

ORDINANCE NO. 2023-09

**AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, RATIFYING ITS ANNEXATION UNDER CHAPTER 43 OF THE TEXAS LOCAL GOVERNMENT CODE OF APPROXIMATELY 69.478 ACRES OF TEXAS DEPARTMENT OF TRANSPORTATION (“TXDOT”) OWNED RIGHT-OF-WAY ON FM 2843, FROM THE SOUTH INTERSTATE HIGHWAY 35 SERVICE ROAD, WEST TO A LOCATION JUST WEST OF MUSTANG CREEK ROAD, IN BELL COUNTY, TEXAS, LYING PARTIALLY WITHIN AND PARTIALLY ADJACENT AND CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE VILLAGE OF SALADO, TEXAS IN THE VILLAGE’S EXTRATERRITORIAL JURISDICTION IN BELL COUNTY, TEXAS; ITS ANNEXATION UNDER CHAPTER 43 OF THE TEXAS LOCAL GOVERNMENT CODE OF APPROXIMATELY 1,105 ACRES OF LAND LOCATED NORTHWEST OF THE INTERSECTION OF FM 2843 AND MUSTANG CREEK ROAD, IN BELL COUNTY, TEXAS, LYING PARTIALLY WITHIN AND PARTIALLY ADJACENT AND CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE VILLAGE OF SALADO, TEXAS IN THE VILLAGE’S EXTRATERRITORIAL JURISDICTION IN BELL COUNTY, TEXAS; ITS ANNEXATION UNDER CHAPTER 43 OF THE TEXAS LOCAL GOVERNMENT CODE APPROXIMATELY 299.025 ACRES OF TXDOT OWNED RIGHT-OF-WAY ON INTERSTATE 35, FROM THE SOUTHERN CORPORATE LIMITS OF THE VILLAGE OF SALADO NEAR FM 2268, SOUTH TO A LOCATION JUST NORTH OF THE BELL COUNTY LINE, IN BELL COUNTY, TEXAS, LYING PARTIALLY WITHIN AND PARTIALLY ADJACENT AND CONTIGUOUS TO THE PRESENT CORPORATE LIMITS OF THE VILLAGE OF SALADO, TEXAS IN THE VILLAGE’S EXTRATERRITORIAL JURISDICTION IN BELL COUNTY, TEXAS; AND INCLUDING THE FOLLOWING: FINDINGS OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY CLAUSE; AND PROPER NOTICE AND MEETING.**

**WHEREAS,** the Village of Salado, Texas (“Village”) is a Type-A, General Law municipality with the rights and privileges thereto; and

**WHEREAS,** the Village is authorized by State law to annex territory lying adjacent and contiguous to the corporate limits of said Village of Salado, Texas in accordance with Chapter 43 of the Texas Local Government Code; and

**WHEREAS,** on February 16, 2023, The Board of Alderman of the Village of Salado (the “Board”) adopted Ordinance 2023-03, annexing the 299.025 acre portion of Texas Department of Transportation (“TxDOT”)-owned right-of-way on South Interstate Highway 35 lying adjacent and contiguous to the present corporate limits of the Village of Salado, from the Village’s southern corporate limits, near FM 2268, south to a location just north of the Bell County line (*See Exhibit*

“A”); and

**WHEREAS**, on May 18, 2023, the Board of Aldermen adopted Ordinance 2023-06, annexing the 69.478 acre portion of TxDOT-owned right-of-way on FM 2843, from the South Interstate Highway 35 Service Road, west to a location just west of Mustang Creek Road, in Bell County, Texas (*See Exhibit “B”*); and

**WHEREAS**, on May 18, 2023, the Board of Aldermen adopted Ordinance 2023-07, annexing an approximately 1,105 acre parcel of land owned by Mor-Maur Mustang, LLC located northwest of the intersection of FM 2843 and Mustang Creek Road, in Bell County, Texas (*See Exhibit “C”*); and

**WHEREAS**, the Village complied with all applicable notice and hearing requirements in adopting the above-referenced annexations; and

**WHEREAS**, The Board desires to ratify the three separate ordinances and to combine these ordinances into one consolidated ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF SALADO, TEXAS:**

### **1. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the Board of Aldermen of the Village of Salado, Texas, and are hereby approved and incorporated into the body of this Ordinance as if copied herein in their entirety.

### **2. ANNEXATION OF TERRITORY**

- A. Ordinances 2023-03, 2023-06, and 2023-07 annexing territory into the corporate limits of the Village of Salado are hereby ratified. A copy of these ordinances are attached hereto and incorporated herein for all purposes as Exhibits A, B, and C.

### **3. EFFECTIVE DATE**

This Ordinance is effective and the annexation achieved herein shall be final and complete upon adoption of this Ordinance on the date set forth below.

### **4. FILING**

- A. The Village Secretary is hereby instructed to include this Ordinance in the records of the Village.
- B. The Village Secretary is hereby instructed to have maps prepared depicting the new municipal and extraterritorial jurisdiction boundaries.
- C. The Village Secretary is hereby instructed to file a certified copy of this Ordinance with the

Bell County Clerk.

**5. SEVERABILITY**

It is hereby declared to be the intention of the Board of Aldermen of the Village of Salado that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be 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 or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

**6. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED AND APPROVED** this the 15 day of June 2023, by a vote of 3 (ayes) to 1 (nays) to    (abstentions) of the Board of Aldermen of the Village of Salado, Texas.

  
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Michael Coggins, Mayor

ATTEST:   
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Don Ferguson, Village Administrator/Acting City Secretary

**Exhibit "A"**

**ORDINANCE ANNEXING I35 RIGHT-OF-WAY**

**Exhibit "B"**

**ORDINANCE ANNEXING FM 2843 RIGHT-OF-WAY**