

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF DENTON APPROVING AN APPLICATION FOR A PARTIAL TAX EXEMPTION OF DESIGNATED HISTORIC SITES, IN ACCORDANCE WITH CHAPTER 10, ARTICLE VI, SECTIONS 10-126 THROUGH 10-129 OF THE DENTON MUNICIPAL CODE OF ORDINANCES, FOR A LOCAL HISTORIC LANDMARK LOCATED AT 1526 WILLOWOOD STREET, LOCATED ON THE NORTH SIDE OF WILLOWOOD STREET, BETWEEN KENDOLPH DRIVE AND MCCORMICK STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (HL24-0006B)

WHEREAS, Article 8, Section 1-f of the Texas Constitution and Section 11.24 of the Texas Tax Code enables the City of Denton to exempt from taxation part or all of the assessed value of certain historically significant sites in need of tax relief to encourage their preservation; and

WHEREAS, pursuant to §10-128(c) of the Denton Code of Ordinances, the owner of the real property located at 1526 Willowood Street, legally described as set forth in **Exhibit A**, attached, and designated for purposes of *ad valorem* tax appraisal and assessment as DCAD property ID 35093 (hereinafter, the “Property”), has made and filed with the City Historic Preservation Officer a sworn, complete, and sufficient application for tax abatement of the Property, thereby satisfying all threshold substantive and procedural requirements of §10-128 of the Denton Code of Ordinances; and

WHEREAS, on September 17, 2024, by Ordinance No. HL24-0002b, the City Council of the City of Denton designated the Property as a Historic Landmark under the Denton Development Code; and

WHEREAS, On December 9, 2024, the Historic Landmark Commission of the City of Denton received, reviewed, and recommended the Property to the City Council for tax abatement in accordance with Chapter 10, Article VI of the Denton Code of Ordinances of the City of Denton, as a historically significant site in need of preservation; and

WHEREAS, pursuant to §10-126 of the Denton Code of Ordinances, all other prerequisites have been satisfied for the City Council’s certification of eligibility for such a tax abatement on the Property, as a historically significant site in need of preservation; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY RESOLVES:

SECTION 1. The foregoing recitals are incorporated into this Resolution by reference as findings of fact, as if expressly set forth herein. The City Council further finds from the matters presented before it that the Property, specifically including the structure located at 1526 Willowood Street, satisfies the tax abatement criterion set forth in Section 10-128(c) of the Denton Code of Ordinances, as a historically significant site in need of preservation, as well as the criteria set forth in §11.24(2) of the Texas Tax Code, as a historically significant site in need of tax relief to encourage its preservation pursuant to City of Denton Code of Ordinances.

SECTION 2. Notwithstanding these findings, and in compliance with the limitations set forth at §10-128 of the Denton Code of Ordinances and §11.24 of the Texas Tax Code, the determination of that portion of land which is reasonably necessary for access to, and use of, the historic structures declared herein (the “Eligible Land”), is deferred to the discretion of the Chief Appraiser of the Denton County Appraisal District, together with the discretion to determine whether annual applications must be made to the Denton County Appraisal District in order to obtain the abatement herein approved.

SECTION 3. Accordingly, in compliance with Texas Tax Code §11.24(a)(2), this Resolution stands as the official action of the City of Denton to abate and exempt from taxation for a period of ten (10) years following completion of the planned renovation, fifty percent (50%) of the assessed value of the structure located at 1526 Willowood Street and Eligible Land. Pursuant to § 10-128(c) of the Denton Code of Ordinances, the Property shall only be eligible for this tax abatement while it maintains its designation as a historic site.

SECTION 4. Notwithstanding any approvals provided herein, the abatement remains subject to all limitations imposed by State and Federal law, specifically including, but not limited to, the Texas Tax Code.

SECTION 5. Should any paragraph, section, sentence, phrase, clause or word of this Resolution be declared unconstitutional or invalid for any reason, the remainder of this Resolution shall not be affected thereby.

SECTION 6. This Resolution shall become effective immediately upon its passage and approval.

The motion to approve this Resolution was made by _____ and seconded by _____. This Resolution was passed and approved by the following vote [___ - ___]:

	Aye	Nay	Abstain	Absent
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Paul Meltzer, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Jill Jester, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this, the _____ day of _____, 2025.

GERARD HUDSPETH, MAYOR

ATTEST:
LAUREN THODEN, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY:  _____
Scott Bray
Deputy City Attorney

EXHIBIT "A"

All that certain lot, tract or parcel of land situated in the A.N.B. Tompkins Survey, Abstract Number 1246 in the City of Denton, Denton County, Texas and being a re-survey of a tract of land described in the deed from James J. Feldman et ux to Harold E. Perry et ux recorded in Clerk's File Number 98-RD016815 of the Real Property Records of Denton County, Texas and as recognized and occupied on the ground the subject tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod found for the Southwest corner of the tract described herein and the Southeast corner of Hartman Acres, an addition to the City of Denton, according to the Plat thereof recorded in Cabinet D, Page 112, Plat Records of Denton County, Texas in the North line of a public road posted as Willowood Street;

THENCE North 03 Degrees 48 Minutes 16 Seconds East with the West line of said Perry tract and the East line of said Addition a distance of 414.47 feet to a 1/2" capped iron rod set for corner in the South line of the Richardson Addition, an addition to the City of Denton, according to the Plat thereof recorded in Cabinet F, Page 247, Plat Records of Denton County, Texas;

THENCE South 88 Degrees 15 Minutes 44 Seconds East with the North line of said Perry tract with the South line of said Richardson Addition along and near a chainlink fence a distance of 108.95 feet to a Wood fence corner post for corner at the Southeast corner of said Richardson Addition and the Westerly Southwest corner of the Alyssa and David Addition, an addition to the City of Denton, according to the Plat thereof recorded in Cabinet M, Page 230, Plat Records of Denton County, Texas;

THENCE South 88 Degrees 13 Minutes 48 Seconds East with the North line of said Perry tract a distance of 69.06 feet to a 1/2" capped iron rod set for corner at a re-entrant corner of said Alyssa and David Addition;

THENCE South 03 Degrees 29 Minutes 31 Seconds West with the East line of said Perry tract a passing a capped iron rod found in the North line of said road a distance of 406.66 feet and continuing on said course a total distance of 438.88 feet to a point for corner in said road at the Southwest corner of said Alyssa and David Addition;

THENCE North 86 Degrees 15 Minutes 15 Seconds West with said road a distance of 70.10 feet to a point for corner;

THENCE North 03 Degrees 37 Minutes 57 Seconds East a distance of 17.14 feet to a 1/2" iron rod found for corner in the North line of said road;

THENCE North 86 Degrees 39 Minutes 58 Seconds West with the North line of said road a distance of 108.25 feet to the PLACE OF BEGINNING and containing 1.72 acres of land more or less.