

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 18.510 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 (CASE NO. AX-22-009) 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 Northwest Independent School District, the owners, requesting the full-purpose annexation of 18.510 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, Section 43.0672 of the Texas Local Government Code, Northwest Independent School District, 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 43.0673 of the Local Government Code on November 8, 2022 at 6:00 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 18.510 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 18.510 acres of land situated in the W.N. Sample Survey, Abstract No. 1207, Denton County, Texas, and being all of that certain tract of land conveyed to the Northwest I.S.D., according to the deed filed in Instrument #2018-109099, Deed Records of Denton County, Texas (D.R.D.C.T.); and being more particularly described by metes and bounds as follows:

BEGINNING at a reentrant corner of said Northwest I.S.D. tract, also being the southwest corner of Right-of-Way (R-O-W) for Texan Drive (variable width), according to the plat of Northwest I.S.D. Addition, an addition to the City of Fort Worth, Denton County, Texas, as recorded in Cabinet U, Page 188, Plat Records of Denton County, Texas (P.R.D.C.T.)

THENCE N 89°12'18" E, along the most easterly north line of said Northwest I.S.D. tract, and along the south R-O-W line of said Texan Drive, a distance of 138.07 feet to the northwest corner of a remainder tract of land described in deed to OLP Real Estate, Ltd, according to the deed filed in Instrument #2007-55420, D.R.T.C.T., also being the most easterly northeast corner of said Northwest I.S.D. tract, and also being in the south R-O-W line of said Texan Drive;

THENCE S 00°27'52" W, along the east line of said Northwest I.S.D. tract, and along the west line of said OLP Real Estate remainder tract, a distance of 695.99 feet to the southeast corner of said Northwest I.S.D. tract, also being the northeast corner of Lot 1, Block 1, Wilson Addition, an addition to the City of Fort Worth, Denton County, Texas, as recorded in Instrument No. 2020-191, P.R.D.C.T.;

THENCE N 76°27'41" W, along the south line of said Northwest I.S.D. tract, and along the north line of said Lot 1, Block 1, Wilson Addition, a distance of 1024.34 feet to the southwest corner of said Northwest I.S.D. tract, also being the northwest corner of said Lot 1, Block 1, Wilson Addition, and also being in the east line of Lot 2, Block A, Northlink Logistics Center, an addition to the City of Fort Worth, Denton County, Texas, as recorded in Instrument No. 2019-457, P.R.D.C.T.;

THENCE N 00°29'50" E, along the west line of said Northwest I.S.D. tract, and along the east line of said Lot 2, Block A, Northlink Logistics Center, a distance of 721.43 feet to the northwest corner of said Northwest I.S.D. tract, also being the northeast corner of said Lot 2, Block A, Northlink Logistics Center, and also being in the south line of said Lot 1, Block 1, Northwest I.S.D. Addition;

THENCE N 89°11'58" E, along the north line of said Northwest I.S.D. tract, and along the south line of said Lot 1, Block 1, Northwest I.S.D. Addition, a distance of 849.19 feet to a reentrant corner of said Lot 1, also being the northeast corner of said Northwest I.S.D. tract;

THENCE S 01°39'43" E, along the most southerly west line of said Lot 1, Block 1, Northwest I.S.D. Addition, also passing along the west end of the R-O-W of said Texan Drive, and along the most northerly east line of said Northwest I.S.D. tract, a distance of 279.14 feet to the **POINT OF BEGINNING and containing 18.510 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 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 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
Deputy City Attorney

Jannette S. Goodall
City Secretary

ADOPTED AND EFFECTIVE: _____

EXHIBIT B
MUNICIPAL SERVICES AGREEMENT
To be attached