

CITY OF PRINCETON

ORDINANCE NO. 2011-10-10-01

AN ORDINANCE OF THE CITY OF PRINCETON CONFIRMING AND RATIFYING THE MAP RELATING TO THE BOUNDARIES OF THE CORPORATE CITY LIMITS; REPEALING ORDINANCE NO. 2003-08-12-01; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 51.012 of the Texas Local Government Code allows a municipality to adopt an ordinance not inconsistent with state law that is necessary for the government, interest, welfare or good order of the municipality as a body politic; and

WHEREAS, it is necessary for the government, interest, welfare and good order of the City of Princeton to define the boundaries of the municipality; and

WHEREAS, Section 41.001 of the Texas Local Government Code mandates that a municipality shall prepare a map of the boundaries of a municipality and of its extraterritorial jurisdiction, which shall be kept in the office of the secretary of the municipality and the office of the municipal engineer; and

WHEREAS, Section 43.051 of the Texas Local Government Code provides that a municipality may annex area only in its ETJ unless the municipality owns the area; and

WHEREAS, Section 43.026 of the Texas Local Government Code provides the authority for the City to annex an area that it owns by an ordinance describing the metes and bounds; and

WHEREAS, on January 10, 2010, the boundary map for the City of Princeton was updated and published based upon annexations that occurred prior to that date; and

WHEREAS, subsequent annexations have occurred since the publication of the January 10, 2010 boundary map; and

WHEREAS, on or about January 12, 2010, a Quo Warranto suit styled *State of Texas ex. rel. Collin County, Texas v. City of Princeton*, Cause No. 366-00108-2010, was filed challenging whether the City of Princeton properly annexed a portion of F.M. Road 982 through Ordinance No. 104 adopted January of 1971 and ratified by and through Ordinance No. 2003-08-12-01, specifically challenging the tract identified as Tract No. 5, generally described as a strip of land being the right-of-way of F.M. 982 from the southern most city limits to the intersection with F.M. Road 546; and

WHEREAS, on June 30, 2011, the Court in the Quo Warranto action, Cause No. 366-00108-2010, issued a final judgment granting the State's Motion for Summary Judgment, and providing in pertinent part "that the City of Princeton's southern most corporate city limit extends to approximately 0.610 miles south of F.M. Road 982's intersection with U.S. Highway 380, and more specifically: beginning at said point (Station 0+00) being at the intersection with U.S. 380 in the City of Princeton, thence continuing along F.M. 982 in a Southerly direction for a distance of 0.610 MILE approximately, said point (Station 32+21) being Princeton South City Limits;" and

WHEREAS, based upon the Court's Final Judgment, the proposed boundary map reflects a southern most city limit along the right-of-way of F.M. Road 982 at a point 0.610 miles south of U.S. Highway 380; and

WHEREAS, numerous voluntary annexations have occurred, as reflected on the Annexation Boundary Map dated January 10, 2010, that remain unaffected by the Court's Final Judgment in Cause No. 366-00108-2010 as the annexations were based upon contiguity to city limits, other than the right-of-way along F.M. Road 982, were voluntary at

the request of the property owners and were properly annexed consistent with applicable law prior to the Court's Final Judgment; and

WHEREAS, upon review of the pleadings in Cause No. 366-00108-2010, no other annexation was challenged or judicially deemed to be affected by the Court's Final Judgment judicially disannexing Tract No. 5, the enumerated right-of-way along F.M.982; and

WHEREAS, the City Council has reviewed all of the annexation ordinances, the properties donated to and accepted by the City by Resolution and annexed into the City, in conjunction with the Department of Justice Inquiry 2011-1978 and ordinances reflected therein; and

WHEREAS, properties contiguous to the City limits and wholly unrelated to F.M. Road 982 include but are not limited to the following annexations: Ord No. 2007-12-11-03, Ord. No. 2008-11-10-01 (city owned property), Ord. No. 2008-11-10-02 (city owned property), Ord. No. 2009-05-05-01, and Ord. No. 2010-09-14; and

WHEREAS, properties contiguous to southern portions of the City limits, other than through adjacency to the judicially disannexed right-of-way along FM Road 982, include but are not limited to the following annexations: Ord. No. 2005-8-09-01, Ord No. 2006-01-31, Ord. No. 2007-03-13, Ord. No. 2008-2-12-01, Ord. No. 2010-05-11, and Ord. No. 2010-11-16; and

WHEREAS, Annexation Ordinance No. 2008-10-01, was a voluntary annexation, contiguous to City owned property that had been donated and accepted by the City by and through Resolution No. 2008-08-12-R, prior to annexation of the entire tract, the City owned tract annexed by metes and bounds simultaneously with and as part of the remainder of the tract, and notwithstanding the judicial disannexation of F.M. Road 982, remains within the City's one-mile ETJ; and

WHEREAS, due to the Court's Final Judgment and judicial disannexation of the right-

of-way of F.M. Road 982, three voluntary annexations, each contiguous to City owned property that was donated after the lawful annexation and accepted by and through Resolution No. 2009-04-21-R and Resolution No. 2009-04-21-R-01, that at the time of annexation were within the City's ETJ, and that are currently judicially removed from the City's one-mile ETJ, which annexations ordinances include: Ord. No. 2007-09-25-02, Ord. No. 2007-09-25-03 and Ord. No. 2009-05-05; and

WHEREAS, The City's one-mile ETJ shall not be, and has not been expanded from the judicially created islands of city limits; and.

WHEREAS, the City Council has determined that the map, attached hereto as Exhibit "A" and incorporated herein by reference as if fully set forth herein, represents the boundaries of the City of Princeton; and

WHEREAS, the map attached hereto as Exhibit "A" substantially satisfies the requirements of § 41.001 of the Texas Local Government Code, that the City prepare a map that shows the boundaries of the municipality; and

WHEREAS, there has not been a final judicial determination challenging the boundaries of the City of Princeton as reflected in the map attached hereto as Exhibit "A";

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

Section 1. That the above recitals are hereby found to be true and correct and incorporated herein for all purposes.

Section 2. The map attached hereto as Exhibit "A" is the true and correct official map of the City of Princeton.

Section 3. The Mayor is authorized to acknowledge the veracity of the official map which may thereafter be used for all official purposes.

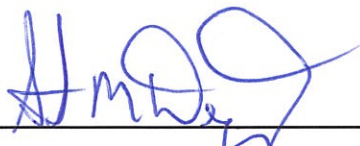
Section 4. Ordinance, 2003-08-12-01, ratifying Tract 5 as reflected in Ordinance No. 104, is hereby repealed.

Section 5. The City Secretary is directed to file the official map in the office of the City Secretary and forward a copy of same to the Clerk of Deed Records of Collin County, the mapping department of Collin County, the Department of Justice and any other entity required to receive notification of annexations.

Section 6. The City Engineer who has prepared the map, attached hereto as Exhibit A, showing the official boundaries of the City of Princeton and of its extraterritorial jurisdiction, shall keep a copy of the map in the office of the Engineer.

Section 7. This Ordinance is approved during the open session of a regularly scheduled meeting of the City Council of the City of Princeton, duly noticed consistent with the Open Meetings Act, by a majority affirmative vote of the governing body of the City.

DULY PASSED AND APPROVED by the City Council of the City of Princeton, Texas, on this 10 day of October, 2011.

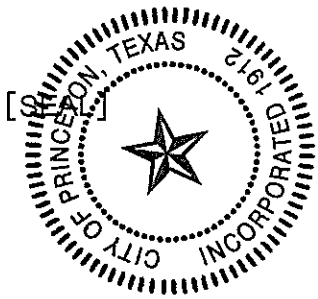
  
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~~Kenneth Bowers, Mayor~~  
Steve DeGibb, Deputy Mayor Pro Tempore  
City of Princeton, Texas

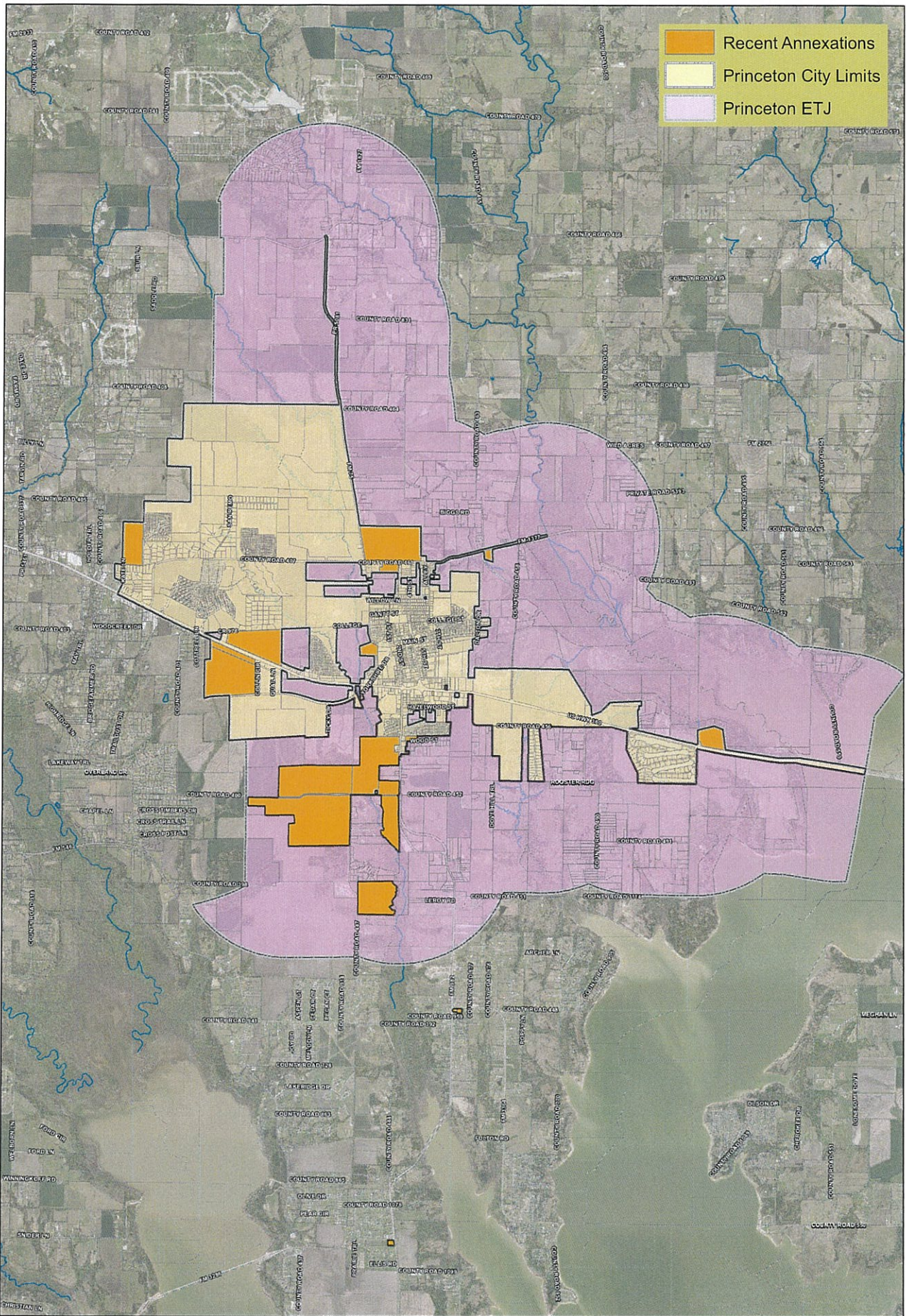
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




Lesia Thornhill, City Secretary

City of Princeton, Texas

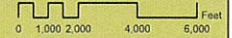




	Recent Annexations
	Princeton City Limits
	Princeton ETJ



**Annexation Boundary Map**  
**Princeton, Texas**  
**Date: September 2011**



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