

**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 460.186 ACRES OF LAND, MORE OR LESS, OUT OF THE L. BUTLER SURVEY, ABSTRACT NUMBER 64, THE G. OVERTON SURVEY, ABSTRACT NUMBER 972, THE W. SAMPLE SURVEY, ABSTRACT NUMBER 1207, THE W. ZECKULAR SURVEY, ABSTRACT NUMBER 1454 AND THE A.W. ROBERTSON SURVEY, ABSTRACT NUMBER 1553, IN DENTON COUNTY, TEXAS (CASE NO. AX-19-009) 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 AIL Investment, L.P. / AIL West, LLC., the owners, requesting the full-purpose annexation of 460.186 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**, the City is a Tier 2 municipality for purposes of annexation under Chapter 43 of the Texas Local Government Code (“LGC”); 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, Roanoke Ranch & Investment, L.P. 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 September 10, 2019 at 7:00 p.m., at the City Council Chamber; and

**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 460.186 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** A TRACT OF LAND SITUATED IN THE L. BUTLER SURVEY, ABSTRACT NUMBER 64, THE G. OVERTON SURVEY, ABSTRACT NUMBER 972, THE W. SAMPLE SURVEY, ABSTRACT NUMBER 1207, THE W. ZECKULAR SURVEY, ABSTRACT NUMBER 1454 AND THE A.W. ROBERTSON SURVEY, ABSTRACT NUMBER 1553, DENTON COUNTY, TEXAS AND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO AIL INVESTMENT, LP RECORDED IN INSTRUMENT NUMBER 2019-15666, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS, BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN DEED TO AIL WEST, LLC RECORDED IN INSTRUMENT NUMBER 2019-15667, SAID REAL PROPERTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

**BEGINNING** IN THE WEST LINE OF SAID AIL TRACTS AND BEING IN THE EAST RIGHT-OF-WAY LINE OF F. M. 156, (A VARIABLE WIDTH RIGHT-OF-WAY), THE BEGINNING OF A CURVE TO THE RIGHT;

**THENCE** WITH THE EAST RIGHT-OF-WAY OF SAID F. M. 156 THE FOLLOWING COURSES AND DISTANCES;

WITH SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 2563.58 FEET, THROUGH A CENTRAL ANGLE OF 32°45'34", HAVING A RADIUS OF 4483.66 FEET, THE LONG CHORD WHICH BEARS N 25°08'59"E, 2528.80 FEET;

N 41°31'45"E, 2286.16 FEET, TO THE BEGINNING OF A CURVE TO THE RIGHT;

WITH SAID CURVE TO THE RIGHT, AN ARC DISTANCE OF 57.54 FEET, THROUGH A CENTRAL ANGLE OF 01°11'33", HAVING A RADIUS OF 2764.79 FEET, THE LONG CHORD WHICH BEARS N 42°10'18"E, 57.54 FEET;

S 47°21'19"E, 19.95 FEET, TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

WITH SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 1275.53 FEET, THROUGH A CENTRAL ANGLE OF 26°37'33", HAVING A RADIUS OF 2744.79 FEET, THE LONG CHORD WHICH BEARS N 56°02'08"E, 1264.08 FEET;

N 58°38'18"E, 98.51 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT;

WITH SAID NON-TANGENT CURVE TO THE RIGHT, AN ARC DISTANCE OF 1035.84 FEET, THROUGH A CENTRAL ANGLE OF 21°27'58", HAVING A RADIUS OF 2764.79 FEET, THE LONG CHORD WHICH BEARS N 82°05'16"E, 1029.79 FEET TO THE NORTHEAST CORNER OF SAID AIL TRACTS, BEING THE NORTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED BY DEED TO JEANNE SHELTON RECORDED IN INSTRUMENT NUMBER 1999-115848, SAID REAL PROPERTY RECORDS;

**THENCE** S 00°38'40"E, 189.80 FEET, DEPARTING SAID EAST RIGHT-OF-WAY LINE, WITH THE EAST LINE OF SAID AIL TRACTS AND THE WEST LINE OF SAID JEANNE SHELTON TRACT TO THE MOST NORTHERLY NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED BY DEED TO THE CITY OF FORT WORTH, RECORDED IN INSTRUMENT NUMBER 2003-181167, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS;

**THENCE** S 79°54'33"W, 855.69 FEET, WITH THE EAST LINE OF SAID AIL TRACTS AND THE NORTH LINE OF SAID CITY OF FORT WORTH TRACT;

**THENCE** S 11°48'34"E, 1973.67 FEET, WITH SAID EAST LINE AND THE WEST LINE OF SAID CITY OF FORT WORTH TRACT;

**THENCE** S 18°24'07"E, 1278.97 FEET, CONTINUING WITH SAID COMMON LINE TO THE NORTH LINE OF THAT TRACT OF LAND DESCRIBED BY DEED TO THE CITY OF FORT WORTH, RECORDED IN INSTRUMENT NUMBER 2005-73598, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS;

**THENCE** S 89°42'55"W, 655.44 FEET, CONTINUING WITH SAID EAST LINE AND WITH SAID NORTH LINE TO THE NORTHWEST CORNER OF SAID CITY OF FORT WORTH TRACT;

**THENCE** S 00°45'46"E, 3451.87 FEET, WITH SAID EAST LINE, TO THE SOUTHEAST CORNER OF SAID AIL TRACTS, BEING THE NORTH LINE OF THAT REMAINDER OF THAT TRACT OF LAND DESCRIBED BY DEED TO AIL

INVESTMENT, RECORDED IN VOLUME 4246, PAGE 498, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS;

**THENCE** N 87°53'57"W, 2751.33 FEET, WITH THE SOUTH LINE OF SAID AIL TRACTS AND SAID NORTH LINE, TO THE SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED BY DEED TO AIL INVESTMENT, RECORDED IN INSTRUMENT NUMBER 2014-98370, REAL PROPERTY RECORDS, DENTON COUNTY, TEXAS;

**THENCE** N 00°32'37"W, 26.74 FEET, CONTINUING WITH SAID SOUTH LINE AND WITH THE EAST LINE OF SAID AIL INVESTMENT TRACT;

**THENCE** N 34°12'59"E, 939.29 FEET, CONTINUING WITH SAID COMMON LINE;

**THENCE** N 00°32'37"W, 167.80 FEET, CONTINUING WITH SAID COMMON LINE TO THE NORTHEAST CORNER OF SAID AIL INVESTMENT TRACT;

**THENCE** S 89°27'28"W, 843.17 FEET, TO THE NORTHWEST CORNER OF SAID AIL INVESTMENT TRACT;

**THENCE** DEPARTING SAID SOUTH LINE OVER AND ACROSS SAID AIL TRACTS THE FOLLOWING BEARINGS AND DISTANCES:

N 00°59'29"E, 109.87 FEET;

N 89°42'54"W, 802.96 FEET;

N 00°18'30"E, 827.19 FEET;

**THENCE** N 88°49'57"W, 291.31 FEET, TO THE **POINT OF BEGINNING** AND CONTAINING 20,045,698 SQUARE FEET OR 460.186 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 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 Service Plan and shall be bound by the acts, ordinances, resolutions and regulations of the City of Fort Worth, Texas.

**SECTION 4.**

That the Municipal Services Agreements 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.

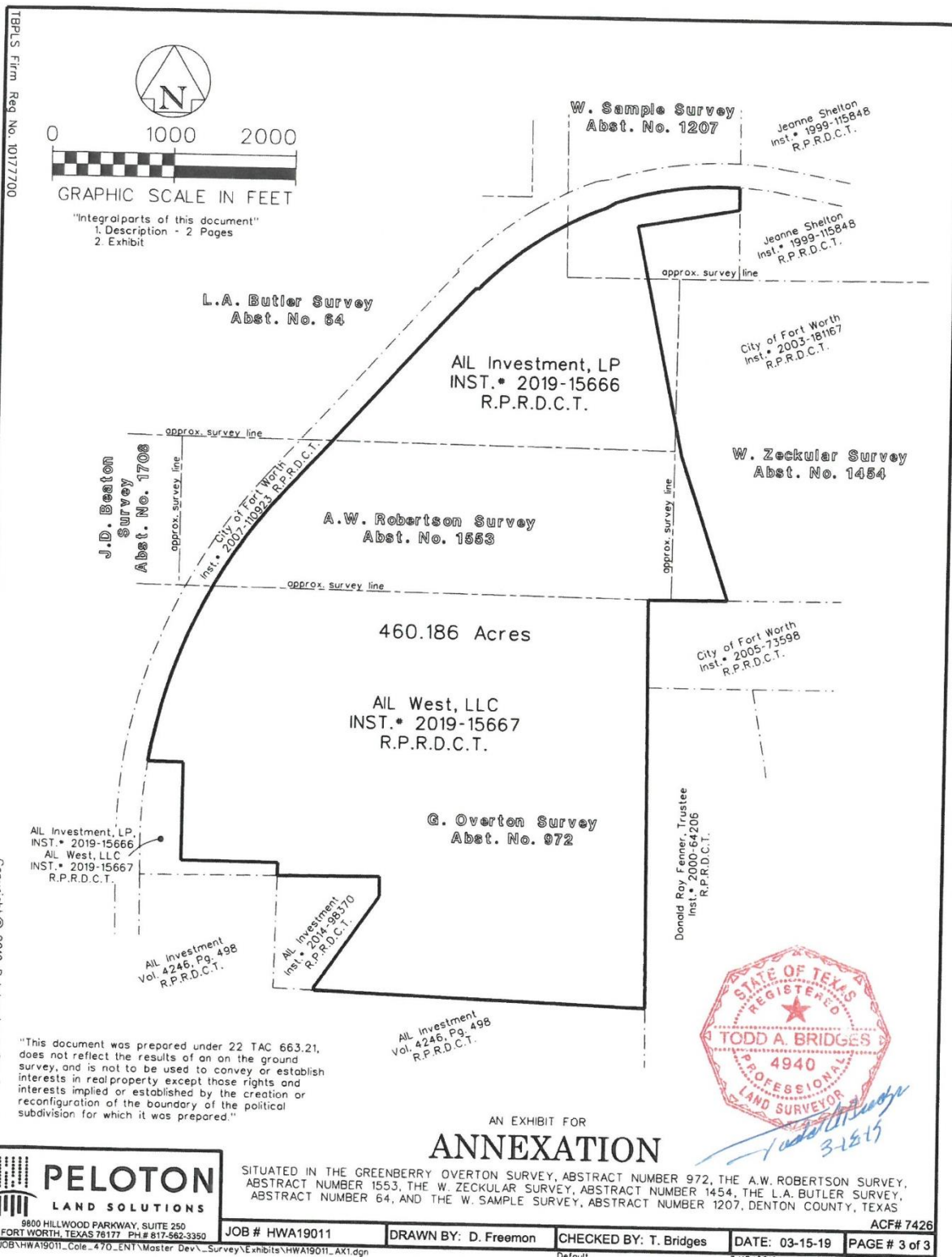
APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Melinda Ramos  
Senior Assistant City Attorney

\_\_\_\_\_  
Mary J. Kayser  
City Secretary

ADOPTED AND EFFECTIVE: \_\_\_\_\_

# EXHIBIT A MAP OF PROPERTY



**EXHIBIT B**  
**MUNICIPAL SERVICES AGREEMENT**  
*(to be inserted)*