

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 116.77 ACRES OF LAND, MORE OR LESS, OUT OF THE OUT OF HIRAM RIDDLE SURVEY, ABSTRACT NO. 1329, TARRANT COUNTY, TEXAS, BEING ALL OF THAT CERTAIN TRACT OF LAND CONVEYED TO SHIPMAN COMPANIES, LP IN THAT DEED RECORDED IN DOCUMENT NO. D221123842, DEED RECORDS, TARRANT COUNTY, TEXAS AND APPROXIMATELY 3.693 ACRES OF LAND MORE OR LESS OF RIGHTS-OF-WAY OUT OF THE HIRAM RIDDLE SURVEY, ABSTRACT NO. 1329, AND APPROXIMATELY 1.087 ACRES OF LAND MORE OR LESS OF RIGHTS-OF-WAY OUT OF THE MOSES WALTERS SURVEY, ABSTRACT NO. 1598, TARRANT COUNTY, TEXAS, BEING A PORTION OF CLEBURNE-CROWLEY ROAD (VARIABLE R-O-W), IN TARRANT COUNTY, TEXAS (CASE NO. AX-21-007) 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 Shipman Companies, LP, A Texas Limited Partnership, the owners, requesting the full-purpose annexation of 116.770 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, Shipman Companies, LP, A Texas Limited Partnership, 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 3.693 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 November 2, 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 116.770 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:

A TRACT OF LAND SITUATED IN THE HIRAM RIDDLE SURVEY, ABSTRACT NO. 1329, TARRANT COUNTY, TEXAS, BEING ALL OF THAT CERTAIN TRACT OF LAND CONVEYED TO SHIPMAN COMPANIES, LP IN THAT DEED RECORDED IN DOCUMENT NO. D221123842, DEED RECORDS, TARRANT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND IN THE WESTERLY RIGHT-OF-WAY LINE OF McCART AVENUE (VARIABLE R-O-W) FOR THE MOST EASTERLY SOUTHEAST CORNER OF SAID SHIPMAN COMPANIES, LP TRACT AND FOR THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO SOUTH CENTRAL CHURCH OF CHRIST OF CROWLEY IN THAT DEED RECORDED IN DOCUMENT NO. D215004469, DEED RECORDS, TARRANT COUNTY, TEXAS;

THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE AND SAID COMMON CORNER S 89°20'44" W ALONG THE NORTH LINE OF SAID SOUTH CENTRAL CHURCH OF CHRIST OF CROWLEY TRACT, A DISTANCE OF 361.44 FEET TO A 5/8" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID SOUTH CENTRAL CHURCH OF CHRIST OF CROWLEY TRACT AND FOR THE NORTHEAST CORNER OF LOT 1, BLOCK 1, CHILES ADDITION, ACCORDING TO THAT PLAT RECORDED IN CABINET B, SLIDE 2534, PLAT RECORDS, TARRANT COUNTY, TEXAS;

THENCE S 89°27'45" W ALONG THE NORTH LINE OF SAID LOT 1, BLOCK 1, A DISTANCE OF 294.89 FEET TO A 1/2" IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 1;

THENCE S 00°28'39" E ALONG THE WEST LINE OF SAID LOT 1, BLOCK 1, A DISTANCE OF 360.71 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544" IN THE NORTH RIGHT-OF-WAY LINE OF CLEBURNE-CROWLEY ROAD (VARIABLE R-O-W) FOR THE MOST SOUTHERLY SOUTHEAST CORNER OF SAID SHIPMAN COMPANIES, LP TRACT AND FOR THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK 1 FROM WHICH A BENT 1/2" IRON ROD FOUND BEARS S 00°28'39" E, A DISTANCE OF 0.31 FEET;

THENCE S 89°31'04" W ALONG SAID NORTH RIGHT-OF-WAY LINE AND THE SOUTH LINE OF SAID SHIPMAN COMPANIES, LP TRACT, A DISTANCE OF 1465.69 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544" FOR THE SOUTHWEST CORNER OF SAID SHIPMAN COMPANIES, LP TRACT;

THENCE LEAVING SAID NORTH RIGHT-OF-WAY LINE N 00°00'00" W, A DISTANCE OF 961.47 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544";

THENCE N 90°00'00" W, A DISTANCE OF 223.98 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544";

THENCE N 00°35'29" W, A DISTANCE OF 790.85 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544";

THENCE N 90°00'00" E, A DISTANCE OF 481.05 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544";

THENCE N 43°36'19" E, A DISTANCE OF 468.19 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544";

THENCE N 00°00'00" W, A DISTANCE OF 572.65 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544" IN THE SOUTH RIGHT-OF-WAY LINE OF DUBLIN RIDGE DRIVE (50' R-O-W) FOR THE NORTHWEST CORNER OF SAID SHIPMAN COMPANIES, LP TRACT;

THENCE N 89°49'48" E ALONG SAID SOUTH RIGHT-OF-WAY LINE AND THE NORTH LINE OF SAID SHIPMAN COMPANIES, LP TRACT, A DISTANCE OF 1529.52 FEET TO AN "X"-CUT FOUND FOR THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY LINE AND THE WEST RIGHT-OF-WAY LINE OF McCART AVENUE (VARIABLE R-O-W) AND FOR THE NORTHEAST CORNER OF SAID SHIPMAN COMPANIES, LP TRACT;

THENCE S 00°26'28" E ALONG SAID WEST RIGHT-OF-WAY LINE AND THE EAST LINE OF SAID SHIPMAN COMPANIES, LP TRACT, A DISTANCE OF 2288.63 FEET TO THE POINT OF BEGINNING, AND CONTAINING 116.770 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 3.693 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", "C", "D" and "E" 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 "F" 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

Mary J. Kayser
City Secretary

ADOPTED AND EFFECTIVE: _____

Exhibit B
Legal Description for Road and Right-of-Way
“Portion of Cleburne Crowley Road”

A TRACT OF LAND SITUATED IN THE HIRAM RIDDLE SURVEY, ABSTRACT NO. 1329, TARRANT COUNTY, TEXAS, BEING A PORTION OF CLEBURNE-CROWLEY ROAD (VARIABLE R-O-W), IN TARRANT COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544" IN THE NORTHERLY RIGHT-OF-WAY LINE OF SAID CLEBURNE-CROWLEY ROAD (VARIABLE R-O-W) AT THE SOUTHWEST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO SHIPMAN COMPANIES, LP IN THAT DEED RECORDED IN DOCUMENT NO. D221123842, DEED RECORDS, TARRANT COUNTY, TEXAS;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND THE SOUTHERLY LINE OF SAID SHIPMAN COMPANIES, LP TRACT N 89°31'04" E, A DISTANCE OF 1234.62 FEET TO A POINT;

THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE AND SAID SOUTHERLY LINE S 00°11'47" E, A DISTANCE 65.71 FEET TO A 1/2 INCH IRON ROD FOUND WITH A CAP "RPLS 5854" IN THE SOUTHERLY RIGHT-OF-WAY LINE OF CLEBURNE-CROWLEY ROAD (VARIABLE R-O-W) AT THE NORTHEASTERLY CORNER OF LOT 1X HOA, SOUTHFORK ESTATES, ACCORDING TO THAT PLAT RECORDED IN DOCUMENT NO. D218054861 AND DOCUMENT NO. D219262431, PLAT RECORDS, TARRANT COUNTY, TEXAS;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE S 89°25'22" W, A DISTANCE OF 1108.28 FEET TO A 1/2 INCH IRON ROD FOUND IN THE EASTERLY LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO CROWLEY ISD IN THAT DEED RECORDED IN DOCUMENT NO. D220273676, DEED RECORDS, TARRANT COUNTY, TEXAS AT THE NORTHWESTERLY CORNER OF LOT 1X HOA, SOUTHFORK ESTATES, ACCORDING TO THAT PLAT RECORDED IN DOCUMENT NO. D218054861 AND DOCUMENT NO. D219262431, PLAT RECORDS, TARRANT COUNTY, TEXAS;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND SAID EASTERLY LINE N 45°54'43" E, A DISTANCE OF 20.33 FEET TO A POINT AT THE NORTHEASTERLY CORNER OF SAID CROWLEY ISD TRACT;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND THE NORTH LINE OF SAID CROWLEY ISD TRACT S 89°25'22" W, A DISTANCE OF 140.64 FEET TO A POINT;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND SAID NORTHERLY LINE S 89°25'22" W, A DISTANCE OF 382.33 FEET TO A POINT;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND SAID NORTHERLY LINE S 70°13'57" W, A DISTANCE OF 160.98 FEET TO A POINT;

THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY LINE AND SAID NORTHERLY LINE N 00°33'16" W, A DISTANCE OF 107.56 FEET TO A MAG NAIL FOUND AT THE SOUTHWESTERLY CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO JAMES HAMPTON IN THAT DEED RECORDED IN VOLUME 9102, PAGE 2124, DEED RECORDS, TARRANT COUNTY, TEXAS, AND AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF OLD CLEBURNE-CROWLEY JUNCTION ROAD (VARIABLE R-O-W) AND SAID NORTHERLY RIGHT-OF-WAY LINE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE N 89°31'04" E, A DISTANCE OF 534.32 FEET TO THE POINT OF BEGINNING, AND CONTAINING 2.605 ACRES OF LAND, MORE OR LESS.

Exhibit D
Legal Description for Road and Right-of-Way
“Portion of McCart Avenue”

A TRACT OF LAND SITUATED IN THE MOSES WALTERS SURVEY, ABSTRACT NO. 1598, TARRANT COUNTY, TEXAS, AND IN THE BEVERLY POOL SURVEY, ABSTRACT NO. 1243, TARRANT COUNTY, TEXAS, BEING A PORTION OF THE UNRECORDED PRESCRIPTIVE RIGHT-OF-WAY OF Mc CART AVENUE (VARIABLE R-O-W) IN TARRANT COUNTY, TEXAS, TOGETHER WITH A PORTION OF A TRACT OF LAND CONVEYED TO CH TNC KARIS INVESTMENTS LLC IN THAT DEED RECORDED IN DOCUMENT NO. D221088923, DEED RECORDS, TARRANT COUNTY, TEXAS, AND ALSO BEING A PORTION OF THE RIGHT-OF-WAY EASEMENT GRANTED TO TARRANT COUNTY IN THAT DOCUMENT RECORDED IN DOCUMENT NO. D209202777, DEED RECORDS, TARRANT COUNTY, TEXAS, BEING A PORTION OF THE RIGHT-OF-WAY EASEMENT GRANTED TO CROWLEY INDEPENDENT SCHOOL DISTRICT IN THAT DOCUMENT RECORDED IN DOCUMENT NO. D208383230, DEED RECORDS, TARRANT COUNTY, TEXAS,

BEGINING AT AN "X"-CUT FOUND AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF DUBLIN RIDGE DRIVE (50' R-O-W) AND THE WEST RIGHT-OF-WAY LINE OF Mc CART AVENUE (VARIABLE R-O-W) AND FOR THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO SHIPMAN COMPANIES, LP IN THAT DEED RECORDED IN DOCUMENT NO. D221123842, DEED RECORDS, TARRANT COUNTY, TEXAS;

THENCE S 00°26'28" E ALONG SAID WEST RIGHT-OF-WAY LINE AND THE EAST LINE OF SAID SHIPMAN COMPANIES, LP TRACT, A DISTANCE OF 46.74 FEET TO A POINT IN THE WEST LINE OF A 40' RIGHT-OF-WAY DEDICATION CONVEYED TO THE CITY OF FORT WORTH BY THE ROSEMARY INTERMEDIATE SCHOOL ADDITION, ACCORDING TO THAT PLAT RECORDED IN DOCUMENT NO. D207182982, PLAT RECORDS, TARRANT COUNTY, TEXAS, SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE LEAVING SAID EAST LINE AND CONTINUING ALONG SAID WEST LINE S 02°15'33" E, A DISTANCE OF 804.37 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID 40' RIGHT-OF-WAY DEDICATION AND FOR THE NORTHWEST CORNER OF A RIGHT-OF-WAY DEDICATION CONVEYED TO THE CITY OF CROWLEY IN THAT DOCUMENT RECORDED IN DOCUMENT NO. D216001842, DEED RECORDS, TARRANT COUNTY, TEXAS;

THENCE LEAVING SAID COMMON CORNER S 00°56'24" W ALONG THE WEST LINE OF SAID RIGH-OF-WAY DEDICATION, A DISTANCE OF 74.80 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544" FOR THE SOUTHWEST CORNER OF SAID RIGHT-OF-WAY DEDICATION AND FOR THE NORTHWEST CORNER OF A RIGHT-OF-WAY DEDICATION CONVEYED TO

THE CITY OF CROWLEY BY MIRAVARDE SOUTH, PHASE I, ACCORDING TO THAT PLAT RECORDED IN DOCUMENT NO. D220248939, PLAT RECORDS, TARRANT COUNTY, TEXAS;

THENCE LEAVING SAID COMMON CORNER S 00°39'53" W ALONG THE WEST LINE OF SAID RIGH-OF-WAY DEDICATION, A DISTANCE OF 57.59 FEET TO A 1/2" IRON ROD FOUND WITH A CAP STAMPED "RPLS 5544" FOR THE SOUTHWEST CORNER OF SAID RIGHT-OF-WAY DEDICATION, SAID 1/2" IRON ALSO BEING IN THE WEST LINE SAID TRACT OF LAND CONVEYED TO CH TNC KARIS INVESTMENTS LLC IN THAT DEED RECORDED IN DOCUMENT NO. D221088923, DEED RECORDS, TARRANT COUNTY, TEXAS;

THENCE LEAVING SAID CORNER AND SAID WEST LINE S 89°17'01" E ALONG THE SOUTH LINE OF SAID RIGH-OF-WAY DEDICATION, A DISTANCE OF 46.67 FEET TO A POINT;

THENCE LEAVING SAID SOUTH LINE S 02°12'24" E, A DISTANCE OF 220.87 FEET TO A POINT;

THENCE S 15°33'56" W, A DISTANCE OF 33.02 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 2296.13 FEET AND WHOSE LONG CHORD BEARS S 08°34'10" W, 322.88 FEET;

THENCE WITH SAID NON-TANGENT CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 08°03'49", AN ARC LENGTH OF 323.14 FEET TO A POINT;

THENCE S 88°40'46" W, A DISTANCE OF 4.73 FEET TO A POINT;

THENCE S 00°40'31" W, A DISTANCE OF 598.88 FEET TO A 5/8" IRON ROD FOUND IN THE EAST LINE OF SAID SHIPMAN COMPANIES TRACT FOR THE SOUTHWEST CORNER OF SAID CH TNC KARIS INVESTMENTS LLC TRACT;

THENCE N 00°26'28" W ALONG SAID EAST LINE, A DISTANCE OF 2107.50 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.087 ACRES OF LAND MORE OR LESS.

Exhibit E

Map of Road and Right-of-Way

"Portion of McCart Avenue"

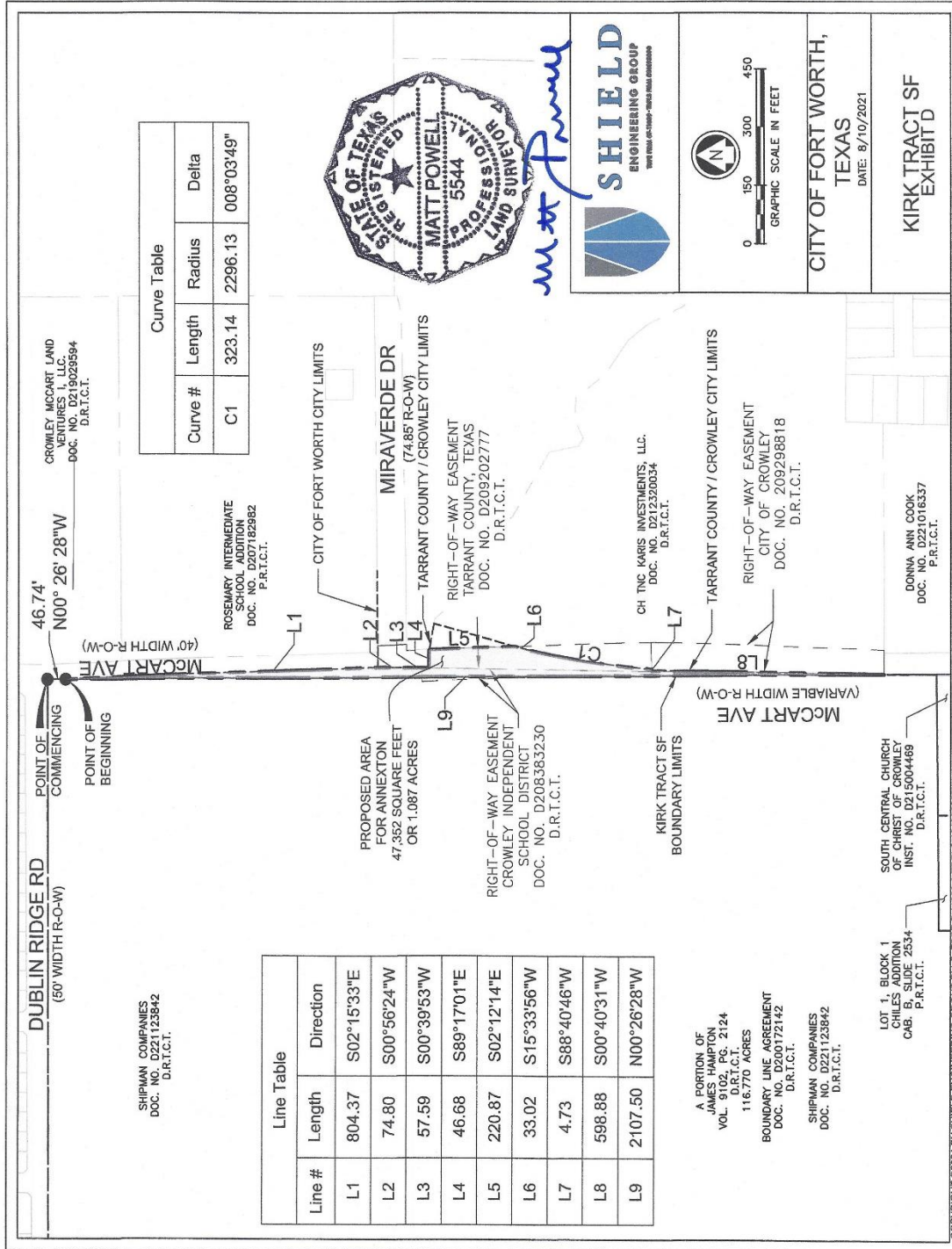


Exhibit F
Municipal Services Agreement