

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE DECLARING CERTAIN FINDINGS; PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF FORT WORTH; PROVIDING FOR FULL-PURPOSE ANNEXATION OF A CERTAIN 297.083 ACRES OF LAND, MORE OR LESS, OUT OF THE A. COSTELLO SURVEY, ABSTRACT NUMBER 271 AND THE A. FERNANDES SURVEY, ABSTRACT NUMBER 506, ALL OF TARRANT COUNTY, TEXAS AND BEING THE REMAINDER OF TRACT 1 AND ALL OF TRACT 2 DESCRIBED IN DEED TO THE SEWELL FAMILY PARTNERSHIP, LTD., AS RECORDED IN CORRECTION DEED RECORDED IN COUNTY CLERK'S FILE NUMBER D206044638, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS AND APPROXIMATELY 7.561 ACRES OF LAND MORE OR LESS OF RIGHTS-OF-WAY OUT OF THE H. MAPLES SURVEY, ABSTRACT NUMBER 1023, THE J. COLTHORP SURVEY, ABSTRACT NUMBER 1887, THE A. COSTELLO SURVEY, ABSTRACT NUMBER 271 AND THE A. FERNANDEZ SURVEY, ABSTRACT NUMBER 506, ALL OF TARRANT COUNTY, TEXAS AND BEING A PORTION OF EXISTING LONGHORN TRAIL (AN EXISTING 60 FOOT RIGHT-OF-WAY) TARRANT COUNTY, TEXAS (CASE NO. AX-21-017) WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT CORPORATE BOUNDARY LIMITS OF FORT WORTH, TEXAS; PROVIDING THAT THIS ORDINANCE SHALL AMEND EVERY PRIOR ORDINANCE IN CONFLICT HERewith; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL PRIOR ORDINANCES NOT IN DIRECT CONFLICT; PROVIDING FOR SEVERABILITY; AND NAMING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Fort Worth has received a petition in writing from WTXS, LLC, a Delaware limited liability company, the owners, requesting the full-purpose annexation of 297.083 acres of land as described in Section 1, below (the "Property"); and

**WHEREAS**, the hereinafter described Property is in the City's exclusive extraterritorial jurisdiction and is adjacent to and adjoins the City; and

**WHEREAS**, Subchapter C-3 of the LGC permits the City to annex an area if each owner of land in an area requests the annexation; and

**WHEREAS**, in accordance with Subchapter C-3 of Chapter 43 of the Texas Local Government Code, the City section 43.0672 of the Texas Local Government Code, WTXS, LLC, a Delaware limited liability company, and the City negotiated and

entered into a written agreement, City Secretary Contract No. \_\_\_\_\_, for the provisions of municipal services in the area; and

**WHEREAS**, the Property abuts 7.561 acres of county roads and rights-of-way; and

**WHEREAS**, the City conducted one public hearing at which members of the public who wished to present testimony or evidence regarding the Municipal Service Agreement and Full-Purpose Annexation were given the opportunity to do so, in accordance with the procedural requirements of Section 43.0686 of the Local Government Code on August 9, 2022 at 7:00 p.m., at the City Council Chamber; and square footage in the descriptions.

**WHEREAS**, the City Council finds and determines that annexation of the Property hereinafter described is in the best interest of the citizens of the City of Fort Worth and the owners and residents of the area.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:**

#### **SECTION 1.**

That all portions of the Property, comprising approximately 297.083 acres of land, are hereby annexed to the City of Fort Worth as a part of the city for all municipal purposes, and the city limits are extended to include such Property being all that certain land particularly described below and depicted as on Exhibit “A” attached to and incorporated in this ordinance for all purposes:

BEING a tract of land situated in the H. Maples Survey, Abstract Number 1023, the J. Leath Survey, Abstract Number 962, the A. Costello Survey, Abstract Number 271 and the A. Fernandes Survey, Abstract Number 506, all of Tarrant County, Texas and being the remainder of Tract 1 and all of Tract 2 described in deed to the Sewell Family Partnership, Ltd., as recorded in Correction Deed recorded in County Clerk’s File Number D206044638, Official Public Records, Tarrant County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found at the northwest corner of said Sewell tract, being found at the intersection of the existing east Right-of-Way line of W. Cleburne Road (County Road 1035) and the south line of Lot 17, Block A, Country Corner Estates, as recorded in Cabinet A, Slide 3991, Official Public Records, Tarrant County, Texas;

THENCE N 89°29’18”E, a distance of 2832.00 feet (previously recorded as S 89°56’31”E) along the north line of said Sewell tract and along the south line of said County Corner Estates and then along the south line of Garden Arbors Estates, as recorded in Cabinet A, Slide 8829, Official Public Records, Tarrant County, Texas and the along the existing south Right-of-Way line of Cleburne Crowley Road (a variable width Right-of-Way) to a 1/2 inch iron rod with cap stamped “Pierce Murray” set;

THENCE N 89°43'15"E, a distance of 2001.21 feet (previously recorded as S 89°42'34"E) continuing along the north line of said Sewell tract and the existing south Right-of-Way line of said Cleburne Crowley Road to a 1/2 inch iron rod with cap stamped "Pierce Murray" set, being the northwest corner of a variable width Right-of-Way dedication as shown on the plat of Lot 1, Block 1, Crowley CTE Addition, as recorded in County Clerk's File Number D220085476, Official Public Records, Tarrant County, Texas;

THENCE S 00°23'42"E, departing the north line of said Sewell tract, at 19.69 feet pass the northwest corner of said Lot 1, Block 1, Crowley CTE Addition, and then along the west line of said Lot 1, Block 1, Crowley CTE Addition a total distance of 2235.81 feet to a 5/8 inch iron rod with cap stamped "TNP" found at the southwest corner of said Lot 1, Block 1, Crowley CTE Addition, being at an "L" corner in the existing north Right-of-Way line of Longhorn Trail (Farm to Market Road 1081) and being an angle point in the east line of the remainder of said Sewell tract;

THENCE S 00°41'59"W, a distance of 400.62 feet (previously recorded as S 01°36'31"W) along the common line of the southeast line of said Sewell tract and said Right-of-Way line to a 1/2 inch iron rod with cap stamped "Pierce Murray" set;

THENCE S 29°31'05"W, a distance of 32.50 feet (previously recorded as S 30°00'00"W) continuing along said common line to a 1/2 inch iron rod with cap stamped "Pierce Murray" set;

THENCE S 59°31'05"W, a distance of 33.00 feet (previously recorded as S 60°00'00"W) continuing along said common line to a 1/2 inch iron rod with cap stamped "Pierce Murray" set;

THENCE S 89°28'03"W, a distance of 1952.73 feet (previously recorded as S 89°56'58"W) continuing along said common line to a 1/2 inch iron rod with cap stamped "Pierce Murray" set;

THENCE N 89°53'51"W, a distance of 2824.34 feet (previously recorded as N 89°23'29"W) continuing along said common line to a 1/2 inch iron rod with cap stamped "Pierce Murray" set at the intersection of the north Right-of-Way line of said Longhorn Trail and the east Right-of-Way line of the aforementioned W. Cleburne Road and being the southwest corner of said Sewell tract;

THENCE N 00°28'39"W, a distance of 2659.52 feet (previously recorded as N 00°01'55"E) along the existing east Right-of-Way line of said W. Cleburne Road returning to the Point of Beginning and containing 12,940,921 square feet or 297.083 acres of land, more or less.

## SECTION 2.

The above described territory is shown on Map Exhibit A attached hereto and expressly incorporated herein by reference for the purpose of depicting the location of the hereinabove described territory.

### **SECTION 3.**

That all portions of the roads and rights-of-way, comprising approximately 7.561 acres of land, are hereby annexed to the City of Fort Worth as a part of the city for all municipal purposes, and the city limits are extended to include such roads and rights-of-way being all that certain land particularly described below and depicted as on Exhibits "B" and "C", attached to and incorporated in this ordinance for all purposes.

### **SECTION 4.**

That the above described territory hereby annexed shall be part of the City of Fort Worth, Texas, and the property so added hereby shall bear its pro rata part of the taxes levied by the City of Fort Worth, Texas, and the inhabitants thereof shall be entitled to all of the rights and privileges of all the citizens in accordance with the Municipal Services Agreement and shall be bound by the acts, ordinances, resolutions and regulations of the City of Fort Worth, Texas.

### **SECTION 5.**

That the Municipal Services Agreement attached hereto as Exhibit "D" is approved and incorporated into this ordinance for all purposes.

### **SECTION 6.** **CUMULATIVE CLAUSE**

This ordinance amends every prior ordinance in conflict herewith, but as to all other ordinances or sections of ordinances not in direct conflict, this ordinance shall be, and the same is hereby made cumulative.

### **SECTION 7.** **SEVERABILITY LAUSE**

It is hereby declared to be the intent of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any unconstitutional phrase, clause, sentence, paragraph or section.

### **SECTION 8.**

**SAVING CLAUSE**

The City Council hereby declares it to be its purpose to annex to the City of Fort Worth every part of the area described in Section 1 of this ordinance, regardless of whether any part of such described area is hereby not effectively annexed to the City. Should this ordinance for any reason be ineffective as to any part or parts of the area hereby annexed to the City of Fort Worth for full purposes, the ineffectiveness of this ordinance as to any such part or parts shall not affect the effectiveness of this ordinance as to the remainder of such area.

**SECTION 9.**  
**EFFECTIVE DATE**

This ordinance shall be in full force and effect upon adoption.

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Melinda Ramos  
Senior Assistant City Attorney

\_\_\_\_\_  
Jannette S. Goodall  
City Secretary

ADOPTED AND EFFECTIVE: \_\_\_\_\_



**Exhibit B**  
**Legal Description for Road and Right-of-Way**  
**“Portion of Longhorn Trail”**

PROPOSED 7.561 ACRE RIGHT-OF-WAY PARCEL DESCRIPTION

BEING a tract of land situated in the H. Maples Survey, Abstract Number 1023, the J. Colthorp Survey, Abstract Number 1887, the A. Costello Survey, Abstract Number 271 and the A. Fernandez Survey, Abstract Number 506, all of Tarrant County, Texas and being a portion of existing Longhorn Trail (an existing 60 foot Right-of-Way) and being more particularly described by metes and bounds as follows:

BEGINNING at a point located in the intersection of said Longhorn Trail and W. Cleburne Road, said point being N 89°53'51"W, a distance of 11.71 feet from the southwest corner of that certain tract of land described in deed to the Sewell Family Partnership, Ltd., as recorded in County Clerk's File Number D206044638, Official Public Records, Tarrant County, Texas;

THENCE S 89°53'51"E, a distance of 11.71 to the southwest corner of said Sewell tract;

THENCE S 89°53'51"E, a distance of 2824.34 feet along the south line of said Sewell tract;

THENCE N 89°28'03"E, a distance of 1952.73 feet continuing along said south line;

THENCE N 59°31'05"E, a distance of 33.00 feet along the easterly line of said Sewell tract;

THENCE N 29°31'05"E, a distance of 32.50 feet continuing along said easterly line;

THENCE N 00°41'59"E, a distance of 400.62 feet continuing along said easterly line to the southwest corner of Lot 1, Block 1, Crowley CTE Addition, as recorded in County Clerk's File Number D220085476, Official Public Records, Tarrant County, Texas;

THENCE S 89°50'52"E, a distance of 60.0 feet along the south line of said Lot 1;

THENCE S 00°41'59"W, a distance of 504.99 feet;

THENCE S 89°36'00"W, a distance of 3021.33 feet;

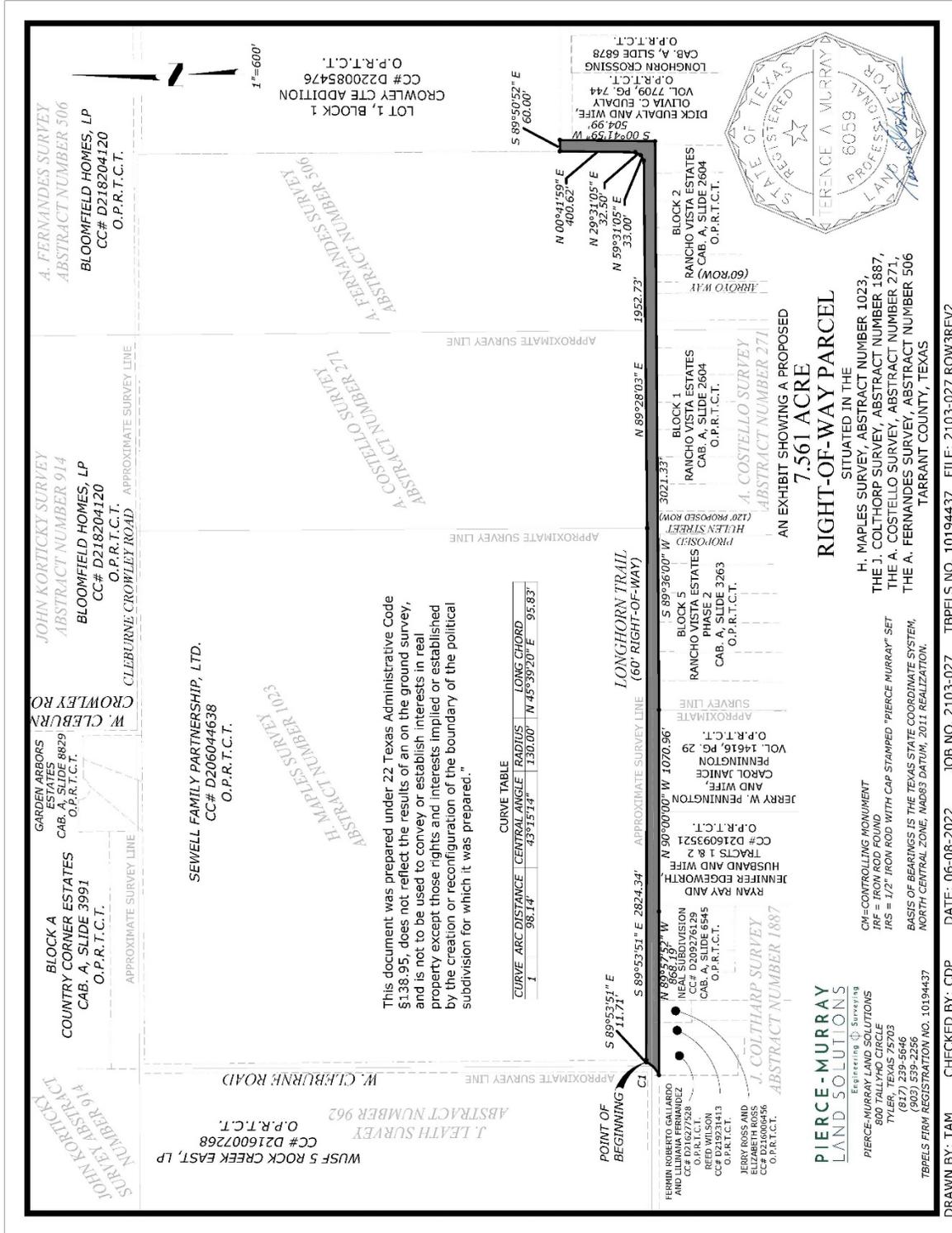
THENCE West, a distance of 1070.96 feet;

THENCE N 89°57'52"W, a distance of 868.19 feet to the beginning of a non-tangent curve to the left;

THENCE with said non-tangent curve, an arc distance of 98.14 feet, through a central angle of 43°15'14", having a radius of 130.00 feet and long chord of which bears N 45°39'20"E, 95.83 feet crossing said Longhorn Trail and returning to the Point of Beginning and containing 329,363 square feet or 7.561 acres of land, more or less.

*THIS DESCRIPTION WAS PREPARED UNDER 22 TEXAS ADMINISTRATIVE CODE §138.95, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED."*

# Exhibit C Map of Road and Right-of-Way "Portion of Longhorn Trail"



**Exhibit D**  
**Municipal Services Agreement**