

ORDINANCE NO. 2000-1

AN ORDINANCE OF THE CITY OF BEASLEY, TEXAS, AMENDING ITS ORDINANCES NOS. 124, 125, and 127 BY DELETING THEREFROM CERTAIN LAND THAT, WHEN THOSE ORDINANCES WERE PASSED, WAS WITHIN ROSENBERG'S E.T.J. AND THAT WAS THEREBY INADVERTENTLY INCLUDED IN BEASLEY'S E.T.J., AND PROVIDING FOR A SEVERABILITY CLAUSE

WHEREAS, on or about the following dates, the City of Beasley, Texas, passed the following ordinances: Ordinance No. 124 on February 23, 1999; Ordinance No. 125 on March 4, 1999; Ordinance No. 126 on March 15, 1999; and Ordinance No. 127 on March 22, 1999; and

WHEREAS, the City of Beasley, Texas, passed those ordinances to bring certain land described therein into its E.T.J.; and

WHEREAS, in passing those ordinances, Beasley believed in good faith that the land it was bringing into its E.T.J. was not included within Rosenberg's E.T.J.; and

WHEREAS, Beasley never intended to bring land into its E.T.J. that was already within Rosenberg's E.T.J.; and

WHEREAS, in the Spring of 2000, during discovery in No. 111736, styled *The City of Beasley, Texas v. The City of Rosenberg, Texas*, pending in the 268th District Court of Fort Bend County, Texas, Beasley first discovered that certain land that it had brought into its E.T.J. by Ordinances 124, 125, and 127 was within Rosenberg's E.T.J.; and

WHEREAS, by enacting this ordinance, Beasley intends to correct its inadvertent action in including in its E.T.J. some land that was within Rosenberg's E.T.J. by amending its Ordinances 124, 125, and 127 to delete that land from its E.T.J.

NOW, THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEASLEY, TEXAS:

SECTION 1.

Beasley Ordinance No. 124 is hereby amended to delete from Beasley's E.T.J. the four tracts of land described in the attached Exhibit "A", which is incorporated herein by reference, land that Beasley inadvertently included within its E.T.J. by that ordinance.

SECTION 2.

Beasley Ordinance No. 125 is hereby amended to delete from Beasley's E.T.J. the five tracts of land described in the attached Exhibit "B", which is incorporated herein by reference, land that Beasley inadvertently included within its E.T.J. by that ordinance.

SECTION 3.

Beasley Ordinance No. 127 is hereby amended to delete from Beasley's E.T.J. all of the tracts of land described in pages 2-5 of the attached Exhibit "C" (except for the first tract described at the top of page 2 of that exhibit, the F.I. Cobb tract), which exhibit is incorporated herein by reference, land that Beasley inadvertently included within its E.T.J. by that ordinance. To aid in the interpretation and construction of this section, also incorporated herein by reference are the maps and other exhibits attached to and incorporated in Beasley's Ordinance No. 127. The F.I. Cobb tract and all of the tracts of land described in page 1 of Exhibit "A" are retained in Beasley's E.T.J. and Ordinance No. 127 is not amended hereby to that extent.

SECTION 4.

The land deleted from Beasley's E.T.J. by Sections 1 and 2 of this ordinance is indicated on the two maps, marked Exhibit "D", which are attached to and incorporated herein by reference.

SECTION 5.


Except as amended by this ordinance, Ordinances 124, 125, and 127 are continued in full force and effect.

SECTION 6.


If any part of this ordinance is for any reason found to be unenforceable, all other parts nevertheless remain enforceable.

PASSED AND APPROVED this ^{22nd} ~~16th~~ ^{WS} day of May, 2000.

ATTEST:



Mayor



City Secretary