

ORDINANCE No. 2398

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING THE OFFICIAL THOROUGHFARE PLAN OF THE COMPREHENSIVE PLAN, ORDINANCE No. 2118 ADOPTED ON SEPTEMBER 3, 2003, IN ORDER TO ESTABLISH AN OFFICIAL CITY OF TERRELL POLICY IN REGARDS TO THE ALIGNMENT OF THE PROPOSED OUTER LOOP THOROUGHFARE AND THE REALIGNMENT AND/OR LOCATION OF ASSOCIATED HIGHWAY INTERCHANGES AND THOROUGHFARES IN THE EXTRATERRITORIAL JURISDICTION (ETJ) AND CITY LIMITS OF TERRELL, KAUFMAN COUNTY, TEXAS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN UPDATE TO THE OFFICIAL THOROUGHFARE MAP.

ARTICLE I.

WHEREAS, the Planning and Zoning Commission of the City of Terrell, Texas, and the governing body of the City of Terrell, Texas, in compliance with the Charter of the City of Terrell, Texas and State law with reference to granting of changes to the Thoroughfare Plan of the Comprehensive Plan, Ordinance No. 2118 have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the governing body of the City of Terrell, Texas, is of the opinion that said amendments to the official Thoroughfare Plan are in the best interest of the general welfare of the public and should be made in order to promote future economic development, transportation safety and traffic demands for the City of Terrell, Kaufman County, Texas.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Terrell, Texas:

THAT the official Thoroughfare Plan of the Comprehensive Plan, Ordinance No. 2118, of the City of Terrell, Texas, be, and the same is hereby amended by amending the Thoroughfare Map, so as to depict changes for the Outer Loop and other associated thoroughfare alignments, highway interchanges and other being shown on Exhibit "A", hereinafter provided.

It is directed that the Official Thoroughfare Map of the City of Terrell, Texas, be changed to reflect the amendments established by this Ordinance.

That the above amendments shall be used only in the manner and for the purposes allowed by the Comprehensive Plan to guide future land development and construction of roadways and other capital improvements as amended heretofore, and as amended herein.

ARTICLE II

All ordinances or part of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

ARTICLE 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 sections of 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.

ARTICLE IV

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

PASSED AND APPROVED this the 17th day of February, 2009.

PASSED AND ADOPTED this the 3rd day of March, 2009.

APPROVED:

Hal Richards, Mayor

ATTEST:

John Rounsavall, City Secretary

APPROVED AS TO FORM:

Mary Gayle Ramsey, City Attorney