

ORDER NO. 2004-01

AN ORDER FOR AN ELECTION TO BE HELD WITHIN THE CITY OF CUMBY, TEXAS ON SEPTEMBER 11, 2004, FOR THE PURPOSE OF DECIDING WHETHER TO ADOPT A LOCAL SALES AND USE TAX IN THE CITY OF CUMBY, TEXAS AT THE RATE OF .25% OF ONE PERCENT (1%) TO PROVIDE REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; AND PROVIDING A SAVINGS CLAUSE.

BE IT ORDERED BY THE CITY COUNCIL OF CUMBY, TEXAS:

An election is hereby ordered to be held on September 11, 2004, for the purpose of deciding whether to adopt a local sales and use tax in the City of Cumby, Texas at the rate of .25% of one percent (1%) to provide revenue for maintenance and repair of municipal street.

Early voting by personal appearance will be conducted each weekday at the City Hall, 101 Main Street, Cumby, Texas, between the hours of 8:00 a.m. and 5:00 p.m., beginning on Wednesday, August 25, 2004, and ending September 7, 2004.

Applications for ballot by mail shall be mailed to:

Ms. Mary France  
City Secretary  
Cumby City Hall  
Cumby, Texas 75433

Applications for ballots by mail must be received no later than the close of business on September 3, 2004.

The question to be posed to voters is:

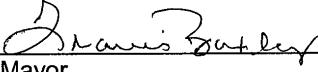
The adoption of a local sales and use tax in the City of Cumby, Texas at the rate of .25% of one percent (1%) to provide revenue for maintenance and repair of municipal streets.

If any provision of this Order or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this Order which can be given effect without the invalid provision or application, and to this end the provisions of this Order are declared to be severable.

Should it ever be found and determined by a court of competent jurisdiction that this action of the City Council of the City of Cumby should have been by ordinance, resolution, or in any other manner other than by order as here ordered, the City Council of the City of Cumby expresses its intent that this action be considered as having been done by ordinance, or by resolution, or by such other manner as said court shall find, and further that it would have so acted in such manner as determined by the court and desires that this Order be read and considered as such ordinance, resolution, or in such other form as may be found and determined.

The foregoing was duly adopted the 6<sup>th</sup> day of July, 2004.

CITY OF CUMBY, TEXAS

BY:   
Mayor

ATTEST:

  
City Secretary