

ORDINANCE NUMBER 1048

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT ENLARGING THE BOUNDARIES OF REINVESTMENT ZONE NUMBER ONE, CITY OF BURKBURNETT, TEXAS; CONTAINING FINDINGS AND OTHER PROVISIONS RELATED TO THE SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, on February 20, 2006, by Ordinance Number 708, the Board of Commissioners of the City of Burkburnett, Texas ("City") created Reinvestment Zone Number One, City of Burkburnett, Texas ("Zone") pursuant to Chapter 311 of the Texas Tax Code, as amended ("Code"); and

WHEREAS, the City may reduce or enlarge the boundaries of an existing reinvestment zone pursuant to Code Section 311.007(a); and

WHEREAS, the Board of Directors of the Zone has approved the proposed addition to the Zone's boundaries of the areas described in Exhibit "A" and depicted in Exhibit "B", both of which are attached to this Ordinance (collectively, "Annexation Area"); and

WHEREAS, the Annexation Area proposed to be added to the Zone consists of approximately +/- 416.45 acres of land; and

WHEREAS, the Board of Commissioners finds that the Annexation Area proposed to be added to the Zone is located wholly within the corporate limits of the City; and

WHEREAS, the Board of Commissioners finds that the Annexation Area proposed for addition to the Zone meets the requirements of Section 311.005(a)(1) of the Code because the Annexation Area substantially impairs and arrests the sound growth of the City, retards the provision of housing accommodations, constitutes an economic and social liability and is a menace to the public health, safety, morals and welfare in its present condition and use because of the presence of deteriorating site and other improvements, and conditions that endanger life or property by fire or other cause; and

WHEREAS, the Board of Commissioners finds that the Annexation Area proposed for addition to the Zone also meets the requirements of Section 311.005(a)(2) of the Code because the Annexation Area is predominantly open or undeveloped and, due to a variety of factors, substantially impairs or arrests the sound growth of the City; and

WHEREAS, less than thirty percent (30%) of the property proposed to be included in the Zone, excluding property dedicated to public use, is used for residential purposes as described in Section 311.006(a) of the Code; and

WHEREAS, the total appraised value of taxable real property in the enlarged Zone and in any other existing reinvestment zones does not exceed twenty-five percent (25%) of the total appraised value of taxable real property in the City and in the industrial districts created by the City; and

WHEREAS, the proposed improvements in the enlarged Zone will significantly enhance the value of all taxable real property in the Zone and will be of general benefit to the City.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS:

Section 1. That the findings and recitals contained in the preamble of this Ordinance are found and declared to be true and correct and are adopted as part of this Ordinance for all purposes.

Section 2. That the City, acting in accordance with the provisions of Chapter 311 of the Code, specifically, Sections 311.005, 311.006, and 311.007, does hereby enlarge the boundaries of Reinvestment Zone Number One, City of Burkburnett, Texas, by adding the areas described in Exhibit "A" and depicted on the maps in Exhibit "B," each of which is attached hereto.

Section 3. That the boundaries of the Zone shall be enlarged as of the effective date of this Ordinance.

Section 4. That the tax increment base for the enlarged Zone shall include the tax increment base established by Ordinance Number 708 and beginning January 1, 2024, shall include the tax increment base attributable to the Annexation Area added to the Zone by this Ordinance, which tax increment base shall be January 1 of the year in which this Ordinance becomes effective.

Section 5. It is hereby declared to be the intention of the Board of Commissioners 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.

Section 6. It is hereby officially found and determined that the meeting at which this Ordinance passed was open to the public 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.

Section 7. This Ordinance shall take effect immediately upon its passage.

PASSED AND APPROVED THIS 20th DAY OF NOVEMBER 2023.

Lori Kemp, Mayor

ATTEST:

Margie Poole, City Clerk

EXHIBIT "A"

**LEGAL DESCRIPTION OF AREAS TO BE ADDED TO REINVESTMENT ZONE
NUMBER ONE, CITY OF BURKBURNETT, TEXAS**

(see legal description immediately following this page)

JURISDICTIONAL BOUNDARY DESCRIPTION
CITY OF BURKBURNETT TAX INCREMENT REINVESTMENT ZONE NO. 1
2023 ANNEXATION

The 2023 Annexation to the City of Burkburnett Tax Increment Reinvestment Zone (TIRZ) No. 1 consists of two tracts within the City of Burkburnett Corporate Limits, Wichita County.

Annexation Tract 1 of 2 is +/- 220.4 acres and is situated along 3rd St generally between N Holly Dr to the west, E 5th, 4th and 9th Streets to the north, E 1st to the south, State Loop 267 and Hwy 240 to the east with point of beginning being east corner of LOTS 2 & 3 BLK 1 SWINEY ADDITION (1203 E 3rd);

Then east by north approx. 130 feet along north right-of-way (ROW) of State Loop 267/E 3rd St to boundary of City of Burkburnett TIRZ No. 1;

Then south by east across ROW of State Loop 267/E 3rd St and along boundary of City of Burkburnett TIRZ No. 1 to north boundary of 1.264 AC BLK 101 & 24.596 AC BLK 102 RRVL, same being south ROW of State Loop 267/E 3rd St;

Then generally west southwest along south ROW of State Loop 267/E 3rd St, same being boundary of City of Burkburnett TIRZ No. 1 and continuing south along east ROW of State Hwy 240 to a point east of northeast corner of 1.649 ACS OUT OF BLK 25 OUTER BLKS (731 E COLLEGE);

Then west across ROW of State Hwy 240 and N Berry St to northeast corner of said 1.649 acre tract, same being west ROW N Berry St;

Then west, southwest by west, and west along north boundary of said 1.649 acre tract to northwest corner of said tract, same being east boundary of 76X150' (.264 ACS) OF BLK 25 OUTER BLKS;

Then north along east boundary of said 76X150' (.264 ACS) OF BLK 25 OUTER BLKS to northeast corner of said tract;

Then west along north boundary of said 76X150' (.264 ACS) OF BLK 25 OUTER BLKS to northwest corner of said tract, same being east ROW of Maxwell St;

Then west by south across ROW of Maxwell St to southeast corner of 0.64 ACS OR 192 X 146 BLK 24 OUTER BLKS (107 MAXWELL), same being west ROW of Maxwell St;

Then north northwest along west ROW of Maxwell St to northeast corner of 75X150' BLK 24 OUTER BLKS (706 COTTONWOOD), same being south ROW of Cottonwood St;

Then north northwest across ROW of Cottonwood St to southeast corner of 4.12 AC BLK 24 OUTER BLKS (217 BYERLY), same being west ROW of Kelly St;

Then north along west ROW of Kelly St to south ROW of E 1st St, same being northeast corner of 4.12 AC BLK 24 OUTER BLKS;

Then generally west, west southwest and west along south ROW of E 1st St to east ROW of N Ave F, same being northwest corner of 0.98 ACS BLK 23 OUTER BLKS (608 E 1st);

Then south along east ROW of N Ave F to northwest corner of 100X150' BLK 23 OUTER BLKS (136 N AVENUE F);

Then west across ROW of N Ave F continuing west along south ROW of E 1st St to northwest corner of LOT 1 BLK 2 MUSGRAVE (135 N AVENUE F);

42 Then southwest by west along south ROW of E 1st St across alleyway to northeast corner of LOT 5 BLK
43 1 BOLINGER (510 E 1st);

44 Then west and west southwest along south ROW of E 1st, across N Avenue A to west corner of 4.103 AC
45 BLK 27 OUTER BLKS, same being interior corner of CORRIDOR ACCOUNT T.I.F. ORIGINAL
46 TOWN, WF (Rail Easement);

47 Then west across said CORRIDOR ACCOUNT T.I.F. ORIGINAL TOWN, WF (Rail Easement) to
48 southeast corner of LOTS 13 THRU 24 BLK 39 ORIGINAL TOWN, BB & ALL BLK 6 WIGHAMS;

49 Then north northwest along east boundary of said LOTS 13 THRU 24 BLK 39 ORIGINAL TOWN, BB
50 & ALL BLK 6 WIGHAMS to northeast corner of said tract, same being south ROW of W 2nd St;

51 Then west along south ROW of W 2nd St to east ROW of N Holly Dr, same being northwest corner of
52 LOT 7-A BLK 5 WIGHAMS (218 W 2nd);

53 Then west by north across ROW of N Holly Dr to northeast corner of LOTS 1 & 2 AND S/2 LOTS 3 & 4
54 BLK 4 WIGHAMS (209 N Holly);

55 Then north along west ROW of N Holly Dr to south boundary of 1.34 ACS ABST. 249 REDMAN, same
56 being north ROW of W 5th St;

57 Then east along north ROW of W 5th and south boundary of said 1.34 acre tract to southeast corner of
58 said tract;

59 Then generally east by north across CORRIDOR ACCOUNT T.I.F. ORIGINAL TOWN, WF (Rail
60 Easement) to south corner of LOTS 13 & 14 BLK 36 ORIGINAL TOWN, BB (105 E 5th), same being
61 north ROW of E 5th St;

62 Then east northeast along north ROW of E 5th St to east ROW of N Ave E, same being south corner of
63 LOT 7 BLK 4 ORIGINAL TOWN, BB (501 E 5th);

64 Then south southeast along east ROW of N Ave E to north ROW of E 4th St, same being south corner of
65 LOT 7 WEST 25 FT OF LOT 8 BLK 5 ORIGINAL TOWN, BB (501 E 4th);

66 Then east northeast, and east along north ROW of E 4th St to southeast corner of E 20' OF LOT 11 ALL
67 LOT 12 BLK 1 FOWLER (625 E 4th);

68 Then east by north along north ROW of E 4th St to east corner of 120' X 150' OUT OF SE QUARTER
69 BLK 20 OUTER BLKS;

70 Then east along north ROW of E 4th St to west ROW of Kelly St, same being southeast corner of 17.54
71 AC BLK 16 OUTER BLKS (917 GRESHAM);

72 Then north along west ROW of Kelly St to north ROW of E 9th St/Truck Bypass, same being boundary
73 of 18.22 AC BLK 17 OUTER BLKS (602 KELLY);

74 Then generally southeast by south along north and east ROW of E 9th St/Truck Bypass to north ROW of
75 E 3rd St, same being corner of 106.32 AC RRVL BLK 101;

76 Then east by north along north ROW of E 3rd St/State Hwy 240 to east corner of LOTS 2 & 3 BLK 1
77 SWINEY ADDITION and point of beginning of +/- **220.4 acre Annexation Tract 1 of 2.**

78 **Save and Except (1 of 15) a +/- 1.0332 acre tract** located east of intersection of E 5th St and N Ave D
79 and is comprised of LOTS 1-6 BLK 12 ORIGINAL TOWN BB (2023 Prop Id: 123074, 123076 and
80 123077).

Save and Except (2 of 15) a +/- 0.7749 acre tract located west of intersection of E 4th St and N Ave E and is comprised of LOT 9 & E 1/2 LOT 8 BLK 12 ORIGINAL TOWN BB, and LOT 12 EAST 1/2 LOT 11 BLK 12 ORIGINAL TOWN BB, and LOT 10 W 1/2 LOT 11 BLK 12 ORIGINAL TOWN BB (2023 Prop Id: 123079-81).

Save and Except (3 of 15) a +/- 0.7748 acre tract located southwest of intersection of E 4th St and N Ave E and is comprised of LOT 1 & E48' LOT 2 BLK 11 ORIGINAL TOWN BB, and W 5' LOT 2 & ALL OF LOT 3 & E 7' OF LOT 4 BLK 11 ORIGINAL TOWN BB, and W 43' LOT 4 & E 50' LOT 5 BLK 11 ORIGINAL TOWN BB (2023 Prop Id: 123065-67).

Save and Except (4 of 15) a +/- 1.808 acre tract located east and east northeast of intersection of E 4th St and N Ave E with beginning point being east right-of-way (ROW) of N Ave E and south ROW of E 4th St, same being west corner of LOT 6 BLK 6 ORIGINAL TOWN BB;

Then east northeast along south ROW of E 4th St to north corner of 0.1722 acre LOT 18 GOODWIN;

Then south southeast along east boundary of said 0.1722 acre lot to east corner of said lot, same being north line of alleyway;

Then west southwest along south boundary of said 0.1722 acre lot and north line of alleyway to south corner of LOT 6 BLK 6 ORIGINAL TOWN, BB, same being east ROW of N Ave E;

Then north northwest along east ROW of N Ave E to south ROW of E 4th St and beginning point of +/- **1.808 acre Save and Except Tract (4 of 15).**

Save and Except (5 of 15) a +/- 0.9643 acre tract located east northeast of intersection of E 4th St and N Ave F with beginning point being south right-of-way (ROW) of E 4th St and west corner of 0.1722 acre LOT 16 GOODWIN;

Then east northeast along south ROW of E 4th St to north corner of 0.2755 acre LOT 11 & 12 GOODWIN;

Then south along east boundary of said 0.2755 acre lot to southeast corner of said lot, same being north line of alleyway;

Then west southwest along south boundary of said 0.2755 acre lot and north line of alleyway to south corner of 0.1722 acre LOT 16 GOODWIN;

Then north northwest along west boundary of said 0.1722 acre LOT 16 GOODWIN to west corner of said lot, same being south ROW of E 4th St and beginning point of +/- **0.9643 acre Save and Except Tract 5 of 15.**

Save and Except (6 of 15) a +/- 1.2055 acre tract located southeast of intersection of E 4th St and Kelly St and is comprised of 0.801 ACS BLK 18 OUTER BLKS, and 94X178' BLK 18 OUTER BLKS (2023 Prop Id: 120515 and 120516).

Save and Except (7 of 15) a +/- 0.5509 acre tract located south of intersection of E 3rd St (SL 267) and Kelly St and is comprised of 0.1377 120X50' BLK 19 OUTER BLKS, and 0.4132 150X120' BLK 19 OUTER BLKS (2023 Prop Id: 120414 and 120414).

Save and Except (8 of 15) a +/- 3.8819 acre tract located at the northwest corner of E 1st St and Campbell St with beginning point being intersection of north right-of-way (ROW) of E 1st St and west ROW of Campbell St;

Then west along north ROW of E 1st St to southwest corner of 120X150'OUT OF SE QUARTER BLK 20 OUTER BLKS;

122 Then north along west boundary of said 120X150'OUT OF SE QUARTER BLK 20 OUTER BLKS, and
123 LOT 1 BLK 1 SEBREE ADDN OUT OF BLK 20 OUTER BLKS, and 1.16 AC (180X280') BLK 20
124 OUTER BLKS to northwest corner of 1.16 acre said lot;

125 Then east along north boundary of said 1.16 acre lot to northeast corner of said lot, same being west
126 boundary of LOT 14-A BLK 1 CANNON ADDITION;

127 Then south along east boundary of said 1.16 acre lot to northwest corner of 150X152' BLK 20 OUTER
128 BLKS;

129 Then east along east boundary of 150X152' BLK 20 OUTER BLKS to northeast corner of said lot;

130 Then south along east boundary of 150X152' BLK 20 OUTER BLKS, and LOT 1 BLK 1 SEBREE
131 ADDN OUT OF BLK 20 OUTER BLKS to southeast corner of said LOT 1 BLK 1, same being north
132 ROW of E 1st, and beginning point of +/- **3.8819 acre Save and Except Tract (8 of 15).**

133 **Save and Except (9 of 15) a +/- 0.9436 acre tract** located along the 610 block of E 2nd St and is
134 comprised of LOTS 7-12 BLK 1 ORCHARDS (2023 Prop Id: 120480, 120482-84).

135 **Save and Except (10 of 15) a +/- 0.5252 acre tract** located east of intersection of E 1st St and N Ave F
136 and is comprised of 0.202 acre 77.5X110X65X137 BLK 21 OUTER BLKS and 0.3232 acre
137 60X137X115X184 BLK 21 OUTER BLKS (2023 Prop Id: 120450 and 120451).

138 **Save and Except (11 of 15) a +/- 1.03 acres tract** located north and east northeast of intersection of E 1st
139 St and N Ave E with point of beginning being intersection of north right-of-way (ROW) of E 1st St and
140 east ROW of N Ave E, same being south corner of 0.1722 acre LOT 7 BLK 8 ORIGINAL TOWN BB;

141 Then north northwest along east ROW of N Ave E to south line of alleyway, same being west corner of
142 LOT 7 BLK 8 ORIGINAL TOWN, BB;

143 Then east northeast along boundary of said LOT 7, same being south line of alleyway to north corner of
144 LOT 12 BLK 8 ORIGINAL TOWN BB, same being west ROW of N Ave F;

145 Then south southeast along west ROW of N Ave F, same being east boundary of said LOT 12 to east
146 corner of said lot, and north ROW of E 1st St;

147 Then west southwest along north ROW of E 1st St to east ROW of N Ave E and beginning point of +/-
148 **1.03 acres Save and Except Tract (11 of 15).**

149 **Save and Except (12 of 15) as +/- 0.5166 acres tract** located east of intersection of E 2nd St and N Ave
150 C and is comprised of 0.1722 acre LOT 4 BLK 8 ORIGINAL TOWN BB, and 0.1722 acre LOT 5 BLK 8
151 ORIGINAL TOWN BB, and 0.1722 acre LOT 6 BLK 8 ORIGINAL TOWN BB (2023 Prop Id: 123183-
152 85).

153 **Save and Except (13 of 15) is +/- 0.3444 acre tract** located southwest of intersection of E 2nd St and N
154 Ave E and is comprised of 0.1722 acre LOT 1 BLK 9 ORIGINAL TOWN BB, and 0.1722 acre LOT 2
155 BLK 9 ORIGINAL TOWN BB (2023 Prop Id: 123048 and 123049).

156 **Save and Except (14 of 15) a +/- 0.9184 acre tract** located west of intersection of E 1st St and N Ave E
157 and with beginning point being east corner of 0.2583 acre LOT 12 E 1/2 LOT 11 BLK 9 ORIGINAL
158 TOWN BB, same being north right-of-way (ROW) of E 1st St and west ROW of N Ave E;

159 Then west southwest along north ROW of E 1st St to east ROW of N Ave D same being south corner of
160 0.2296 acre S 100' OF LOTS 7 & 8 BLK 9 ORIGINAL TOWN ORIGINAL TOWN, BB;

161 Then north northwest along east ROW of N Ave D to south corner of 0.1148 acre NORTH 50 FT OF
162 LOTS 7 & 8 BLK 9 ORIGINAL TOWN ORIGINAL TOWN BB;

163 Then east northeast along south boundary of said 0.1148 acre lot to east corner of said lot;
164 Then west northwest along east boundary of said 0.1148 acre lot to north corner of said lot, same being
165 south line of Alleyway;
166 Then east northeast along south line of Alleyway to north corner of 0.2583 acre LOT 12 E 1/2 LOT 11
167 BLK 9 ORIGINAL TOWN BB, same being west ROW of N Ave E;
168 Then south southeast along west ROW of N Ave E to north ROW of E 1st St to beginning point of +/-
169 **0.9184 acre Save and Except Tract (14 of 15).**
170 **Save and Except (15 of 15) a +/- 1.0297 acre tract** located west of intersection of E 1st St and N Ave C
171 with beginning point being east corner of 0.1412 acre S 85' LOTS 22-23-24 BLK 25 ORIGINAL TOWN
172 BB, same being west right-of-way (ROW) of N Ave C and north ROW of E 1st St;
173 Then west southwest along north ROW of E 1st St to east ROW of N Ave B, same being south corner of
174 0.1343 acre S 78' LOTS 13-14-15 BLK 25 ORIGINAL TOWN, BB;
175 Then north northwest along east ROW of N Ave B to west corner of 0.3788 acre N 72' LOTS 13-14-15
176 ALL 16-17-18 BLK 25 ORIGINAL TOWN BB, same being south line of Alleyway;
177 Then east northeast along north boundary of said 0.3788 acre tract, and south line of Alleyway to north
178 corner of 0.1171 acre N 65' LOTS 22-23-24 BLK 25 ORIGINAL TOWN BB, same being west ROW of
179 N Ave C;
180 Then south southeast along west ROW of N Ave C to north ROW of E 1st St, same being east corner of
181 0.1412 acre S 85' LOTS 22-23-24 BLK 25 ORIGINAL TOWN, BB and beginning point of +/- **1.0297**
182 **acre Save and Except Tract (15 of 15).**
183
184 **Annexation Tract 2 of 2 is +/- 212.27 acres** and is centered on IH 44/Hwy 281, between Daniels Rd to
185 the north and City of Burkburnett Corporate Limits to the east, south and west with point of beginning
186 being southeast corner 281.20 ACRES ABST. 322 WINTERS, same being west boundary of
187 CORRIDOR ACCOUNT T.I.F. ORIGINAL TOWN, WF (Rail Easement) and boundary of City of
188 Burkburnett TIRZ No. 1;
189 Then east approx. 100 feet across rail easement to corner of said and CORRIDOR ACCOUNT T.I.F.
190 ORIGINAL TOWN, WF, same being boundary of City of Burkburnett TIRZ No. 1;
191 Then generally south approx. 76 feet to centerline of Daniels Rd (FM Rd 3429), same being boundary of
192 City of Burkburnett TIRZ No. 1;
193 Then generally east approx. 1,758 feet along centerline ROW of Daniels Rd (FM Rd 3429), same being
194 boundary of City of Burkburnett TIRZ No. 1 to a point south of corner of City of Burkburnett Corporate
195 Limits;
196 Then generally south approx. 7,465 feet along City of Burkburnett Corporate Limits to corner of City of
197 Burkburnett Corporate Limits;
198 Then south approx. 51 feet to south boundary of City of Burkburnett Corporate Limits;
199 Then west approx. 867 feet along City of Burkburnett Corporate Limits to a point south of corner of City
200 of Burkburnett Corporate Limits;
201 Then north approx. 51 feet to corner of City of Burkburnett Corporate Limits, same being centerline of
202 Rail Easement;

203 Then generally north by west approx. 7,449 feet along City of Burkburnett Corporate Limits, and
204 centerline of Rail Easement to corner of City of Burkburnett Corporate Limits;
205 Then west approx. 51 feet along City of Burkburnett Corporate Limits to a point south of southeast corner
206 of 281.20 ACRES ABST. 322 WINTERS;
207 Then north approx. 83 feet across ROW of Daniels Rd (FM Rd 3429) to southeast corner of said 281.20
208 ACRES ABST. 322 WINTERS, and boundary of City of Burkburnett TIRZ No. 1 and point of beginning
209 of +/- **212.27 acre Annexation Tract 2 of 2.**

210 ***** End of Jurisdictional Boundary Description *****

211

EXHIBIT "B"

**MAPS OF AREAS TO BE ADDED TO
REINVESTMENT ZONE NUMBER ONE, CITY OF BURKBURNETT, TEXAS**

