

ORDINANCE NO.2224

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TERRELL, AMENDING ENTERPRISE PROJECT NO. 014352, APPLICATION NAME OF WAL-MART STORES EAST, INC. TO WAL-MART STORES EAST, LP; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

SECTION I.

Be it ordained by the City Council of the City of Terrell, Texas that Enterprise Project No. 014352 shall be named as Wal-Mart Stores East, LP as follows:

SECTION II.

WHEREAS, the Texas Department of Economic Development (“Department”) designated the City of Terrell Enterprise Zone (the “Zone”); and

WHEREAS, Department has considered and approved Wal-Mart Stores East, Inc. as an enterprise project pursuant to a nomination and an application made by the City of Terrell, Texas (the “City”) the 16th day of November, 1999; and

WHEREAS, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the Zone and to provide employment to residents of the Zone and to other economically disadvantaged individuals; and

WHEREAS, the City recognizes and recommends approval to the Department an Enterprise Project Assumption Application officially changing the name of the Enterprise Project Number 0143501 from Wal-Mart Stores East, Inc. to Wal-Mart Stores East, LP; and

WHEREAS, the City finds that Wal-Mart Stores East, LP will continue to meet the criteria for designation as an enterprise project under Chapter 2303, Subchapter F, of the Act on the following grounds:

- (1.) Wal-Mart Stores East, LP is a “qualified business” under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business in the Zone and at least twenty-five percent (25%) of the business’ employees are residents of a Zone within the City’s jurisdictions or economically disadvantaged individuals;
- (2.) There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the Zone; and

WHEREAS, the City finds that it is in the best interest of the City to recommend approval an Enterprise Project Assumption Application officially changing the name of Enterprise Project Number 0143501 from Wal-Mart Stores East, Inc. to Wal-Mart Stores East, LP. And shall take effect on the date of approval as defined in Section 2303.402 of the Act, and meets the criteria for an Enterprise Zone Assumption Application.

SECTION III

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and section so this Ordinance, since the same would have been enacted by the city council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION IV

This Ordinance will take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

PASSED AND APPROVED this the 4th day of May, 2004.

PASSED AND ADOPTED this the 18th day of May, 2004.

Frances R. Anderson, Mayor

ATTEST:

John Rounsavall, City Secretary

APPROVED AS TO FORM:

Mary Gayle Ramsey, City Attorney