

**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 18.46 ACRES OF LAND, MORE OR LESS, OUT OF THE HEIRS OF BENJAMIN THOMAS SURVEY, ABSTRACT NUMBER 1497, CITY OF SAGINAW, TARRANT COUNTY TEXAS, DESCRIBED BY DEED TO CFI FARM PROPERTIES LLC, RECORDED IN INSTRUMENT NUMBER D209083861 COUNTY RECORDS, TARRANT COUNTY, TEXAS AND A 0.46 ACRE PORTION OF WAGLEY ROBERTSON ROAD AS ESTABLISHED BY PRESCRIPTIVE USE (CASE NO. AX-19-013) 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 CFI Farm Properties, LLC., the owners, requesting the full-purpose annexation of 18.4 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, CFI Farm Properties, LLC and the City negotiated and entered into a written agreement, City Secretary Contract No. \_\_\_\_\_, for the provisions of municipal services in the area, attached hereto as Exhibit “C”; and

**WHEREAS**, the Property abuts 0.46 acres of county roads attached hereto as Exhibit “B”; 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 February 18, 2020 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 18.4 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 portion of that tract of land situated in the Heirs of Benjamin Thomas Survey, Abstract Number 1497, Tarrant County, Texas, described by deed to CFI Farm Properties LLC, recorded in Instrument Number 0209083861 County Records, Tarrant County, Texas, and being more particularly described as follows:

**BEGINNING** in the West line of Wagley Robertson Road (County Road No. 4108) (variable width R.O.W.), from which the Northeast corner of said CFI tract bears S 89° 54'00" E, 34.44 feet (deed call) at the Southeast corner of Wagley Robertson Road dedicated by Plat recorded in Cabinet A, Slide 4406, County Records, Tarrant County, Texas;

**THENCE** S 00° 35' 00" E, 402.9 feet, along the West line of said Wagley Robertson Road, to the North line of City of Fort Worth Annexation Ordinance No. 7916;

**THENCE** N 89° 54' 00" W, 1993.3 feet (bearings and distances referenced from said CFI Farm tract) along the North line of said City of Fort Worth Annexation Ordinance No. 7916 to the West line of said Cranz tract and the East line of City of Fort Worth Annexation Ordinance No. 16704;

**THENCE** N 00° 35' 00" W, 402.9 feet, along the East line of said City of Fort Worth Annexation Ordinance No. 16704 to the Northwest corner of said CFI tract;

**THENCE** S 89° 54' 00" E, 1993.3 feet, to the **Point of Beginning** and containing 18.4 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 right-of-way, comprising approximately 0.46 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 right-of-way being all that certain land particularly described below and depicted as on Exhibit “B” 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 Service Plan and shall be bound by the acts, ordinances, resolutions and regulations of the City of Fort Worth, Texas.

**SECTION 5.**

That the Municipal Services Agreements attached hereto as Exhibit “C” 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 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 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.

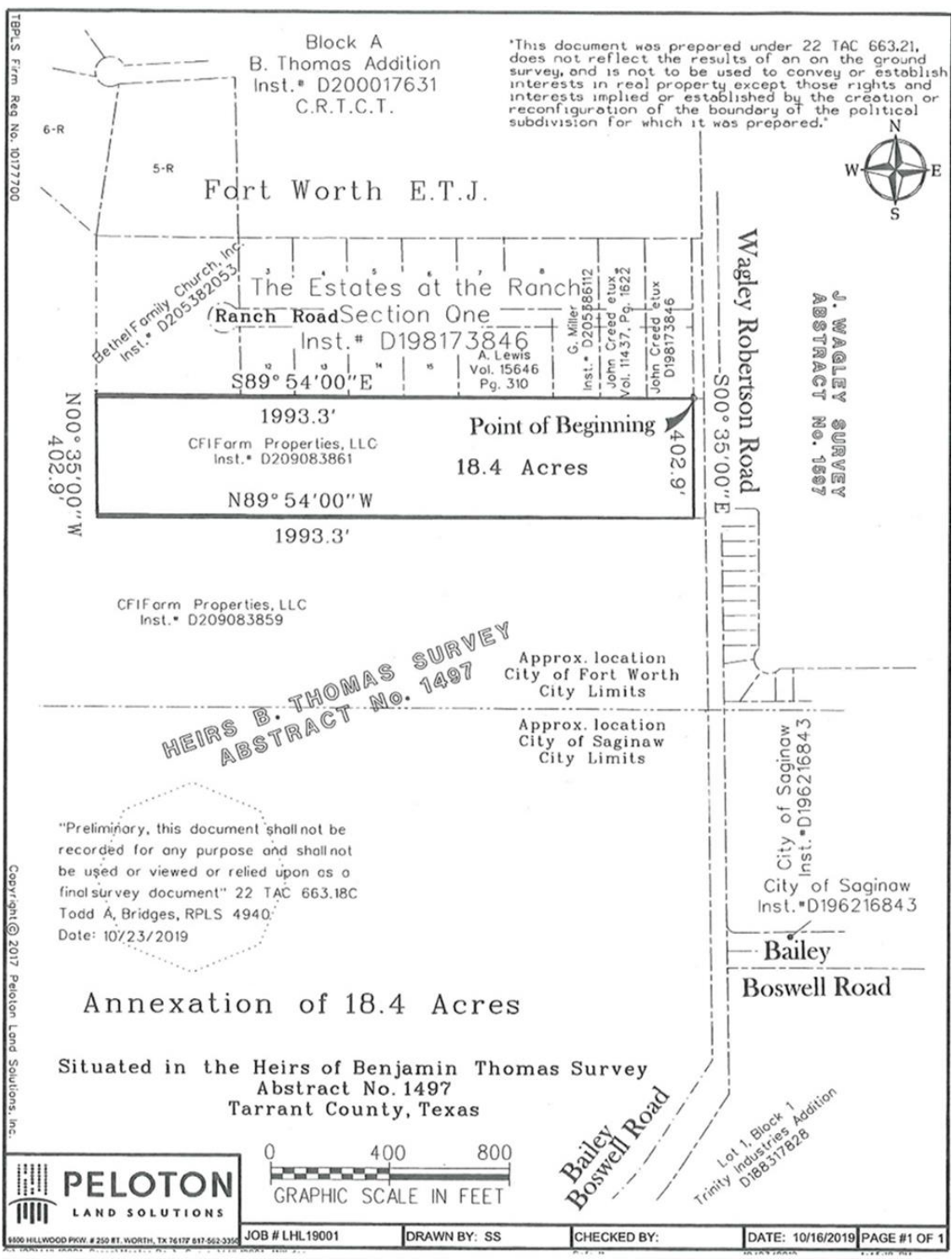
APPROVED AS TO FORM AND LEGALITY:

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

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

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

# EXHIBIT A MAP OF PROPERTY



**Exhibit B**  
**Legal Description for Right-of-Way**  
**“Portion Wagley Robertson Road”**

**BEING** a portion of that tract of land situated in the Heirs of Benjamin Thomas Survey, Abstract Number 1497, Tarrant County Texas, being a portion of Wagley Robertson Road (County Road No. 4108) (R.O.W. varies), and being more particularly described as follows:

**BEGINNING** in the West line of Wagley Robertson Road (County Road No. 4108) (variable width R.O.W.), from which the Southeast corner of that portion of Wagley Robertson Road dedicated by Plat recorded in Cabinet A, Slide 4406, County Records, Tarrant County, Texas, bears S 89° 54'00" E, 34.44 feet (per Plat);

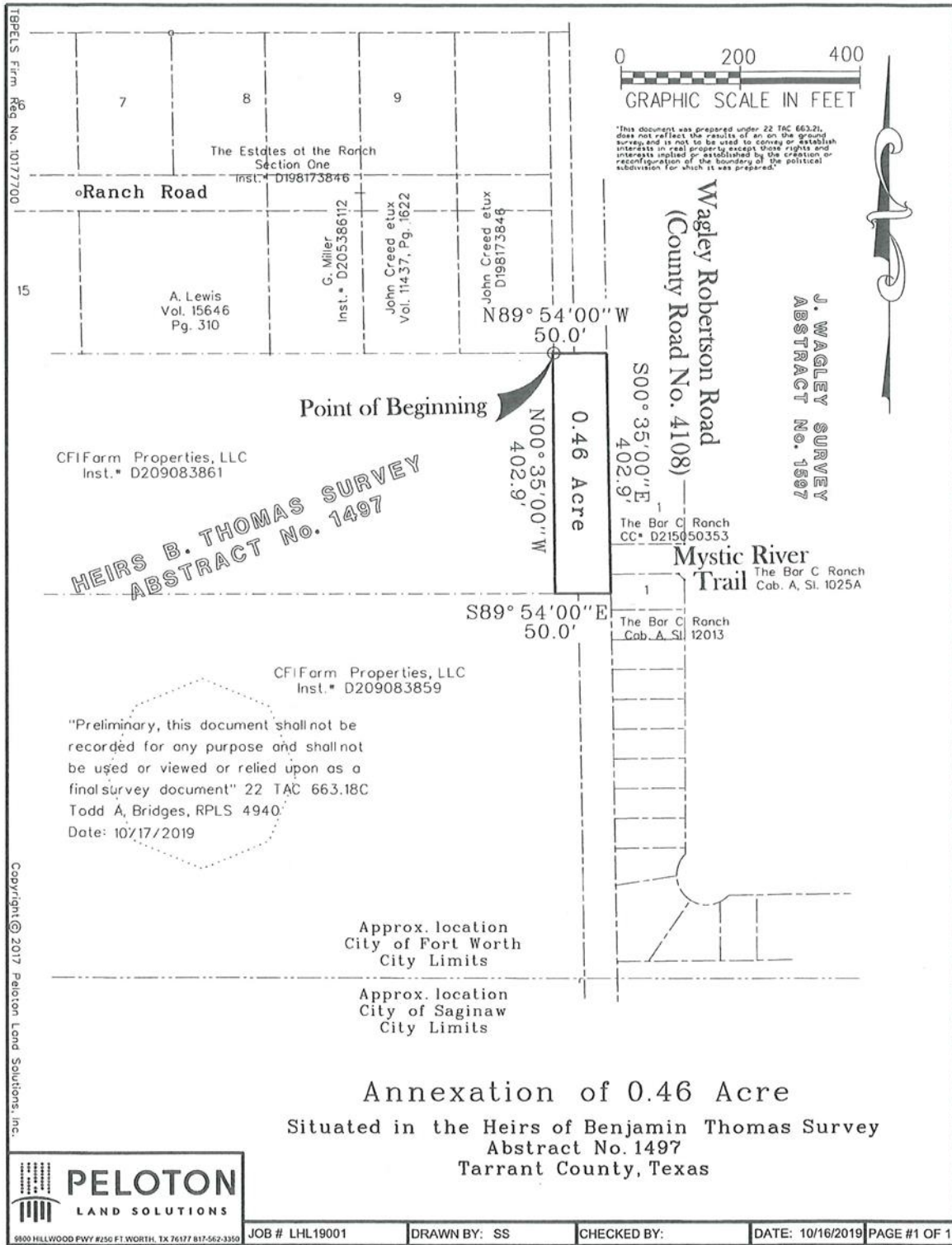
**THENCE** S 89° 54' 00" E, 50.0 feet (bearings and distances referenced from said Plat) to the East line of said Wagley Robertson Road and the West line of City of Fort Worth Annexation Ordinance No. 6390;

**THENCE** S 00° 35' 00" E, 402.9 feet along the common line of said Wagley Robertson Road and said Ordinance No. 6390;

**THENCE** N 89° 54' 00" W, 50.0 feet to the West line of said Wagley Robertson Road;

**THENCE** N 00° 35' 00" W, 402.9 feet to the **Point of Beginning** and containing 0.46 acre of land, more or less.

**EXHIBIT B**  
**“Portion Wagley Robertson Road”**



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