

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 197.754 ACRES OF LAND, MORE OR LESS, OUT OF THE OUT OF C. PERRY SURVEY, ABSTRACT NO. 1031, THE A. KING SURVEY, ABSTRACT NO. 710, AND THE L. BUTLER SURVEY, ABSTRACT NO. 64, AND THE A. ROBERTSON SURVEY, ABSTRACT NO. 1553, THE G. OVERTON SURVEY, ABSTRACT NO. 972, THE J. BEATON SURVEY, ABSTRACT NO. 1708, THE C. PERRY SURVEY, ABSTRACT NO. 1031, AND THE L. BUTLER SURVEY, ABSTRACT NO. 64, IN DENTON COUNTY, TEXAS (CASE NO. AX-21-002) 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 M.T. Cole Family Partnership No. 2, LP., the owners, requesting the full-purpose annexation of 197.754 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, M.T. Cole Family Partnership No. 2, LP., 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 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 June 8, 2021 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 197.754 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:

PROPERTY DESCRIPTION TRACT 1

BEING a tract of land situated in the C. Perry Survey, Abstract No. 1031, the A. King Survey, Abstract No. 710, and the L. Butler Survey, Abstract No. 64, Denton County, Texas, being a portion of that tract of land as described in deed to The M.T. Cole Family Partnership No. 2, LP, recorded in 2009-102749, Official Records, Denton County, Texas (ORDCT), and being more particularly described as follows:

COMMENCING at 1/2" rebar capped Goodwin & Marshall set at the most westerly corner of Lot 1R, Block 1, Northpoint Alliance Industrial Park, an addition to the City of Fort Worth, Denton County, Texas as recorded in 2020-401, ORDCT, said point being a reentrant corner in the northeasterly line of a tract of land as described in deed to NP-OV Fort Worth Logistics Park, LLC, recorded in 2020-70676, ORDCT;

THENCE North 41 degrees 23 minutes 43 seconds East, along the northwesterly line of said Lot 1R, Block 1 and a reentrant line of said NP-OV Fort Worth Logistics Park tract, a distance of 7.87 feet to the POINT OF BEGINNING of the herein described tract of land;

THENCE departing the northwesterly line of said Lot 1R, Block 1, along the northeasterly line of said NP-OV Fort Worth Logistics Park tract and a tract of land as described in deed to NP-OV Fort Worth Logistics Project CY, LLC, recorded in 2020-70675, ORDCT, as follows:

Northwesterly, along a non-tangent curve to the left, having a radius of 470.00 feet, a central angle of 17 degrees 51 minutes 59 seconds, an arc distance of 146.56 feet, and a chord that bears North 72 degrees 38 minutes 10 seconds West, 145.97 feet to the beginning of a reverse curve to the right, having a radius of 530.00 feet;

Northwesterly, along said curve, having a central angle of 45 degrees 36 minutes 19 seconds, an arc distance of 421.86 feet, and a chord that bears North 58 degrees 46 minutes 00 seconds West, 410.81 feet to the beginning of a reverse curve to the left, having a radius of 20.00 feet;

Northwesterly, along said curve, having a central angle of 41 degrees 07 minutes 27 seconds, an arc distance of 14.36 feet, and a chord that bears North 56 degrees 31 minutes 36 seconds West, 14.05 feet to the beginning of a curve to the right, having a radius of 537.50 feet;

THENCE, departing said NP-OV Fort Worth Logistics Project CY tract, across said The M.T. Cole Family Partnership No. 2 tract, as follows

Northwesterly, along said curve, having a central angle of 34 degrees 49 minutes 21 seconds, an arc distance of 326.68 feet, and a chord that bears North 17 degrees 24 minutes 41 seconds West, 321.67 feet to the end of said curve;

NORTH, tangent to said curve, a distance of 1,599.89 feet to the beginning of a tangent curve to the left, having a radius of 50.00 feet;

Northwesterly, along said curve, having a central angle of 47 degrees 54 minutes 11 seconds, an arc distance of 41.80 feet, and a chord that bears North 23 degrees 57 minutes 05 seconds West, 40.60 feet to the beginning of a reverse curve to the right, having a radius of 80.00 feet;

Northeasterly, along said curve, having a central angle of 257 degrees 40 minutes 03 seconds, an arc distance of 359.77 feet, and a chord that bears North 80 degrees 55 minutes 51 seconds East, 124.64 feet to the beginning of a reverse curve to the left, having a radius of 50.00 feet;

Southwesterly, along said curve, having a central angle of 29 degrees 45 minutes 52 seconds, an arc distance of 25.97 feet, and a chord that bears South 14 degrees 52 minutes 56 seconds West, 25.68 feet to the end of said curve;

SOUTH, tangent to said curve, a distance of 29.57 feet;

EAST, a distance of 868.00 feet;

North 41 degrees 23 minutes 43 seconds East, a distance of 1,149.97 feet to a point in the approximate centerline of Elizabeth Creek, the northeasterly line of said The M.T. Cole Family Partnership No. 2 tract, and the southerly line of a tract of land as described in deed to Forestar (USA) Real Estate Group, Inc., recorded in 2018-27156, ORDCT;

THENCE along the approximate centerline of said Elizabeth Creek and the line common to said The M.T. Cole Family Partnership No. 2 tract and said Forestar tract, as follows:

South 38 degrees 30 minutes 47 seconds East, a distance of 125.04 feet;

North 89 degrees 37 minutes 39 seconds East, a distance of 257.30 feet;

South 38 degrees 05 minutes 49 seconds East, a distance of 346.38 feet;

South 57 degrees 05 minutes 20 seconds East, a distance of 353.97 feet;

South 65 degrees 10 minutes 10 seconds East, a distance of 161.09 feet to the most northerly corner of said Lot 1R, Block 1;

THENCE South 41 degrees 23 minutes 43 seconds West, departing said Elizabeth Creek , along the northwesterly line of said Lot 1R, Block 1, a distance of 3,209.22 feet to the POINT OF BEGINNING and containing 95.932 acres of land, more or less.

AND

PROPERTY DESCRIPTION TRACT 2

BEING a tract of land situated the A. Robertson Survey, Abstract No. 1553, the G. Overton Survey, Abstract No. 972, the J. Beaton Survey, Abstract No. 1708, the C. Perry Survey, Abstract No. 1031, and the L. Butler Survey, Abstract No. 64, Denton County, Texas, being a portion of a tract of land as described in deed to The M.T. Cole Family Partnership No. 2, LP, recorded in 2009-102749, Official Records, Denton County, Texas (ORDCT), being a portion of a tract of land as described in deed to The M.T. Cole Family Partnership No. 2, LP, recorded in 2019-72025, ORDCT, and being more particularly described as follows:

BEGINNING at a 5/8" rebar capped Dunaway found in the northwesterly line of Blue Mound Road – F.M. 156 (variable width R.O.W. per 2007-110923, ORDCT) at the most southerly corner of Lot 1R, Block 1, Northpoint Alliance Industrial Park, an addition to the City of Fort Worth, Denton County, Texas as recorded in 2020-401, ORDCT;

THENCE Southwesterly, along the northwesterly line of said Blue Mound Road and a curve to the left, having a radius of 4,683.66 feet, a central angle of 17 degrees 05 minutes 27 seconds, an arc distance of 1,397.09 feet, and a chord that bears South 32 degrees 08 minutes 46 seconds West, 1,391.92 feet to a point at a bent 5/8" rebar found at the southeast corner of said M.T. Cole tract and the northeast corner of a tract of land as described in deed to The Burlington Northern and Santa Fe Railway Company, recorded in 2005-3454, ORDCT;

THENCE North 88 degrees 55 minutes 13 seconds West, departing the northwesterly line of said Blue Mound Road, along the line common to said M.T. Cole tract and said Burlington Northern and Santa Fe Railway Company tract, distance of 2,116.51 feet to a 5/8" rebar capped Dunaway found at the southeast corner of a tract of land as described in deed to the BNSF Railway Company, recorded in 2020-14394, ORDCT;

THENCE North 00 degrees 04 minutes 32 seconds East, departing the north line of said Burlington Northern and Santa Fe Railway Company tract, along the east line of said BNSF Railway Company tract, a distance of 641.42 feet to most southerly corner of a tract of land as described in deed to NP-OV Fort Worth Logistics Park, LLC, recorded in 2020-70676, ORDCT;

THENCE departing the east line of said BSNF Railway Company tract, along the southeasterly line of said NP-OV Fort Worth Logistics Park tract, as follows:

North 35 degrees 59 minutes 44 seconds East, a distance of 2,050.69 feet;

North 46 degrees 06 minutes 48 seconds East, a distance of 137.29 feet to the most easterly corner of said NP-OV Fort Worth Logistics Park tract and a point in the southwesterly line of said Lot 1R, Block 1, Northpoint Alliance Industrial Park;

THENCE along the southwesterly line of said Lot 1R, Block 1, Northpoint Alliance Industrial Park, as follows:

South 48 degrees 28 minutes 15 seconds East, a distance of 16.05 feet to the beginning of a non-tangent curve to the left, having a radius of 500.00 feet

Southeasterly, along said curve, having a central angle of 29 degrees 33 minutes 07 seconds, an arc distance of 257.89 feet, and a chord that bears South 62 degrees 49 minutes 41 seconds East, 255.04 feet to the end of said curve;

South 73 degrees 06 minutes 46 seconds East, non-tangent to said curve, a distance of 55.84 feet to the beginning of a non-tangent curve to the right, having a radius of 500.00 feet;

Southeasterly, along said curve, having a central angle of 24 degrees 51 minutes 16 seconds, an arc distance of 216.90 feet, and a chord that bears South 56 degrees 13 minutes 18 seconds East, 215.20 feet to the end of said curve;

South 47 degrees 51 minutes 10 seconds East, non-tangent to said curve, a distance of 1,265.82 feet;

South 41 degrees 00 minutes 36 seconds East, a distance of 100.72 feet;

South 47 degrees 51 minutes 10 seconds East, a distance of 102.37 feet to the POINT OF BEGINNING and containing 101.822 acres of land.

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 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 4.

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

SECTION 5.
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 6.
SEVERABILITY CLAUSE

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 7.
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 8.
EFFECTIVE DATE

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

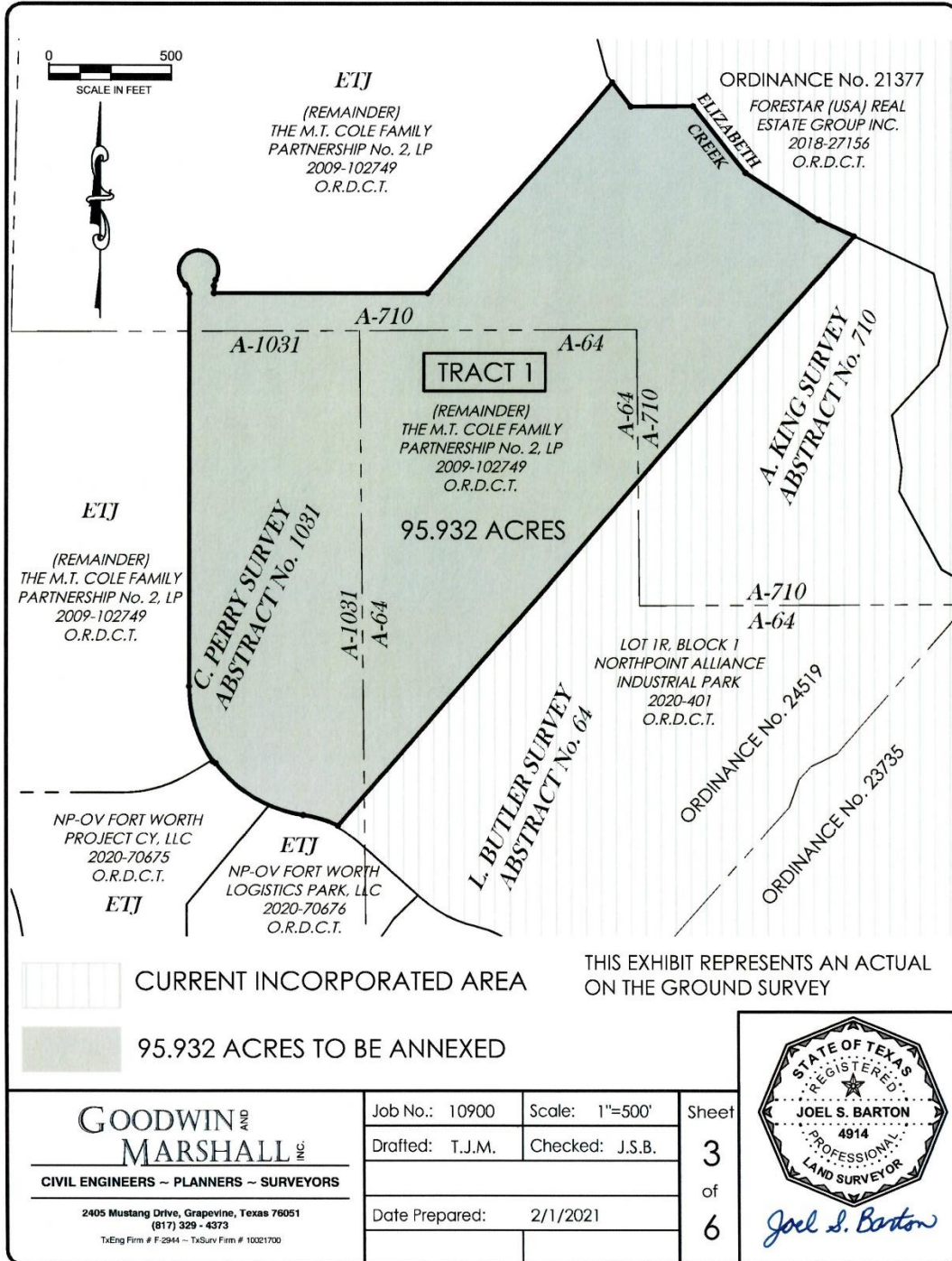
APPROVED AS TO FORM AND LEGALITY:

Melinda Ramos
Senior Assistant City Attorney

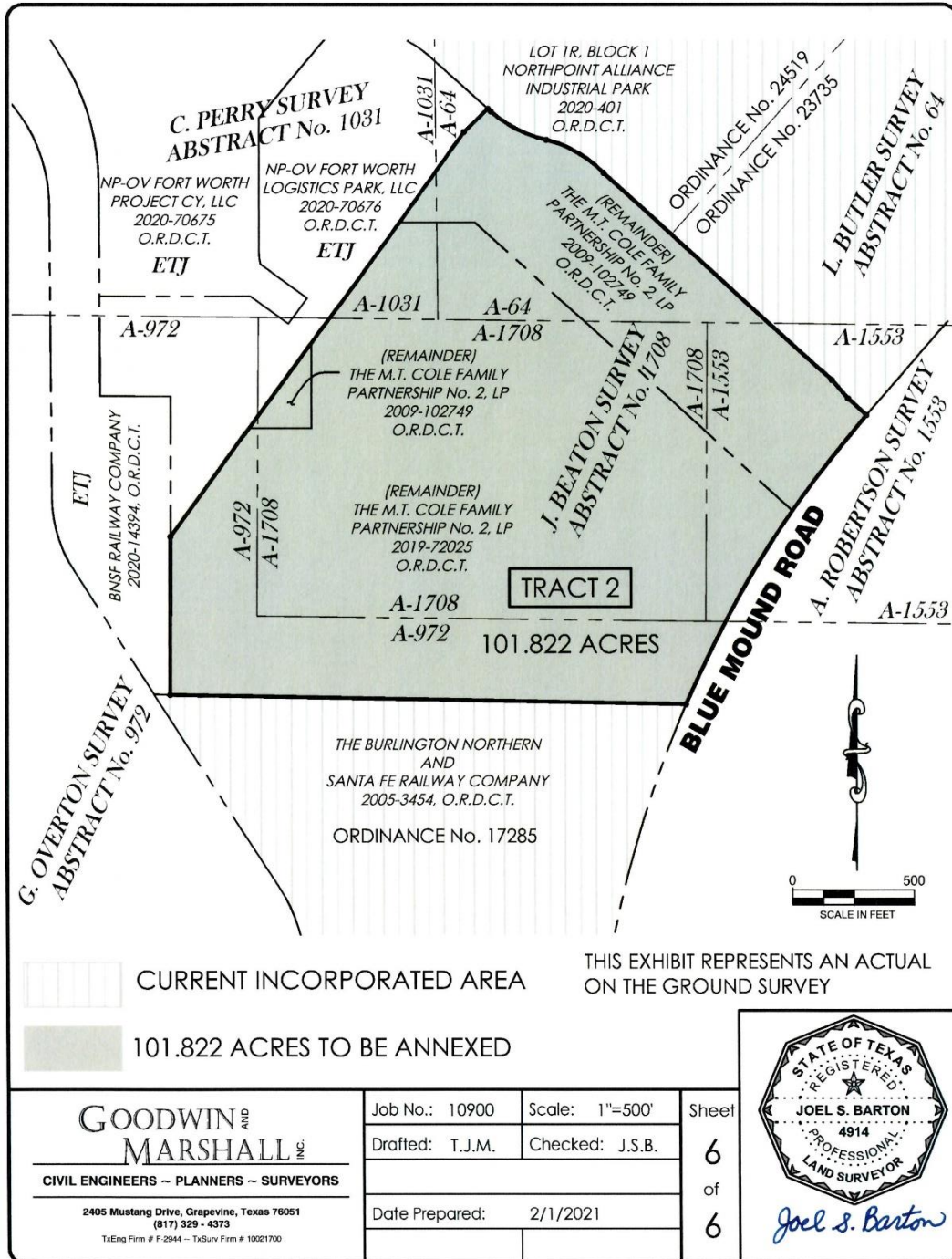
Mary J. Kayser
City Secretary

ADOPTED AND EFFECTIVE: _____

EXHIBIT A TRACT 1



**Exhibit A
Continued
TRACT 2**



GOODWIN AND MARSHALL
 CIVIL ENGINEERS - PLANNERS - SURVEYORS

2405 Mustang Drive, Grapevine, Texas 76051
 (817) 329 - 4373
 TxEng Firm # F-2944 - TxSurv Firm # 10021700

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| Job No.: 10900 | Scale: 1"=500' | Sheet |
| Drafted: T.J.M. | Checked: J.S.B. | 6 |
| Date Prepared: 2/1/2021 | | of |
| | | 6 |



Joel S. Barton

Exhibit B
Municipal Services Agreement