

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 29.2358 ACRES OF LAND, MORE OR LESS, OUT OF THE OUT OF THE JOSIAH WALKER SURVEY, IN TARRANT COUNTY, TEXAS; SAID TRACT BEING PART OF THAT TRACT OF LAND DESCRIBED IN WARRANTY DEED TO L.C. TUBB JR. RECORDED IN VOLUME 9966, PAGE 1891 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS; SAID TRACT ALSO BEING PART OF THAT TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED TO L.C.T. PROPERTIES RECORDED IN VOLUME 11656, PAGE 2064 OF SAID DEED RECORDS (CASE NO. AX-20-007) 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 L.C.T. Properties, a Texas General Partnership, L.C. Tubb, Jr. and Judy Brown, the owners, requesting the full-purpose annexation of 29.2358 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, L.C.T. Properties, a Texas General Partnership, L.C. Tubb, Jr. and Judy Brown 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 December 15, 2020 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 29.2358 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 29.2358 acre (1,273,511 square foot) tract of land situated in the Josiah Walker Survey, Tarrant County, Texas; said tract being part of that tract of land described in Warranty Deed to L.C. Tubb Jr. recorded in Volume 9966, Page 1891 of the Deed Records of Tarrant County, Texas; said tract also being part of that tract of land described in Special Warranty Deed to L.C.T. Properties recorded in Volume 11656, Page 2064 of said Deed Records; said tract being more particularly described as follows:

BEGINNING at a point for the southeast corner of said L.C.T. Properties tract; said point being in the west right-of-way line of Harmon Road (a variable width right-of-way);

THENCE South 89°51'43" West, departing the said west line of Harmon Road, a distance of 1297.93 feet to a point for corner in the east line of said L.C. Tubb Jr. tract;

THENCE North 0°09'16" West, along the said east line of the L.C. Tubb Jr. tract, a distance of 117.49 feet to a point for corner;

THENCE South 89°45'04" West, departing the said east line of the L.C. Tubb Jr. tract, a distance of 593.54 feet to a point for corner in the west line of said L.C. Tubb Jr. tract;

THENCE North 0°09'07" West, along the said west line of the L.C. Tubb Jr. tract, a distance of 932.53 feet to a point for corner; said point being the northwest corner of said L.C. Tubb Jr. tract;

THENCE South 89°59'42" East, along the north line of said L.C. Tubb Jr. tract, a distance of 593.50 feet to a point for corner; said point being the northeast corner of said L.C. Tubb Jr. tract;

THENCE South 0°09'16" East, along the said east line of the L.C. Tubb Jr. tract, a distance of 483.46 feet to a point for corner; said point being the northwest corner of said L.C.T. Properties tract;

THENCE South 89°26'16" East, along the north line of said L.C.T. Properties tract, a distance of 1295.00 feet to a point for corner in the said west line of Harmon Road;

THENCE South 0°28'16" East, along the said west line of Harmon Road, a distance of 548.11 feet to the POINT OF BEGINNING and containing 29.2358 acres or 1,273,511 square feet 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 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.

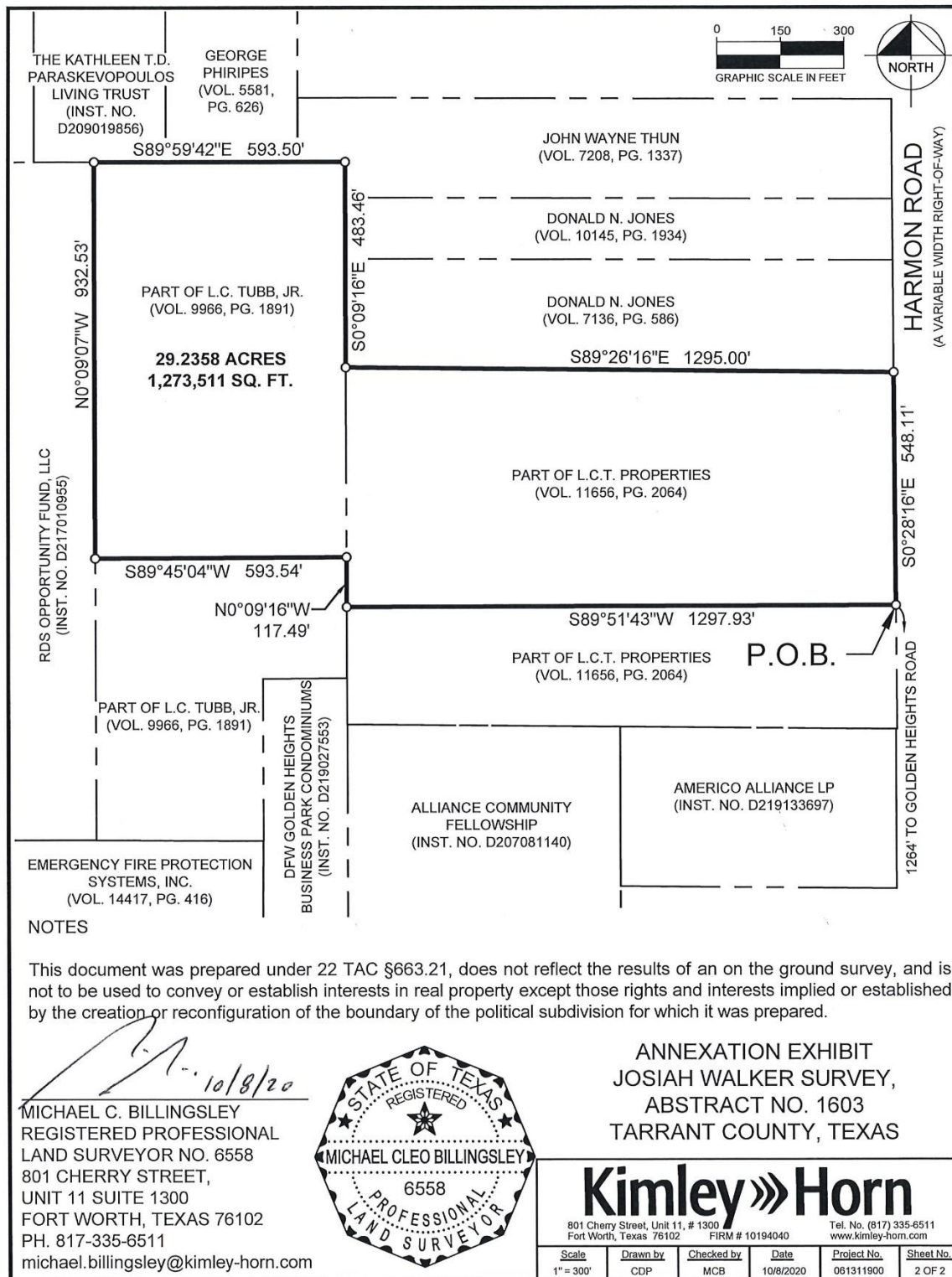
APPROVED AS TO FORM AND LEGALITY:

Melinda Ramos
Senior Assistant City Attorney

Mary J. Kayser
City Secretary

ADOPTED AND EFFECTIVE: _____

EXHIBIT A



NOTES

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

10/8/20
MICHAEL C. BILLINGSLEY
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 6558
 801 CHERRY STREET,
 UNIT 11 SUITE 1300
 FORT WORTH, TEXAS 76102
 PH. 817-335-6511
 michael.billingsley@kimley-horn.com



ANNEXATION EXHIBIT
JOSIAH WALKER SURVEY,
ABSTRACT NO. 1603
TARRANT COUNTY, TEXAS

Kimley»Horn

801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 300'	CDP	MCB	10/8/2020	061311900	2 OF 2

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Exhibit B
Municipal Services Agreement