

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 0.8642 ACRES OF LAND, MORE OR LESS, OUT OF THE B.R. LACY SURVEY, ABSTRACT NO. 990, CITY OF HASLET, TARRANT COUNTY, TEXAS, BEING A PORTION OF A CALLED 10.0000 ACRE TRACT DESCRIBED IN DEED TO MERJ PROPERTIES LLC IN D215010939, OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS (CASE NO. AX-21-012) 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 AutoZone Parts, Inc., the owners, requesting the full-purpose annexation of 0.8642 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 AutoZone Parts, Inc., 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 January 25, 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 0.8642 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 BEING A PORTION OF A CALLED 10.0000 ACRE TRACT DESCRIBED IN DEED TO MERJ PROPERTIES LLC IN D215010939, OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS. (OPRTCT) AND BEING LOCATED IN THE B.R. LACY SURVEY, ABSTRACT NO. 990, CITY OF HASLET, TARRANT COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A FOUND 1/2" IRON ROD (CONTROLLING MONUMENT) AT THE NORTHEAST CORNER OF SAID CALLED 10.0000 ACRE TRACT BEING LOCATED ON THE WEST RIGHT OF WAY LINE OF BURLINGTON NORTHERN RAILROAD;

THENCE ON SAID WEST RIGHT OF WAY LINE S 21°35'03" E A DISTANCE OF 974.34 FEET TO A SET 1/2" IRON ROD WITH CAP STAMPED "RPLS 6008" AT THE SOUTHEAST CORNER OF SAID CALLED 10.0000 ACRE TRACT AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF AVONDALE-HASLET ROAD (AKA CR 4029) AND THE WEST RIGHT OF WAY LINE OF BURLINGTON NORTHERN RAILROAD, FROM WHICH A FOUND 1/2" IRON ROD (CONTROLLING MONUMENT) ON THE FORMER NORTH RIGHT OF WAY LINE OF AVONDALE-HASLET ROAD (AKA C.R. 4029) BEARS N 90°00'00" W (REFERENCE BEARING) A DISTANCE OF 1876.00 FEET;

THENCE ON THE SOUTH LINE OF SAID CALLED 10.0000 ACRES AND THE NORTH RIGHT OF WAY LINE OF SAID AVONDALE-HASLET ROAD N 90°00'00" W A DISTANCE OF 350.00 FEET TO A SET 1/2" IRON ROD WITH CAP STAMPED "RPLS 6008" AT THE POINT OF BEGINNING;

THENCE N 90°00'00" W A DISTANCE OF 213.00 FEET TO A SET 1/2" IRON ROD WITH CAP STAMPED "RPLS 6008";

THENCE N 00°42'35" W A DISTANCE OF 85.00 FEET TO A SET 1/2" IRON ROD WITH CAP STAMPED "RPLS 6008";

THENCE S 90°00'00" E A DISTANCE OF 67.00 FEET TO A SET 1/2" IRON ROD WITH CAP STAMPED "RPLS 6008";

THENCE N 00°00'00" W A DISTANCE OF 135.00 FEET TO A SET MAG NAIL W/ WASHER STAMPED "RPLS 6008";

THENCE N 90°00'00" E A DISTANCE OF 145.00 FEET TO A SET MAG NAIL W/ WASHER STAMPED "RPLS 6008";

THENCE S 00°00'00" E A DISTANCE OF 220.00 FEET TO THE POINT OF BEGINNING; CONTAINING 37,645 SQUARE FEET OR 0.8642 ACRES, 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 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

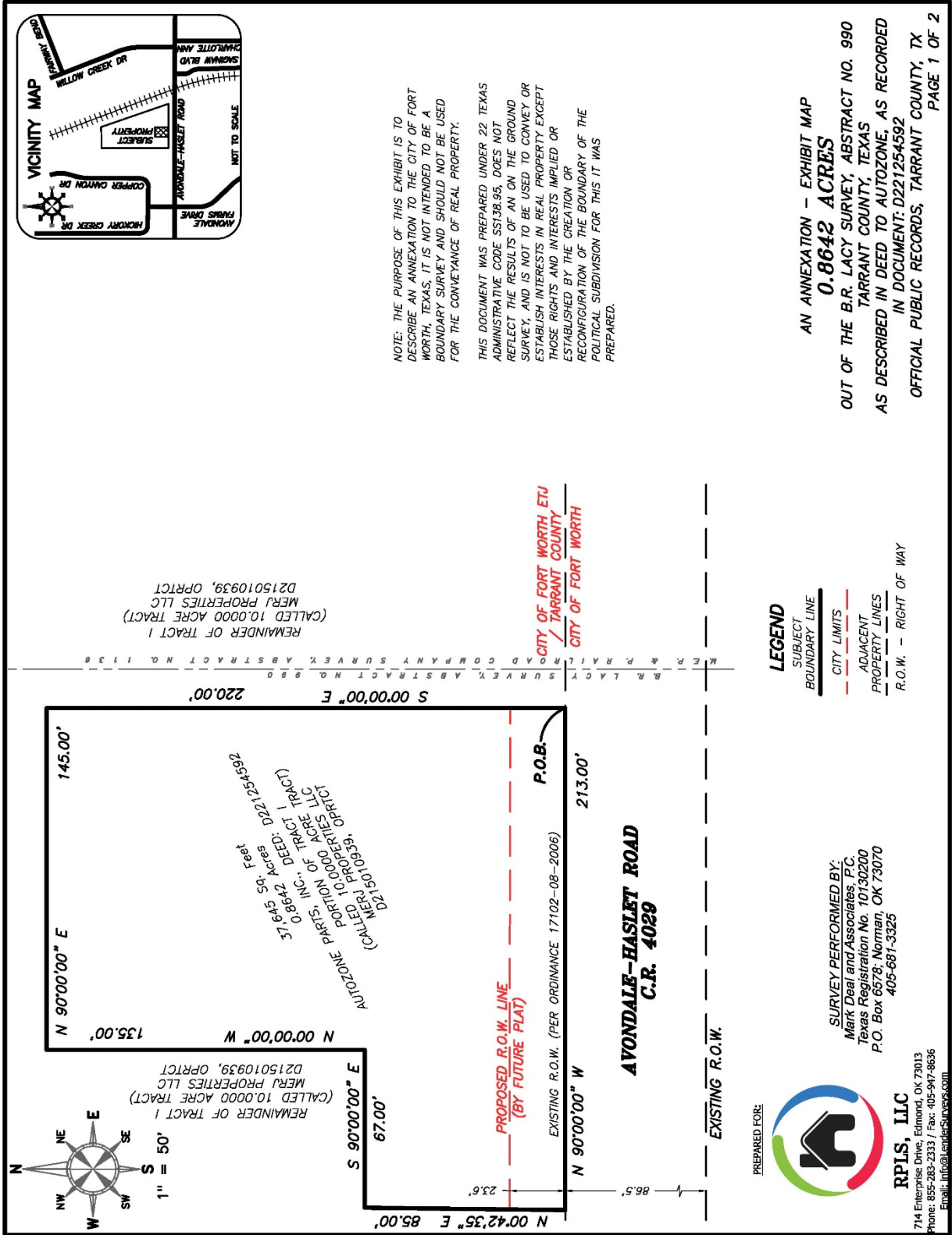


Exhibit B
Municipal Services Agreement