

ORDINANCE NO. 3704

AN ORDINANCE OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, AMENDING ORDINANCE NO. 3568, AN ORDINANCE ABANDONING A PORTION OF SAYERS LANE IN THE CITY OF NORTH RICHLAND HILLS, TARRANT COUNTY, TEXAS, CONTINGENT UPON THE DEDICATION OF REPLACEMENT RIGHT OF WAY BY A REPLAT OF LOT 8, BLOCK 3, WOODBERT ADDITION TO THE CITY OF NORTH RICHLAND HILLS, TARRANT COUNTY, TEXAS, AND AUTHORIZING THE CONVEYANCE OF THE CLOSED STREET TO ADJACENT OWNERS.

WHEREAS, the City of North Richland Hills is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, on or about January 28, 2019, the City Council of North Richland Hills, Texas approved Ordinance No. 3568 determining that a portion of Sayers Lane is no longer required or convenient for street purposes, abandoned the street and approved the replat of associated property; and

WHEREAS, the developer of the property, Oakmark Custom Homes, LLC. (“Developer”), was required to complete certain construction of public infrastructure for the project within two (2) years from the date of City Council’s approval of the replat, at which time, following the City’s acceptance of the improvements, the property would be conveyed to the Developer; and

WHEREAS, the Developer has requested an extension of the timeline for the completion of public infrastructure described in the original ordinance due to hardship and construction delays caused by the COVID-19 pandemic; and

WHEREAS, the North Richland Hills City Council now desires to approve an eighteen (18) month extension for completion and approval of requisite public infrastructure;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL, CITY OF NORTH RICHLAND HILLS, TEXAS, THAT:

SECTION 1. The recitals set forth above are found to be true and correct and are incorporated herein into this Ordinance.

SECTION 2. That Ordinance No. 3568, of the North Richland Hills Code of Ordinances, be amended by approving an extension for the Developer to satisfy completion of the required public infrastructure to allow acceptance by the City within eighteen (18) months from the date of City Council approval of this amendment.

SECTION 3. All other provisions set forth in Ordinance No. 3568 not amended herein in this Ordinance remain unchanged and in full force and effect.

SECTION 4. This Ordinance shall be cumulative of all provisions of the Code of Ordinances of the City of North Richland Hills, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 5. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections 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.

SECTION 6. All rights and remedies of the City of North Richland Hills are expressly saved as to any and all violations of the provisions of any ordinances in the Code of Ordinances of the City of North Richland Hills that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 7. The City Secretary is hereby directed to publish this Ordinance in accordance with applicable law.

SECTION 8. This ordinance shall be in full force and effective upon publication as required by law.

PASSED AND APPROVED on this the 26th day of July, 2021.

CITY OF NORTH RICHLAND HILLS

By: _____
Oscar Trevino, Mayor

ATTEST:

Alicia Richardson
City Secretary/Chief Governance Officer

APPROVED AS TO FORM AND LEGALITY:

Maleshia McGinnis, City Attorney

APPROVED AS TO CONTENT:

Caroline Waggoner, Director of Public Works