

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 314 MARIETTA STREET, LOCATED ON THE EAST SIDE OF MARIETTA STREET, BETWEEN W OAK STREET AND HOUSTON PLACE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (HL25-0001A)

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 314 Marietta 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 28954 (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 (the original residential structure [approx. 1,067 square feet]), thereby satisfying all threshold substantive and procedural requirements of §10-128 of the Denton Code of Ordinances; and

WHEREAS, on February 6, 2024, by Ordinance No. HLN23-0002c, the City Council of the City of Denton designated the Property (the original residential structure [approx. 1,067 square feet]) as a Historic Landmark under the Denton Development Code; and

WHEREAS, On June 9, 2025, the Historic Landmark Commission of the City of Denton received, reviewed, and recommended the Property (the original residential structure [approx. 1,067 square feet]) 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 original residential structure (approx. 1,067 square feet) located at 314 Marietta 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 the Property. 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:	_____	_____	_____	_____
Suzi Rumohr, 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: Heary McMahon

EXHIBIT "A"

Lot 4, in Block 1, of WEST OAK ADDITION, an Addition to the City of Denton, Denton County, Texas, according to the Plat thereof recorded in Volume 201, Page 236, Deed Records of Denton County, Texas.