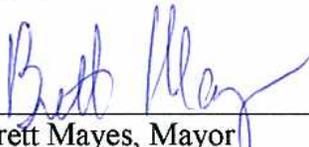


CITY OF LOWRY CROSSING, TEXAS

ORDINANCE NO. 175

AN ORDINANCE OF THE CITY OF LOWRY CROSSING, TEXAS, AMENDING ORDINANCE NO. 105, THE SUBDIVISION CODE, AS AMENDED, BY AMENDING ARTICLE 8, "STANDARD SPECIFICATIONS FOR SUBDIVISION CONSTRUCTION & CONSTRUCTION OUTSIDE A SUBDIVISION," TO REQUIRE THAT ALL STREETS BE DEDICATED TO THE PUBLIC USE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

DULY PASSED AND APPROVED by the City Council of the City of Lowry Crossing, Texas this 4th day of NOVEMBER, 2003.



Brett Mayes, Mayor
City of Lowry Crossing, Texas

ATTEST:



Eddie Sturgal, City Secretary
City of Lowry Crossing, Texas

[S E A L]

CITY OF LOWRY CROSSING, TEXAS

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WHEREAS, the City Council of the City of Lowry Crossing, Texas, has determined that it is in the public interest to require that all streets be dedicated to public use; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOWRY CROSSING, TEXAS:

Section 1. That the Subdivision Code of the City of Lowry Crossing, Texas, Ordinance No. 105, as amended, is hereby amended by amending Article 8, "Standard Specifications for Subdivision Construction & Construction Outside a Subdivision," to add a new Section 12-8-3 to read as follows:

"Sec. 12-8-3 STREET DEDICATIONS.

The owner of property to be platted must provide an easement or fee simple dedication to public use of all property needed for the construction of streets and thoroughfares. Dedications shown on plats are irrevocable offers to dedicate the property shown. Once the offer to dedicate is made, it may be accepted by an action of the city council, by acceptance of the improvements in the dedicated areas for the purposes intended, or by actual use by the city. Improvements shall not be accepted until constructed in accordance with this article, the approved plans, details and specifications, and the final plat is filed for record in the office of the county clerk. Private streets, whether within or without a platted subdivision, are not allowed within the City of Lowry Crossing."

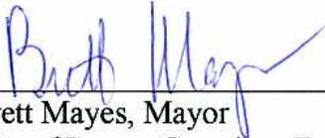
Section 2. That all provisions of the Subdivision Code of the City of Lowry Crossing, Texas, in conflict with the provisions of this ordinance be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect save and except as amended by this ordinance.

Section 3. That the sections, paragraphs, sentences, phrases, clauses and words of this ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this ordinance or application thereof to any person, firm or corporation, or to any circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not

affect the validity of the remaining portions of this ordinance, and the City Council hereby declares that it would have adopted such remaining portions of this ordinance despite such invalidity.

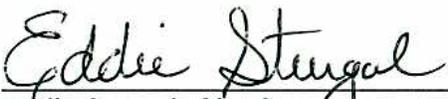
Section 4. That this ordinance shall take effect immediately from and after its passage and the publication of its caption, and it is accordingly so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LOWRY CROSSING, TEXAS, this 4th day of November, 2003.



Brett Mayes, Mayor
City of Lowry Crossing, Texas

ATTEST:



Eddie Sturgal, City Secretary

APPROVED AS TO FORM:

Angela K. Washington, City Attorney