

ORDINANCE NO. 1999-06-15-003

AN ORDINANCE OF THE CITY OF KEMPNER, TEXAS, AUTHORIZING A CHANGE FROM A TYPE "B" GENERAL LAW MUNICIPALITY TO A TYPE "A" GENERAL LAW MUNICIPALITY; AND PROVIDING SEVERABILITY, OPEN MEETINGS AND EFFECTIVE DATE CLAUSES.

Whereas, the City of Kempner (the "City"), Texas has more than 600 inhabitants within the corporate limits;

Whereas, at least two-thirds of the City Council of the City at a regular meeting voted to change from a type "B" General-Law City to change to a type "A" General-Law Municipality;

Whereas, the City Council, after accepting citizens comments and statements at an open public meeting, determined that the citizens of Kempner would be better served under the Type "A" General-Law designation; and,

Whereas, the City is authorized by the *Tex. Loc. Gov't Code §6.011* to change the designation of the City to a Type "A" General-Law Municipality.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KEMPNER, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Authorization. Upon the effective date of this Ordinance the City of Kempner shall be and become a Type "A" General-Law Municipality. The Mayor shall sign a copy of the record of these proceedings and the City Secretary shall attest the record of these proceedings under corporate seal and a copy of the record shall be filed and recorded in the office of the county clerk of the county of Lampasas, Texas.

Section 3. Continuation. The City shall retain the name the City of Kempner, Texas and continue to be a body corporate with perpetual succession.

Section 4. Severability. If any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not effect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 5. Effective Date. This ordinance shall take effect immediately from and after its passage and filing in the manner set forth with the provisions of the *Tex. Loc. Gov't Code §6.012*.

Section 6. Open Meetings. That it is hereby officially found and determined that the meeting at which this ordinance is 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, Chapt. 551, Tex. Gov't. Code.*

PASSED AND APPROVED on this the 15th day of June, 1999.

Attest:

City of Kempner, Texas

Frances Spinney
Frances Spinney, City Secretary

Roger Fancher
Roger Fancher, Mayor

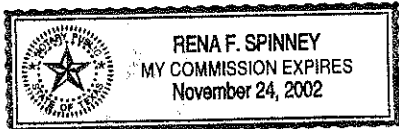
STATE OF TEXAS *
*
COUNTY OF LAMPASAS *

BEFORE ME, the undersigned authority, on this day personally appeared Roger Fancher, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of same.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 14th day of July, 1999.

[Seal]

Rena F. Spinney
Notary Public
State of Texas



99116

FILED FOR RECORD

STATE OF TEXAS }
COUNTY OF LAMPASAS }

Connie Hartmann CLERK OF THE

County Court in and for the County, do hereby certify that the foregoing instrument
with its certificate of authentication was filed for
record in my office the 14th day of July 1999 at 10:30 o'clock A.M.
and duly Recorded the 14th day of July 1999 at 11:30 o'clock A.M.
Deed Record of said County, in Vol. 351 on page 264-265

WITNESS my hand and seal of the County Court of said County, at office in Lampasas, Texas,
the day and year last above written.

Recha Wolf Deputy

Connie Hartmann Clerk
County Court of Lampasas County