

8

RESOLUTION NO. 2016-09-11

A RESOLUTION OF THE CITY COUNCIL OF DECATUR, TEXAS, DECLINING TO ACT UNDER AUTHORITY OF INTERLOCAL AGREEMENT WITH WISE COUNTY, TEXAS DATED FEBRUARY 14, 2005 WITH REGARD TO APPROVAL OF PLATS OF (A) THE "SINGLE TREE ADDITION", APPROVED BY THE COMMISSIONERS COURT OF WISE COUNTY ON AUGUST 24, 2016, RECORDED AS DOCUMENT NO. 201608717, IN PLAT CABINET "D", SLIDE 583, OFFICE OF THE COUNTY CLERK OF WISE COUNTY, TEXAS, AND (B) THE "HARRIS BASIN SUBDIVISION", APPROVED BY THE COMMISSIONERS COURT OF WISE COUNTY ON SEPTEMBER 14, 2015, RECORDED IN PLAT CABINET "D", SLIDE 101, OFFICE OF THE COUNTY CLERK OF WISE COUNTY, TEXAS; AND RECOGNIZING APPROVAL OF SAID TWO PLATS BY THE COMMISSIONERS COURT OF WISE COUNTY, TEXAS.

WHEREAS, the Commissioners Court of Wise County adopted and approved of the final Plat of the "Harris Basin Addition," now of record in Plat Cabinet "D", Slide 101, by action taken on September 14, 2015; and

WHEREAS, the Commissioners Court of Wise County adopted and approved of the final Plat of the "Single Tree Addition," now of record in Plat Cabinet "D", Slide 583, by action taken on August 24, 2016; and

WHEREAS, both said Harris Basin Addition and said Single Tree Addition have now been determined to lie within the extraterritorial jurisdiction ("ETJ") of the City of Decatur, Texas; and

WHEREAS, pursuant to the terms of Interlocal Agreement executed by and between Wise County, Texas, and the City of Decatur, Texas, on February 14, 2005, Wise County ceded plat approval authority to said City of Decatur for plats affecting property situated within said ETJ of the City of Decatur, and accordingly the plat approval action taken by the County on September 14, 2015 and on August 24, 2016 was taken by inadvertence or mistake; and

WHEREAS, said Wise County has offered to revoke its previous approval action in order to permit review and approval action by the said City of Decatur; but

WHEREAS, such action would cause an undue delay and financial hardship on the plat Applicants; and

WHEREAS, the Development Department staff of the City of Decatur have reviewed the approved and recorded Plats and find same to be in substantial compliance with City requirements;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DECATUR, TEXAS:

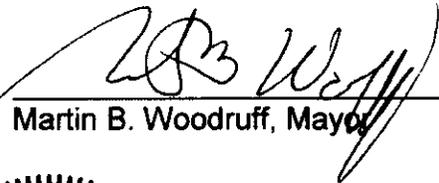
That, with regard ONLY to (a) said Plat of the "Harris Basin Addition," previously approved by the Commissioners Court of Wise County, Texas on September 14, 2015, recorded in Plat Cabinet "D", Slide 101, AND (b) said Plat of the "Single Tree Addition," previously approved by the Commissioners Court of Wise County, Texas on August 24, 2016, recorded in Plat Cabinet "D", Slide 583; the City of Decatur hereby EXPRESSLY declines to accept its authority as granted by said Interlocal Agreement of February 14, 2005, and accordingly ACCEPTS both the action taken by the Commissioner's Court of Wise County, Texas on September 14, 2015 and the action taken by the Commissioner's Court of Wise County, Texas August 24, 2016 approving of said two Plats as Additions within the ETJ of the City of Decatur, Texas.

PASSED AND APPROVED this 26th day of September, 2016.

ATTEST:



Diane Cockrell, TRMC, City Secretary



Martin B. Woodruff, Mayor



