

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 64.57 ACRES OF LAND, MORE OR LESS, AND APPROXIMATELY 0.0303 ACRES OF LAND MORE OR LESS OF RIGHTS-OF-WAY OUT OF THE OUT OF THE ARCHIBALD ROBINSON SURVEY, ABSTRACT NO. 1119, AND THE ALLEN HENDERDSON SURVEY, ABSTRACT NO. 596, IN DENTON COUNTY, TEXAS (CASE NO. AX-20-001) 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 1) Russell and Kelli Ragsdale; 2) Nolin and Sammye Ragsdale; 3) I AM ONE, Inc.; 4) Cornerstone Bible Church; 5) Randal Dwayne Mahan; 6) Litsey Property, LLC; and 7) Lovjot Mashiana and Manjot Mashiana, the owners, requesting the full-purpose annexation of 64.57 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, 1) Russell and Kelli Ragsdale; 2) Nolin and Sammye Ragsdale; 3) I AM ONE, Inc.; 4) Cornerstone Bible Church; 5) Randal Dwayne Mahan; 6) Litsey Property, LLC; and 7) Lovjot Mashiana, Manjot Mashiana 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 Property abuts 0.0303 acres of county roads; 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 September 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 64.57 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 Archibald Robinson Survey, Abstract No. 1119, and the Allen Henderson Survey, Abstract No. 596, Denton County, Texas and being a part of a called 117.364 acre tract of land described in the Warranty Deed to Nolin Ragsdale recorded in Volume 1609, Page 83, Deed Records, Denton County, Texas; and being all of a called 1.00 acre tract of land described in the Warranty Deed to Russell Ragsdale and wife, Kelli Lynett Ragsdale, recorded in Instrument No. 93-R0063334, Official Records, Denton County, Texas; part of a called 40.00 acre tract of land described in the Warranty Deed to I AM ONE, INC., recorded in Instrument No. 99-R0037320, Official Records, Denton County, Texas; a part of a called 5.11 acre tract of land described in the Warranty Deed with Vendor's Lien, to Cornerstone Bible Church, recorded in Instrument No. 2017-26595, Official Records, Denton County, Texas; a part of a called 1.124 acre tract of land described in a Warranty Deed with Vendor's Lien, to Litsey Property LLC, recorded in Instrument No. 2019-35010, Official Records, Denton County, Texas, part of a called 5.001 acre tract of land described in the General Warranty Deed with Vendor's Lien, to Randal Dwayne Mahan, recorded in Instrument No. 2013-66390, Official Records, Denton County, Texas; a part of a called 5.0 acre tract of land described in Deed to Bluestone Natural Resources II, LLC, recorded in Instrument No. 2016-40923, Official Records, Denton County, Texas, and being more particularly described in Instrument No. 2013-15769, Official Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at the northwest corner of said 117.364 acre tract of land and being in the east line of a called 92.202 acre tract of land described in the Dedication Deed to the City of Fort Worth, Texas, recorded in Instrument No. 2019-83300, Official Records, Denton County, Texas, and being in the old south right-of-way line of Litsey Road (a variable width prescriptive right-of-way) and the south line of that called 337.785 acre tract of land

described in the City of Fort Worth Ordinance No. 14387, which annexed a total of 405.525 acres into the City of Fort Worth (Annexation Case No. A-00-12 dated November 14, 2000);

THENCE with said old south right-of-way line of Litsey Road and the north line of said 117.364 acre tract of land, and the north line of said 0.0303 acre tract, and the north line of said 5.11 acre tract, and said south line of said 337.785 acre tract, the following courses and distances:

North 89°22'05" East, a distance of 790.23 feet;

North 89°37'23" East, a distance of 332.07 feet the northwest corner of a called 0.0303 acre tract of land described in the Special Warranty Deed to Denton County, Texas, recorded in Volume 5549, Page 131, Official Records, Denton County, Texas, and being in the new south right-of-way line of Litsey Road (a variable width right-of-way) and the beginning of a non-tangent curve to the right having a central angle of 6°45'54", a radius of 1,260.00 feet, and a chord bearing and distance of South 86°48'12" East, 148.68 feet;

THENCE in a southeasterly direction with said curve to the right and said new south right-of-way line of Litsey Road an arc distance of 148.77 feet;

THENCE continuing with said new south right-of-way line of Litsey Road, North 89°48'51" East, a distance of 52.39 feet;

THENCE leaving said new south right-of-way line of Litsey Road, over and across said 5.11 acre tract; said 1.124 acre tract; said 5.001 acre tract; said 117.364 acre tract; said 40.00 acre tract and said 5.0 acre tract, the following courses and distances:

South 0°08'43" East, a distance of 302.27 feet to the beginning of a tangent curve to the right having a central angle of 37°50'45", a radius of 535.00 feet, a chord bearing and distance of South 18°46'40" West, 347.00 feet;

In a southwesterly direction, with said curve to the right, an arc distance of 353.39 feet to a point for corner;

South 37°42'02" West, a distance of 457.11 feet to a point in the west line of said 40.00 acre tract;

South 37°42'02" West, a distance of 508.80 feet to the beginning of a tangent curve to the left having a central angle of 74°51'28", a radius of 575.00 feet, a chord bearing and distance of South 0°16'18" West, 698.94 feet;

In a southwesterly direction, with said curve to the left, an arc distance of 751.25 feet;

South 37°09'26" East, a distance of 119.51 feet to the northwest corner of Lot 1, Block 31, Seventeen Lakes, an addition to the City of Fort Worth, Texas, according to the plat thereof record in Instrument No. 2016-100, Official Records, Denton County, Texas, also being at the north terminus line of Buckwater Way (a 50-foot right-of-way) and being in a north line of a called 201.5829 acre tract of land described in the City of Fort Worth Ordinance No. 14055, which annexed a total of 282.001 acres into the City of Fort Worth (Annexation Case No. A-99-11 dated January 11, 2000)

THENCE South 60°50'26" West, with the common line of said 201.5829 acre tract and said north terminus line of Buckwater Way, a distance of 50.49 feet to the north corner of Lot 58, Block 25, of said Seventeen Lakes addition;

THENCE over and across said 5.0 acre tract and said 40.00 acre tract, the following courses and distances:

North 37°09'26" West, a distance of 112.48 feet to a point at the beginning of a tangent curve to the right having a central angle of 46°09'47", a radius of 625.00 feet, a chord bearing and distance of North 14°04'32" West, 490.05 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 503.56 feet to a point in said west line of the 40.00 acre tract;

THENCE with said west line of the 40.00 acre tract, South 58°19'16" West, a distance of 157.93 feet;

THENCE South 16°40'42" West, over and across said 40.00 acre tract, passing at a distance of 360.97 feet an angle point the west line of said 40.00 acre tract, continuing along said west line in all for a distance of 464.68 feet;

THENCE South 89°11'40" West, over and across said 117.364 acre tract, a distance of 916.06 feet a point in the common line of said 117.364 acre tract and the aforementioned 92.202 acre tract, same being an east line of a called 1,390.976 acre tract of land described in the City of Fort Worth Ordinance No. 10357, which annexed a total of 1,392.974 acres into the City of Fort Worth (Annexation Case No. G-8090 dated June 20, 1989)

THENCE with the said common line and east line of said 1,390.976 acre tract, the following courses and distances;

North 21°10'21" East, a distance of 482.94 feet;

North 50°50'14" West, a distance of 671.34 feet;

North 8°20'21" East, a distance of 61.74 feet;

North 64°39'14" East, a distance of 1,153.02 feet;

North 1°29'25" East, a distance of 758.27 feet to the **POINT OF BEGINNING** and containing 64.57 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 rights-of-way, comprising approximately 0.0303 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 Exhibits "B" and "C" 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 Municipal Services Agreement and shall be bound by the acts, ordinances, resolutions and regulations of the City of Fort Worth, Texas.

SECTION 5.

That the Municipal Services Agreement attached hereto as Exhibit "D" 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.

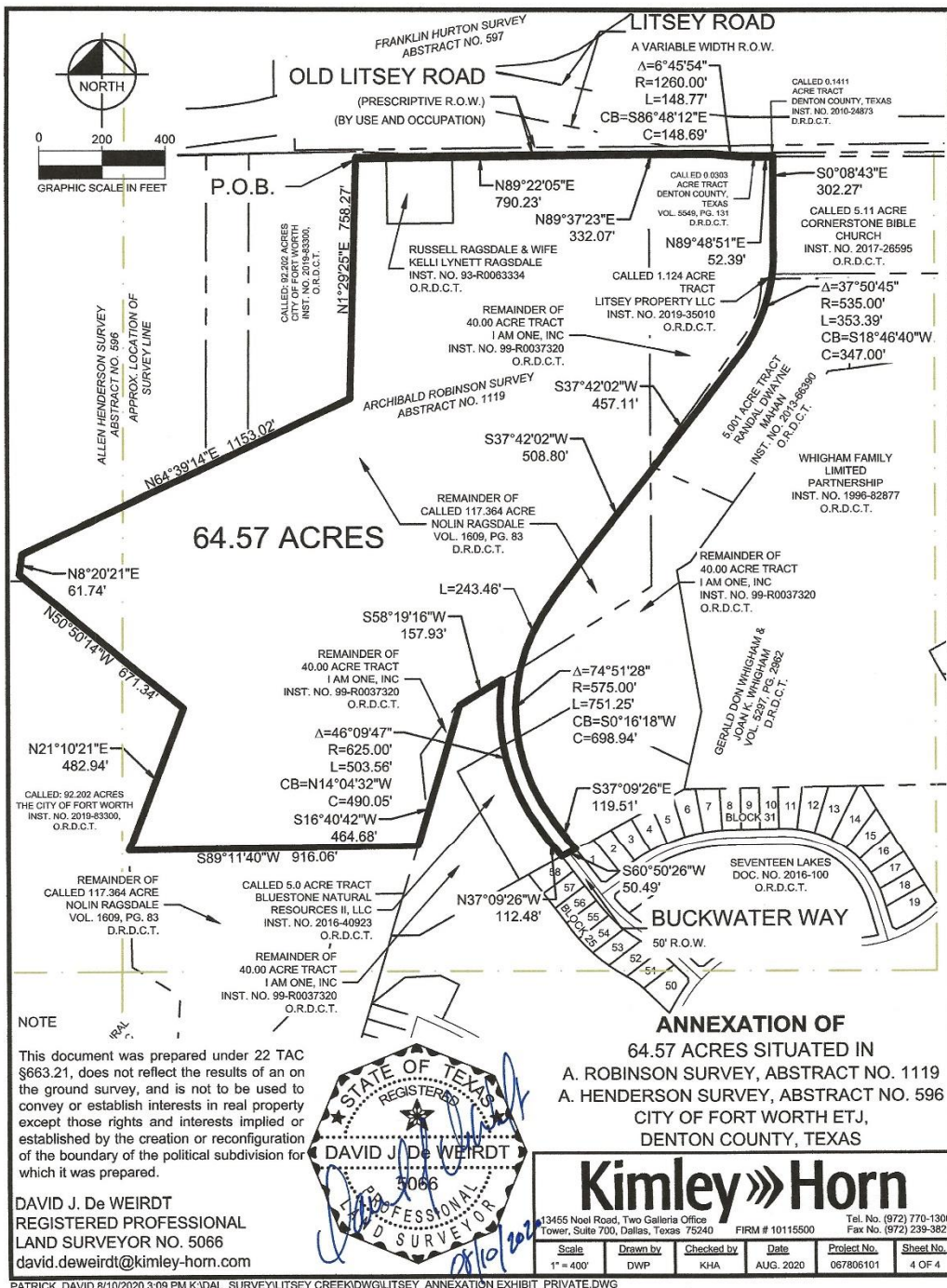
APPROVED AS TO FORM AND LEGALITY:

Melinda Ramos
Senior Assistant City Attorney

Mary J. Kayser
City Secretary

ADOPTED AND EFFECTIVE: _____

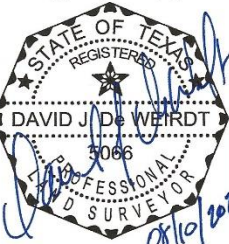
EXHIBIT A



NOTE

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.

DAVID J. De WEIRD
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 5066
 david.deweirdt@kimley-horn.com



ANNEXATION OF
 64.57 ACRES SITUATED IN
 A. ROBINSON SURVEY, ABSTRACT NO. 1119
 A. HENDERSON SURVEY, ABSTRACT NO. 596
 CITY OF FORT WORTH ETJ,
 DENTON COUNTY, TEXAS

Kimley»Horn

13455 Neel Road, Two Galleria Offices Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500 Tel. No. (972) 770-1300 Fax No. (972) 239-3820

| Scale | Drawn by | Checked by | Date | Project No. | Sheet No. |
|-----------|----------|------------|-----------|-------------|-----------|
| 1" = 400' | DWP | KHA | AUG. 2020 | 087806101 | 4 OF 4 |

Exhibit B
Legal Description for Right-of-Way
“A Portion of Litsey Road”

BEING a tract of land situated in the Archibald Robinson Survey, Abstract No. 1119, Denton County, and all of a called 0.0303 acre tract of land described in the Special Warranty Deed to Denton County, Texas, recorded in Volume 5549, Page 131, Official Records, Denton County, Texas, and being more particularly described as follows:

BEGINNING at the northeast corner of said 0.0303 acre tract same being the northwest corner of a called 5.11 acre tract of land described in the Warranty Deed with Vendor's Lien, to Cornerstone Bible Church, recorded in Instrument No. 2017-26595, Official Records, Denton County, Texas and being in the south right-of-way line of Litsey Road (a variable with right-of-way) and the south line of that called 337.785 acre tract of land described in the City of Fort Worth Ordinance No. 14387, which annexed a total of 405.525 acres into the City of Fort Worth (Annexation Case No. A-00-12 dated November 14, 2000);

THENCE South 0°08'43" East, leaving said south right-of-way line and said south line of the 337.785 acre tract, with the common line of said 0.0303 acre tract and said 5.11 acre tract, a distance of 9.47 feet to the southeast corner of said 0.0303 acre tract;

THENCE with the south line of said 0.0303 acre tract, the following courses and distances:

South 89°48'51" West, a distance of 43.33 feet to the beginning of a tangent curve to the right having a central angle of 6°47'09", a radius of 1260.00 feet, a chord bearing and distance of North 86°47'34" West, 149.14 feet;

In a northwesterly direction, with said curve to the right, an arc distance of 149.23 feet to a point in said south right-of-way line of Litsey Road and said south line of the 337.785 acre tract;

THENCE North 89°37'23" East, with said south right-of-way line of Litsey Road and said south line of the 337.785 acre tract a distance of 192.22 feet to the **POINT OF BEGINNING** and containing 0.0303 acres of land.

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.

Exhibit C
Map of Right-of-Way
"A Portion of Litsey Road"

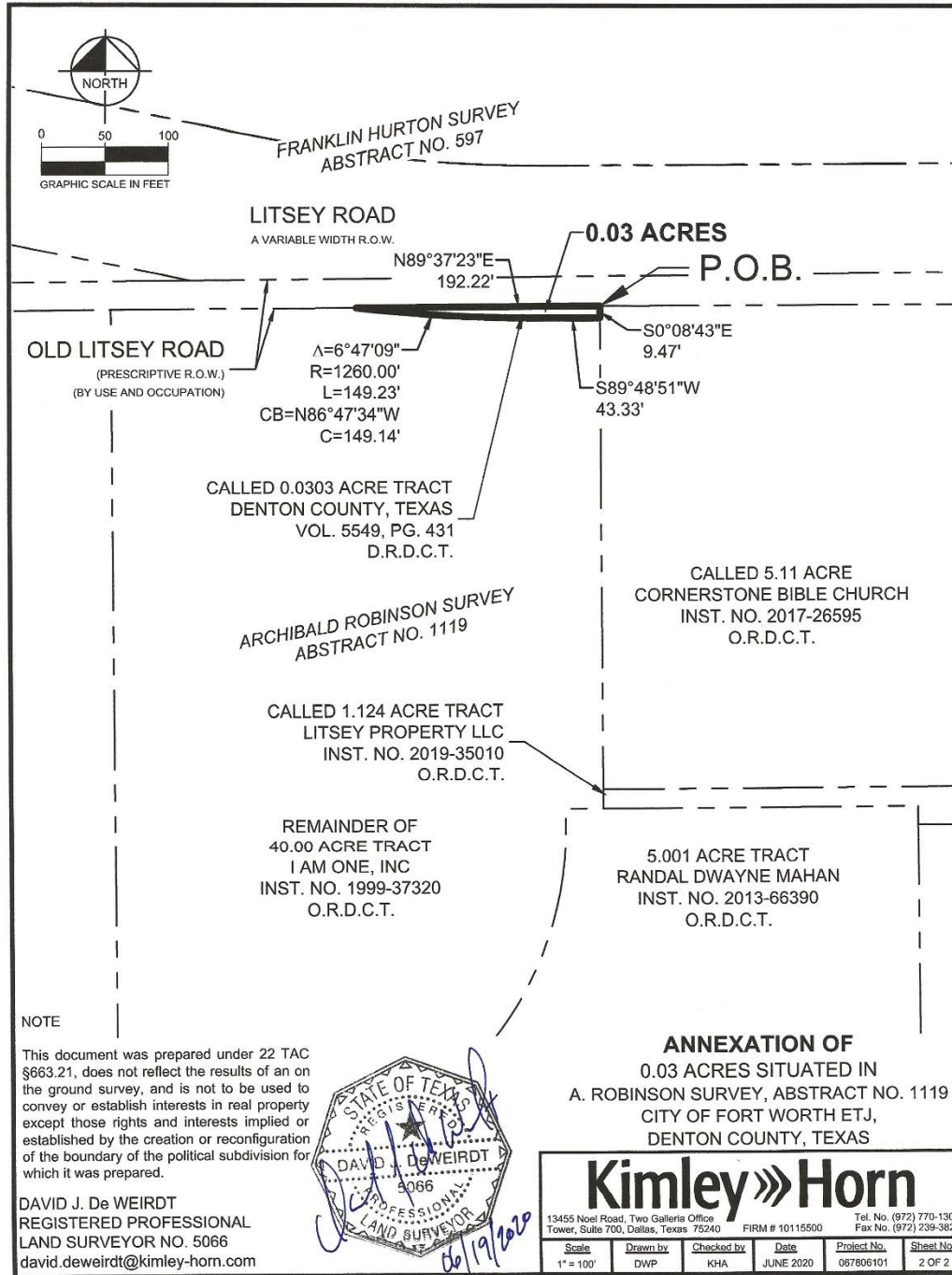


Exhibit D
Municipal Services Agreement