

ORDINANCE NO. _____

AN ORDINANCE DESIGNATING A CERTAIN AREA IN THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF FORT WORTH AS “TAX ABATEMENT REINVESTMENT ZONE NUMBER ONE HUNDRED AND ONE, CITY OF FORT WORTH, TEXAS”; PROVIDING THE EFFECTIVE AND EXPIRATION DATES FOR THE ZONE AND A MECHANISM FOR RENEWAL OF THE ZONE; AND CONTAINING OTHER MATTERS RELATED TO THE ZONE.

WHEREAS, pursuant to the City of Fort Worth’s (“**City**”) Tax Abatement Policy, which was adopted by the City Council to be effective on January 29, 2021 by way of Resolution No. 5342-02-2021 (“**Tax Abatement Policy**”), the City has elected to be eligible to participate in tax abatement and has established guidelines and criteria governing tax abatement agreements entered into between the City and various third parties, as authorized by and in accordance with the Property Redevelopment and Tax Abatement Act, codified in Chapter 312 of the Texas Tax Code (“**Code**”);

WHEREAS, the City Council desires to promote the development of the area in the extra-territorial jurisdiction of the City more specifically described in **Exhibit “A”** of this Ordinance (“**Zone**”) through the creation of a reinvestment zone for purposes of facilitating one or more tax abatement agreements as may be found desirable by the City, Tarrant County, Parker County, or any other eligible taxing unit for the purposes of supporting new business investment or expansion, as authorized by and in accordance with Chapter 312 of the Code;

WHEREAS, Rivian Automotive, LLC, or an Affiliate, (“**Company**”) wishes to expend or cause to be expended at least \$2 billion in real property improvements for the construction of a new vehicle manufacturing facility and associated industrial facilities located in the Zone, and Company intends to install new taxable tangible personal business personal property have a value of approximately \$3 billion in such facilities (collectively, “**Improvements**”);

WHEREAS, Company expects that the Improvements will create at least 7,500 full-time jobs once the facilities are constructed;

WHEREAS, to foster economic development in the Zone, and the City, in general, including the City’s extra-territorial jurisdiction, it is anticipated that the City, Parker County, Tarrant County, or any other eligible taxing units may wish to enter into one or more tax abatements for one or more Improvements within the Zone;

WHEREAS, on August 17, 2021, the City Council held a public hearing regarding the creation of the Zone, received information concerning intended growth and Improvements proposed for the Zone, and afforded a reasonable opportunity for all interested persons to speak and present evidence for, or against, the creation of the Zone (“**Public Hearing**”), as required by Section 312.201(d) of the Code;

WHEREAS, notice of the Public Hearing was published in a newspaper of general circulation at least seven (7) days prior to the Public Hearing, which satisfies the requirement of Section 312.201(d)(1) of the Code; and

WHEREAS, in accordance with Sections 312.201(d)(2) and (e), of the Code, notice of the Public Hearing was also delivered in writing not later than the seventh day before the date of the public hearing to the presiding officer of the governing body of each taxing unit that includes in its boundaries real property that is to be included in the proposed Zone.

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

**SECTION 1
FINDINGS.**

That, after reviewing all information before it regarding the establishment of the Zone and after conducting the Public Hearing and affording a reasonable opportunity for all interested persons to speak and present evidence for, or against, the creation of the Zone, the City Council hereby makes the following findings of fact:

- 1.1.** The statements and facts set forth in the recitals of this Ordinance are true and correct. Therefore, the City has met the notice and procedural requirements established by the Code for creation of a reinvestment zone under Chapter 312 of the Code.
- 1.2.** The Improvements proposed for the Zone, as more specifically outlined in the Public Hearing, are feasible and practical and, once completed will benefit the land

included in the Zone as well as the City for a period of more than ten (10) years, which is the statutory maximum term of any tax abatement agreement entered into under the Chapter 312 of the Code.

- 1.3. As a result of designation as a reinvestment zone, the area within the Zone is reasonably likely to contribute to the retention or expansion of primary employment and to attract major investment in the Zone that will be a benefit to property in the Zone and will contribute to the economic development of the City.

SECTION 2 DESIGNATION OF ZONE.

The City Council designates the Zone described in the boundary description attached hereto as **Exhibit "A"** and made a part of this Ordinance for all purposes as a reinvestment zone for purposes of permitting one or more tax abatements as may be found desirable by the City, Tarrant County Parker County, or any other eligible taxing unit for the purposes authorized by and in accordance with Chapter 312 of the Code. This Zone will be known as "Tax Abatement Reinvestment Zone Number One Hundred and One, City of Fort Worth, Texas." Any projects considered for abatement by the City, Tarrant County, Parker County, or any other eligible taxing unit must comply with all applicable laws and guidelines and criteria adopted by each respective entity, as applicable.

SECTION 3. TERM OF ZONE.

The Zone takes effect upon the effective date of this Ordinance and expire five (5) years thereafter. The Zone may be renewed by the City Council for one or more subsequent terms not to exceed five years.

SECTION 4. SEVERABILITY.

If any portion, section, or part of a section of this Ordinance is subsequently declared invalid, inoperative, or void for any reason by a court of competent jurisdiction, the remaining portions, sections, or parts of sections of this Ordinance will be and remain in full force and effect and will not, in any way, be impaired or affected by such decision, opinion, or judgment.

**SECTION 5.
IMMEDIATE EFFECT.**

This Ordinance takes effect upon its adoption.

ADOPTED AND EFFECTIVE: _____

APPROVED AS TO FORM
AND LEGALITY:

ATTESTED BY:

By: _____
Tyler F Wallach
Senior Assistant City Attorney

Ronald P. Gonzales
Acting City Secretary

M&C: _____

EXHIBIT "A"

BOUNDARY DESCRIPTION OF ZONE

Reinvestment Zone No. One Hundred and One will consist of the property described in the following metes and bounds:

Being approximately 1,927.9 acres situated in Parker County and Tarrant County, Texas, and being a portion of that certain called 3,802.9-acre tract of land described in Volume 193, Page 335 (first tract) of the Deed Records, Parker County, Texas, and being more particularly described as follows:

Beginning the most southerly southeast corner of said 3,802.9-acre tract, same being in the west line of the Markum Ranch, same also being in the north right-of-way line of the Texas & Pacific Railroad, same also being generally located SOUTH 15° 34' 27" WEST, 16,118.43 feet from the most south southwestern corner of Lot 1, Block 2 Walsh Ranch according to the plat recorded in County Clerk's Document Number D201830249 O.P.R.P.C.T. at the intersection of Walsh Ranch Parkway and Highland Hills Drive;

THENCE leaving said west line and along said north right-of-way line and the southerly line of said 3,802.9-acre tract the following courses and distances:

NORTH 77° 15' 00" WEST, 213.89 feet;
NORTH 80° 00' 00" WEST, 2,044.45 feet;
NORTH 82° 10' 00" WEST, 555.56 feet;
SOUTH 71° 30' 00" WEST, 79.17 feet;
NORTH 79° 51' 00" WEST, 478.89 feet;
NORTH 82° 11' 00" WEST, 327.23 feet;
NORTH 86° 51' 00" WEST, 222.23 feet;
SOUTH 89° 11' 00" WEST, 222.23 feet;
SOUTH 85° 15' 00" WEST, 184.73 feet;
SOUTH 84° 43' 00" WEST, 4,425.71 feet;
SOUTH 05° 17' 00" EAST, 73.91 feet;
SOUTH 84° 43' 00" WEST, 1,115.83 feet;
SOUTH 79° 50' 00" WEST, 329.17 feet;
SOUTH 73° 30' 00" WEST, 222.23 feet;
SOUTH 65° 34' 00" WEST, 222.23 feet;
SOUTH 59° 25' 00" WEST, 222.23 feet;
NORTH 00° 30' 00" WEST, 61.12 feet;
SOUTH 57° 42' 00" WEST, 2,427.78 feet to the southwest corner of said 3,802.9-acre tract, same being in an east line of the Dean Ranch;

THENCE NORTH 00° 23' 21" EAST, leaving said north right-of-way line and southerly line and along said west line, 8,466.18 feet to a point;

THENCE leaving said west line the following courses and distances:
SOUTH 86° 00' 31" EAST, 2,292.99 feet;

NORTH 34° 24' 57" EAST, 899.03 feet;
NORTH 67° 06' 05" EAST, 530.42 feet;
SOUTH 61° 05' 08" EAST, 537.42 feet;
SOUTH 05° 44' 14" WEST, 443.75 feet;
SOUTH 30° 02' 57" WEST, 723.32 feet;
SOUTH 12° 30' 06" WEST, 919.83 feet;
NORTH 34° 24' 57" EAST, 854.85 feet;
EAST 444.33 feet;
NORTH 30° 45' 46" WEST, 242.98 feet;
NORTH 43° 20' 39" EAST, 511.23 feet;
SOUTH 48° 39' 47" EAST, 553.50 feet;
NORTH 16° 20' 58" EAST, 422.39 feet;
NORTH 38° 18' 21" WEST, 442.99 feet;
NORTH 11° 57' 45" WEST, 146.57 feet;
NORTH 25° 18' 12" EAST, 390.94 feet;
NORTH 83° 01' 34" EAST, 163.51 feet;
SOUTH 69° 06' 50" EAST, 467.48 feet;
NORTH 21° 43' 56" WEST, 475.55 feet;
NORTH 51° 39' 04" EAST, 248.08 feet;
SOUTH 83° 36' 00" EAST, 266.48 feet;
NORTH 14° 19' 55" EAST, 131.00 feet;
NORTH 27° 37' 41" WEST, 506.43 feet;

THENCE NORTH 33° 57' 31" EAST, 360.66 feet to a point in the herein described tract, same being in the southerly right-of-way line of Interstate Highway No. 20;

THENCE along said southerly right-of-way line the following courses and distances:

SOUTH 47° 46' 00" EAST, 1,038.68 feet;
SOUTH 64° 28' 00" EAST, 313.21 feet;
SOUTH 47° 46' 00" EAST, 160.00 feet;
SOUTH 16° 49' 00" EAST, 116.62 feet;
SOUTH 47° 46' 00" EAST, 350.00 feet;
SOUTH 64° 28' 00" EAST, 208.81 feet;
SOUTH 47° 46' 00" EAST, 789.12 feet to the beginning of a curve to the left having a central angle of 11° 36' 32", a radius of 5,984.58 feet and a chord bearing and distance of SOUTH 53° 53' 44" EAST, 1,210.48 feet;
With said curve to the left for an arc distance of 1,212.55 feet;
SOUTH 59° 42' 00" EAST, 523.34 feet;
SOUTH 53° 07' 00" EAST, 296.93 feet;
SOUTH 44° 07' 00" EAST, 383.70 feet;
SOUTH 43° 31' 00" EAST, 98.21 feet;
SOUTH 58° 22' 00" EAST, 249.39 feet;
SOUTH 71° 48' 00" EAST, 221.51 feet;
SOUTH 82° 50' 00" EAST, 222.43 feet;
NORTH 82° 44' 00" EAST, 231.74 feet;
NORTH 74° 57' 00" EAST, 354.15 feet;

NORTH 80° 39' 00" EAST, 264.37 feet;
SOUTH 89° 28' 00" EAST, 352.28 feet;
SOUTH 82° 56' 00" EAST, 1,089.19 feet;
SOUTH 00° 55' 00" WEST, leaving said southerly right-of-way line, 5,272.47 feet to the
POINT OF BEGINNING and containing 83,978,898 square feet or 1,927.9 acres of
land.