

ORDINANCE NO. 98

**AN ORDINANCE CANCELLING THE MAY 7, 2005, REGULAR ELECTION AND DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE, PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR ENGROSSMENT AND ENROLLMENT AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Annetta, Texas, is a Type A general-law municipality located in Parker County, created in accordance with the provisions of chapter 7 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas;

**WHEREAS**, in accordance with the law a general election has been ordered for May 7, 2005, for the purpose of electing council members to serve on the city council in the Town of Annetta;

**WHEREAS**, the city secretary has certified in writing that each candidate on the ballot is unopposed for election to office;

**WHEREAS**, the filing deadlines for placement on the ballot and declaration of written candidacy has passed; and

**WHEREAS**, Subchapter C of chapter 2 of the Texas Election Code authorizes a governing body to declare each unopposed candidate elected to office and cancel the election.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ANNETTA, TEXAS:**

**SECTION 1: DECLARATION OF ELECTION:**

The following candidates, who are unopposed in the May 7, 2005, regular election, are hereby declared elected to office, and shall be issued a certificate of election:

1. Olan Usher            Mayor
2. Larry Mullens        Place #3
3. Vern Bennett        Place #5

The election shall not be held.

SECTION 2: NOTICE:

The City secretary is directed to post a copy of the ordinance at each designated polling place on May 7, 2005.

SECTION 3: REPEALER CLAUSE:

All ordinances or parts of ordinances not consistent or conflicting with the provisions of this ordinance are hereby repealed, provided that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulation and governing the subject matter covered in this ordinance. Any cause of action occurring prior to the passage of this ordinance shall continue as if this ordinance was not passed or any other ordinance had not been passed.

SECTION 4: SEVERABILITY CLAUSE:

That it is hereby declared that the sections, articles, subsections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph, subsection, article, or section of this ordinance shall be declared void, ineffective, or unconstitutional by a valid judgment or final decree of a court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not effect any remaining phrases, clauses, sentences, paragraphs, subsections, articles, or sections of this ordinance since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective, or unconstitutional phrase, clause, sentence, paragraph, subsection, article, or section.

SECTION 5: ENGROSSMENT AND ENROLLMENT CLAUSE:

The City secretary is hereby directed to engross and enroll this ordinance by copying caption, penalty clause, publication clause and effective date clause in the minutes of the City Council and filing the ordinance in the ordinance records of the City.

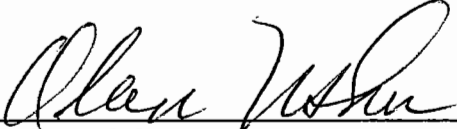
SECTION 6: PUBLICATION CLAUSE:

The City Secretary is hereby directed to post or publish in the official newspaper of the City, the caption, penalty clause, publication clause and effective date clause of the ordinance in one issue of the official newspaper, provided that the official newspaper is a weekly paper, as authorized be Section 52:011 of the Texas Government Code.

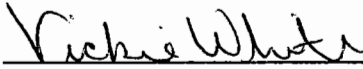
SECTION 7: EFFECTIVE DATE:

This ordinance shall be effective after final passage and publication as required by law.

PASSED AND APPROVED THIS THE 24<sup>th</sup> DAY OF  
March, 2005.

  
\_\_\_\_\_  
Olan Usher/Mayor

ATTEST:

  
\_\_\_\_\_  
Vickie White/City Secretary