

ORDINANCE NO. 69

AN ORDINANCE OF THE CITY OF LOWRY CROSSING, TEXAS PROVIDING FOR DISANNEXATION OF TERRITORY NORTH OF US HIGHWAY 380 FROM THE CORPORATE LIMITS OF LOWRY CROSSING, AND THE DISANNEXATION OF A PORTION OF THE BRAMBLE BRANCH SUBDIVISION FROM THE CORPORATE LIMITS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING THAT NOVEMBER 24, 1992 BE THE EFFECTIVE DATE THEREOF:

WHEREAS, those areas included in the original incorporation of Lowry Crossing which crossed and extended north of US Highway 380 did cross and conflict with a prior annexation by the City of McKinney, Texas; and

WHEREAS, an Agreed Judgment entered in the 296th Judicial District Court of Collin County, Texas ordered, adjudged and decreed that the Town of Lowry Crossing is and has been a valid Texas municipal corporation; and

WHEREAS, the court further ordered that the Town of Lowry Crossing will, within ninety (90) days of the effective date of the judgment disannex all of its territory north of the south right-of-way line of US Highway 380; and

WHEREAS, Ordinance 43 annexed that portion of the Bramble Branch subdivision not already in the corporate limits of Lowry Crossing; and

WHEREAS, the residents of Bramble Branch, pursuant to §43.144 "Sparsely Populated Area" of the Texas Local Government Code, have requested disannexation of a part of that territory so annexed; and

WHEREAS, the City Council has determined that the city has no current interest in the subject territory; and

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

SECTION 1. Purpose

A. The City of Lowry Crossing hereby disannexes all territory north of the south right-of-way line of US Highway 380. Said disannexed territory shall include that territory adjacent to North Bridgfarmer Rd., CR 407, and CR 406 which was included in the original incorporation; and that additional territory in Brookside Country Homes which was annexed by Ordinance 43.

B. The City of Lowry Crossing hereby disannexes the territory in Bramble Branch subdivision defined as follows:

All land contained in  
Lot 3 2.2240 Acres      Lot 6 1.7114 Acres  
Lot 4 2.4321 Acres      Lot 7 1.5001 Acres  
Lot 5 2.2342 Acres      Lot 8 1.5001 Acres

and that part of the 1.6846 Acre Lot 9 which lies east of the original corporate limits.

SECTION 2. Revised Map

The City Council directs the City Secretary to have a revised city map prepared reflecting the described change(s), and that the map be dated with the effective date of this ordinance.

SECTION 3. Repealer

All ordinances or parts of ordinances found to be in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

SECTION 4. Severability Clause

If any part of this ordinance should be declared invalid or unconstitutional by any Judgment of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other remaining clause, sentence, paragraph, or section of the ordinance.

SECTION 5. Publication and Effective Date

The caption of this ordinance shall be published one (1) time in a newspaper having general circulation in the City of Lowry Crossing, and shall be effective November 24, 1992.

PASSED AND APPROVED this 23d day of November, 1992.

1s/  \_\_\_\_\_  
Mayor

ATTEST:

1s/  \_\_\_\_\_  
City Secretary