

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 77.9231 ACRES OF LAND, MORE OR LESS, OUT OF THE JAMES MATTHEWS SURVEY, ABSTRACT NO. 1021, TARRANT COUNTY, TEXAS; SAID POINT BEING ALL OF THAT TRACT OF LAND DESCRIBED IN GENERAL WARRANTY DEEDS TO JAMES F. WIGGINS GST EXEMPT FAMILY TRUST, ET AL RECORDED IN INSTRUMENT NOS. D215003607 THROUGH D21500362, OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS (CASE NO. AX-21-016) 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 James F. Wiggins GST Exempt Family Trust, et al, the owners, requesting the full-purpose annexation of 77.9231 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 James F. Wiggins GST Exempt Family Trust, et al, 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 March 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 77.9231 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 77.9231-acre (3,394,329 square foot) tract of land situated in the James Matthews Survey, Abstract No. 1021, Tarrant County, Texas; said point being all of that tract of land described in General Warranty Deeds to James F. Wiggins GST Exempt Family Trust, et al recorded in Instrument Nos. D215003607 through D215003621, all of the Official Public Records of Tarrant County, Texas; said tract being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found for corner in the east right-of-way line of County Road No. 4048 (Old Denton Road) (a 40-foot wide right-of-way); from said point the intersection of the said east line of County Road No. 4048 and the north right-of-way line of Westport Parkway bears South 00°28'54" East, a distance of 2,500± feet;

THENCE North 00°28'54" West, along the said east line of County Road No. 4048, a distance of 1,432.10 feet to a 1/2-inch iron rod with "CLEARFORK RPLS 5649" cap found for corner;

THENCE South 87°36'39" East, departing the said east line of County Road No. 4048, a distance of 2,626.77 feet to a point for corner in the west right-of-way line of Beach Street (a 60-foot wide right-of-way);

THENCE South 00°15'54" East, along the said west line of Beach Street, to and along the west line of Block 13, Lost Creek Ranch North, an addition to the City of Fort Worth according to the plat recorded in Cabinet A, Slide 6979 of the Plat Records of Tarrant County, Texas, a distance of 1,194.42 feet to a point for corner;

THENCE North 88°59'09" West, a distance of 183.29 feet to a point for corner;

THENCE South 89°19'21" West, a distance of 1,396.62 feet to a point for corner;

THENCE South 66°05'06" West, a distance of 250.76 feet to a point for corner;

THENCE South 89°03'51" West, a distance of 809.06 feet to the **POINT OF BEGINNING** and containing 3,394,329 square feet or 77.9231 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 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

Jannette S. Goodall
City Secretary

ADOPTED AND EFFECTIVE: _____

Exhibit B
Municipal Services Agreement