial (I) and to extend the Gateway Industrial Park Building Height Overlay District to include the annexed Property; and

WHEREAS, it is necessary to amend the official boundary and zoning maps of the City of Gainesville to reflect the annexation and zoning designations provided herein.

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

SECTION 1. Findings. It is hereby officially determined that the findings and recitations contained above in the preamble of this ordinance are true and correct and are incorporated herein by reference.

SECTION 2. Petition Granted. The request to annex approximately 83.2075 acres of land in Cooke County, Texas, described in **Exhibit A** is hereby granted.

SECTION 3. Annexation. That the following described territory, to wit:

APPROXIMATELY 83.2075 ACRES OF LAND; IDENTIFIED AS COOKE CAD PROPERTY ID NOS 25433, 27209, AND 26341; INSIDE THE CITY OF GAINESVILLE EXTRATERRITORIAL JURISDICTION (ETJ); BEING ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND SITUATED IN J.M. WILLIAMSON SURVEY, ABSTRACT NO. 1109; W.W. HILLIS SURVEY, ABSTRACT NO. 454; AND IN THE C.T. BAILEY SURVEY, ABSTRACT NO. 64 AND BEING THE CALLED 82.94 ACRE TRACT DESCRIBED IN DEED TO CITY OF GAINESVILLE, COOKE COUNTY, TEXAS AS RECORDED IN VOLUME 366, PAGE 625 OF THE DEED RECORDS OF COOKE COUNTY, TEXAS.

be and the same is hereby annexed into the City of Gainesville, Cooke County, Texas; that the boundary limits of the City Gainesville, Texas, be and the same are hereby extended to include the above-described territory within the city limits of the City; that same shall hereafter be included within the territorial limits of said City; and that said land and the inhabitants thereof shall be hereafter entitled to all rights and privileges of all other citizens of the City and shall be bound by the ordinances, resolutions, acts and regulations of the City.

SECTION 4. Service Agreement. Section 43.0672 of the Act requires a written service agreement for annexation between the City and the property owner; however, because the City is the owner of the Property, it is impossible to satisfy this requirement, and the City acknowledges that it shall provide such municipal services to the Property as it deems necessary and appropriate.

SECTION 5. Official Map. The official map and boundaries of the City, previously adopted, are amended to include the Property as part of the City of Gainesville. The City Secretary is directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City to add the annexed Property as required by applicable law.

SECTION 6. Ward Assignment. The annexed area in this ordinance shall be included in Ward 1 of the City of Gainesville, Texas.

SECTION 7. Zoning Amendment. From this date, the above-described property shall be zoned Industrial (I), and the boundaries of the Gateway Industrial Park Building Height Overlay District shall be extended to include the annexed area.

SECTION 8. Zoning District Map. The Zoning District Map of the City of Gainesville adopted by Section 1.5 of Appendix A, "Zoning," of the Code of Ordinances, and on file in the office of the City Secretary, is hereby amended to reflect the zoning classification changes herein made.

SECTION 9. Severability Clause. It is hereby declared by the City Council of the City that if any of the sections, paragraphs, sentences, clauses, phrases, words, or provisions of this ordinance should be declared unconstitutional or otherwise invalid for any reason, such event shall not affect any remaining sections, paragraphs, sentences, clauses, phrases, words, or provisions of this ordinance.

SECTION 10. Cumulative Clause. This ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 11. Public Meeting. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

SECTION 12. Filing Instructions. The City Secretary is hereby directed to file a certified copy of this ordinance with the County Clerk of Cooke County, Texas, and with other appropriate officials and agencies as required by state and federal law.

SECTION 13. Effective Date. This ordinance shall be in full force and effect immediately upon its passage and approval by the City Council of the City of Gainesville, Texas.

INTRODUCTION. FIRST READING. CHARTER SUSPENSION:

INTRODUCED AND READ FOR THE FIRST TIME BEFORE THE CITY COUNCIL OF THE CITY OF GAINESVILLE ON THE 1st DAY OF July 2025, AT WHICH THE CHARTER PROVISION OF THE CITY OF GAINESVILLE REQUIRING THE READING OF THE ORDINANCE ON THREE SEPARATE OCCASIONS WAS SUSPENDED BY A VOTE OF

6 AYES 0 NAYS 0 ABSENT 0 ABSTENTIONS 1 VACANCY

ADOPTION

ADOPTED IN REGULAR SESSION BY THE CITY COUNCIL OF THE CITY OF GAINESVILLE ON THE 1st DAY OF July 2025.

6 AYES 0 NAYS 0 ABSENT 0 ABSTENTIONS 1 VACANCY

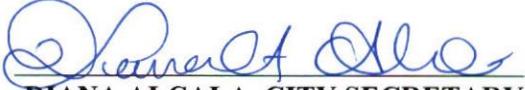

DIANA ALCALA, CITY SECRETARY




TOMMY MOORE, MAYOR

I, Diana Alcala, City Secretary of the City of Gainesville, Texas, after being duly sworn, do hereby certify that the above and foregoing is a true and correct copy of an ordinance duly passed by the City Council of the City of Gainesville, Texas on the dates shown on said copy.

Signed this 1 day of July, 2025


DIANA ALCALA, CITY SECRETARY

SUBSCRIBED AND SWORN TO before me, the undersigned authority, on the 1 day of July, 2025.




Notary Public, State of Texas

EXHIBIT A

PROPERTY DESCRIPTION

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, MADE A CAREFUL AND ACCURATE SURVEY ON THE GROUND OF PROPERTY DESCRIBED AS FOLLOWS:

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE J. M. WILLIAMSON SURVEY, ABSTRACT NO. 1109; W.W. HILLIS SURVEY, ABSTRACT NO. 454; AND IN THE C.T. BAILEY SURVEY, ABSTRACT NO. 64 AND BEING THE CALLED 82.94 ACRE TRACT DESCRIBED IN DEED TO CITY OF GAINESVILLE, COOKE COUNTY, TEXAS AS RECORDED IN VOLUME 366, PAGE 625 OF THE DEED RECORDS OF COOKE COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 5/8" IRON ROD WITH YELLOW PLASTIC CAP FOUND FOR CORNER IN THE SOUTHWEST RIGHT-OF-WAY LINE OF F.M. 1202 (CALLED AN 80' PUBLIC RIGHT-OF-WAY), SAID POINT ALSO BEING A CORNER OF A 138.6674 ACRE TRACT OF LAND DESCRIBED IN DEED TO CAMP HOWZE DEVELOPMENT PARTNERS, AS RECORDED IN VOLUME 2499, PAGE 595 OF THE DEED RECORDS, COOKE COUNTY, TEXAS (D.R.C.C.T.);

THENCE SOUTH 89° 08' 07" WEST (BASIS OF BEARINGS PER CAMP HOWZE DEVELOPMENT PARTNERS DEED) AND DEPARTING THE SOUTHWEST RIGHT-OF-WAY LINE OF SAID F.M. 1202, AND FOLLOWING ALONG THE NORTH LINE OF SAID CAMP HOWZE DEVELOPMENT PARTNERS TRACT RECORDED IN VOLUME 2499, PAGE 595 (D.R.C.C.T.) FOR A DISTANCE OF 1273.46 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP FOUND FOR THE NORTHWEST CORNER OF SAID 138.6674 ACRE CAMP HOWZE DEVELOPMENT PARTNERS TRACT RECORDED IN VOLUME 2499, PAGE 595 (D.R.C.C.T.);

THENCE FOLLOWING ALONG THE WEST LINE OF SAID CAMP HOWZE DEVELOPMENT PARTNERS TRACT RECORDED IN VOLUME 2499, PAGE 595 (D.R.C.C.T.), THE FOLLOWING COURSES AND DISTANCES NUMBERED 1, 2, AND 3;

1. SOUTH 00° 19' 13" WEST FOR A DISTANCE OF 309.40 FEET TO A 5/8" IRON ROD SET FOR CORNER;
2. NORTH 87° 39' 24" EAST FOR A DISTANCE OF 370.23 FEET TO A 5/8" IRON ROD SET FOR CORNER;
3. SOUTH 00° 19' 13" WEST FOR A DISTANCE OF 248.30 FEET TO A 5/8" IRON ROD SET FOR CORNER;

THENCE NORTH 89° 04' 34" WEST FOR A DISTANCE OF 237.26 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED "RPLS 1890" SET FOR THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID CITY OF GAINESVILLE CALLED 82.94 ACRE TRACT;

THENCE SOUTH 00° 24' 28" WEST ALONG THE EAST LINE OF SAID CITY OF GAINESVILLE CALLED 82.94 ACRE TRACT FOR A DISTANCE OF 2568.78 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED "RPLS 1890" SET FOR THE SOUTHEAST CORNER OF SAID CITY OF GAINESVILLE CALLED 82.94 ACRE TRACT IN THE NORTH LINE OF COUNTY ROAD NO. 444 (VARIABLE WIDTH UNDEDICATED PUBLIC ROAD BY USE AND OCCUPATION);

THENCE SOUTH 89° 19' 44" WEST ALONG THE NORTH LINE OF SAID COUNTY ROAD NO. 444 RIGHT-OF-WAY FOR A DISTANCE OF 1401.37 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED "RPLS 1890" SET FOR THE SOUTHWEST CORNER OF SAID CITY OF GAINESVILLE CALLED 82.94 ACRE TRACT;

THENCE NORTH 00° 26' 28" EAST DEPARTING SAID COUNTY ROAD NO. 444 RIGHT-OF-WAY AND FOLLOWING ALONG THE WEST LINE OF SAID CITY OF GAINESVILLE CALLED 82.94 ACRE TRACT FOR A DISTANCE OF 2607.77 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED "RPLS 1890" SET FOR THE NORTHWEST CORNER OF SAID CALLED 82.94 ACRE TRACT;

THENCE SOUTH 89° 04' 34" EAST AND FOLLOWING ALONG SAID CITY OF GAINESVILLE CALLED 82.94 ACRE TRACT FOR A DISTANCE OF 1399.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 83.2075 ACRES OF LAND, MORE OR LESS.
