

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 132.362 ACRES OF LAND, MORE OR LESS OUT OF THE J.D. KYLE SURVEY, ABSTRACT NO. 792 AND THE C. JACKSON SURVEY, ABSTRACT NO. 754, AND APPROXIMATELY 3.875 ACRES OF LAND MORE OR LESS OF RIGHTS-OF-WAY OUT OF THE J.D. KYLE SURVEY, ABSTRACT NO. 792, IN PARKER COUNTY, TEXAS (CASE NO. AX-20-003) 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 Aledo Independent School District, the owners, requesting the full-purpose annexation of 132.362 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, Aledo Independent School District 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 3.875 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 November 17, 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 132.362 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 132.362 acres of land situated in the J.D. Kyle Survey, Abstract No. 792 and the C. Jackson Survey, Abstract No. 754, Parker County, Texas, being a portion of that certain tract of land described in deed to Aledo Independent School District (Aledo I.S.D.), according to the deed filed in Volume 2583, Page 1480, Deed Records of Parker County, Texas (D.R.P.C.T.); and being more particularly described by metes and bounds as follows:

BEGINNING in the most southerly west line of said Aledo I.S.D. tract, also being in the east line of a tract of land described in deed to Kevin W. Van, J.C.D., D.D., Bishop of the Catholic Diocese of Fort Worth, as filed in Volume 2459, Page 1357, D.R.P.C.T., and also being the northwest corner of the proposed Right-of-Way (R-O-W) line for Old Weatherford Road, from which a smooth 5/8 inch iron rod found at the southwest corner of said Aledo I.S.D. tract, and called south Right-of-Way (R-O-W) line of said Old Weatherford Road per Aledo I.S.D. deed, also being the southeast corner of said Catholic Diocese tract, bears S 01°12'46" E, a distance of 74.08 feet;

THENCE N 01°12'46" W, along the most southerly west line of said Aledo I.S.D. tract, and along the east line of said Catholic Diocese tract, at a distance of 1125.78 feet passing a 1/2 inch iron rod found for reference, and continuing in all, a distance of 1513.03 feet to the approximate center of a creek, also being a re-entrant corner of said Aledo I.S.D. tract, and the northeast corner of said Catholic Diocese tract;

THENCE along the most northerly south line of said Aledo I.S.D. tract, the north line of said Catholic Diocese tract, and along the approximate center of a creek, the following courses and distances;

S 75°48'50" W, a distance of 373.75 feet;

N 79°51'40" W, a distance of 269.21 feet;

S 59°50'27" W, a distance of 310.63 feet to the east line of a tract of land described in deed to FFWF Holdings, Inc., as filed in Instrument #201410303, D.R.P.C.T.,

also being the most westerly southwest corner of said Aledo I.S.D. tract, and being the northwest corner of said Catholic Diocese tract;

THENCE N 01°12'46" W, along the west line of said Aledo I.S.D. tract, and along the east line of said FFWF Holdings tract, at a distance of 78.23 feet passing a 1/2 inch iron rod with cap stamped "Miller 5565", found for northeast corner of said FFWF Holdings tract, also being the southeast corner of Lot 14, Block 68, Morningstar, an addition to Parker County, Texas, as filed in Cabinet E, Slide 179, Plat Records of Parker County, Texas (P.R.P.C.T.), and continuing along said line passing the east line of Lots 9 thru 13 and said Lot 14 of said Block 68, at total distance of 378.42 feet passing a 1/2 inch iron rod with cap stamped "CBG Surveying", found for northeast corner of said Lot 9, also being the southeast corner of the remainder of tract 2, as described in deed to Wilbow-Morningstar Development, Inc., as filed in Instrument #201523102, D.R.P.C.T., and continuing along the west line of said Aledo I.S.D. tract, passing along the east line of said Wilbow-Morningstar tract, also passing along the east line of Lot 1X, Block 38, Morningstar, an addition to Parker County, Texas, as filed in Cabinet D, Slide 559, P.R.P.C.T., in all, a distance of 1720.70 feet to the northwest corner of said Aledo I.S.D. tract, also being in the east line of said Lot 1X, also being the southwest corner of a tract of land described in deed to Moncrief Properties LLC, a Texas limited liability company, as filed in Instrument #201932829, D.R.P.C.T., and being in the approximate centerline of Mary's Creek;

THENCE along the northerly line of said Aledo I.S.D. tract, the approximate center of Mary's Creek and south line of said Moncrief Properties tract, the following courses and distances;

- S 73°22'40" E, a distance of 83.60 feet;
- S 54°25'31" E, a distance of 119.33 feet;
- S 34°42'35" E, a distance of 218.19 feet;
- S 10°51'04" E, a distance of 303.28 feet;
- S 83°45'29" E, a distance of 252.72 feet;
- N 76°19'58" E, a distance of 612.36 feet;
- S 57°59'20" E, a distance of 67.68 feet;
- S 23°54'43" E, a distance of 235.92 feet;
- S 73°14'01" E, a distance of 100.07 feet;
- N 88°22'55" E, a distance of 177.19 feet;
- S 44°02'49" E, a distance of 245.23 feet;
- S 49°20'15" E, a distance of 316.04 feet;
- S 63°47'36" E, a distance of 111.76 feet;

N 76°50'55" E, a distance of 164.42 feet;

S 82°23'31" E, a distance of 138.47 feet;

S 67°30'36" E, a distance of 319.90 feet;

S 44°45'25" E, a distance of 180.44 feet;

S 78°45'48" E, a distance of 53.43 feet;

N 77°47'20" E, a distance of 92.51 feet;

N 72°51'17" E, a distance of 84.98 feet;

N 62°02'55" E, a distance of 99.84 feet;

S 86°37'55" E, a distance of 100.31 feet;

S 51°58'58" E, a distance of 229.43 feet to the northeast corner of said Aledo I.S.D. tract, also being in the approximate center of Mary's Creek, also being in the south line of said Moncrief Properties tract, and also being the northwest corner of a tract of land described in deed to Weatherford College of the Parker County Junior College District, as filed in Volume 2583, Page 1474, D.R.P.C.T.;

THENCE S 10°46'29" W, along the east line of said Aledo I.S.D. tract, and along the west line of said Weatherford College tract, a distance of 1202.61 feet to a 5/8 inch iron rod found at the most easterly southeast corner of said Aledo I.S.D. tract, also being the most westerly southwest corner of said Weatherford College tract, also being the northwest corner of a tract of land described in deed to Aledo Independent School District, according to the deed filed in Volume 2682, Page 958, D.R.P.C.T., and also being the northeast corner of a tract of land described in deed to Regina Grammer, according to the deed filed in Volume 2438, Page 899, D.R.P.C.T.;

THENCE S 89°45'35" W, along the most easterly south line of said Aledo I.S.D. tract (Vol. 2583, Pg. 1480), and along the north line of said Grammer tract, a distance of 250.41 feet to a 3/8 inch iron rod found at the northwest corner of said Grammer tract, also being a re-entrant corner of said Aledo I.S.D. tract (Vol. 2583, Pg. 1480);

THENCE S 11°33'30" E, along the most southerly east line of said Aledo I.S.D. tract (Vol. 2583, Pg. 1480), and along the west line of said Grammer tract, a distance of 349.60 feet to the northeast corner of the proposed R-O-W line for said Old Weatherford Road, from which a 3/8 inch iron rod found at the southwest corner of said Grammer tract, also being in east line of said Aledo I.S.D. tract (Vol. 2583, Pg. 1480), bears S 11°33'30" E, a distance of 88.64 feet;

THENCE S 88°37'48" W, over and across said Aledo I.S.D. tract, along the proposed north R-O-W line for said Old Weatherford Road, a distance of 2085.31 feet to the **POINT OF BEGINNING** and containing 132.362 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."

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 3.875 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

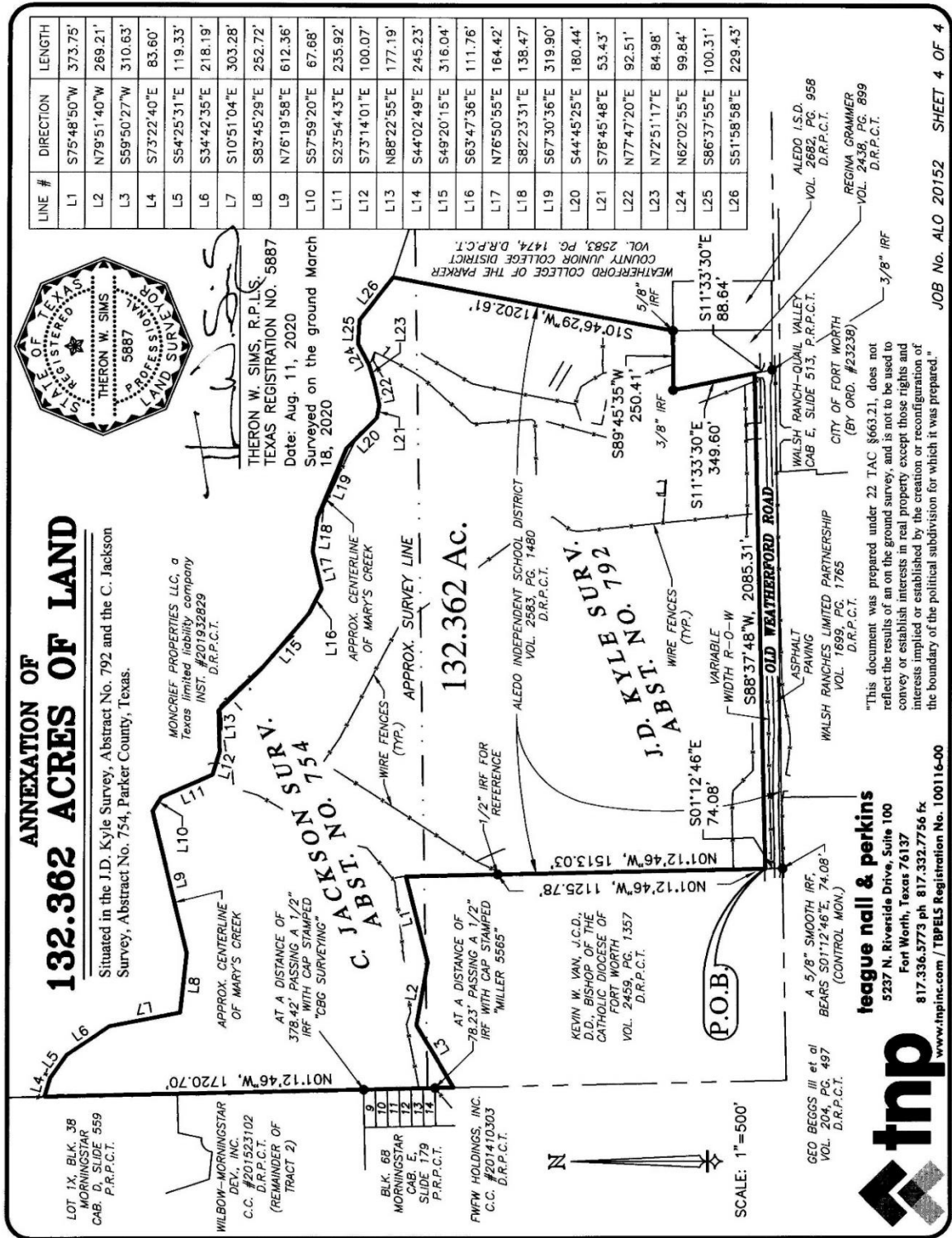


Exhibit B
Legal Description for Right-of-Way
“A Portion of Old Weatherford Road”

Being 3.875 acres of land situated in the J.D. Kyle Survey, Abstract No. 792, Parker County, Texas, being a portion of that certain tract of land described in deed to Aledo Independent School District (Aledo I.S.D.), according to the deed filed in Volume 2583, Page 1480, Deed Records of Parker County, Texas (D.R.P.C.T.); and being more particularly described by metes and bounds as follows:

BEGINNING at a smooth 5/8 inch iron rod found at the southwest corner of said Aledo I.S.D. tract and called south Right-of-Way (R-O-W) line of said Old Weatherford Road per Aledo I.S.D. deed, also being the southeast corner of a tract of land described in deed to Kevin W. Van, J.C.D., D.D., Bishop of the Catholic Diocese of Fort Worth, as filed in Volume 2459, Page 1357, D.R.P.C.T., from which a 1/2 inch iron rod, found for reference in the most southerly west line of said Aledo I.S.D. tract, also being in the east line of said Catholic Diocese tract, bears N 01°12'46" W, a distance of 1199.86 feet;

THENCE N 01°12'46" W, over and across said Old Weatherford Road, along the most southerly west line of said Aledo I.S.D. tract, and along the east line of said Catholic Diocese tract, at a distance of 74.08 feet to the northwest corner of the proposed new R-O-W line for said Old Weatherford Road;

THENCE N 88°37'48" E, over and across said Aledo I.S.D. tract, along the proposed new north R-O-W line for said Old Weatherford Road, a distance of 2085.31 feet to the most southerly east line of said Aledo I.S.D., also being in the west line of a tract of land described in deed to Regina Grammer, according to the deed filed in Volume 2438, Page 899, D.R.P.C.T.

THENCE S 11°33'30" E, over and across said Old Weatherford Road, along the most southerly east line of said Aledo I.S.D. tract, and along the west line of said Grammer tract, at a distance of 75.87 feet passing a 3/8 inch iron rod found at the southwest corner of said Grammer tract, and continuing in all, a distance of 88.64 feet to the southeast corner of said Aledo I.S.D. tract and called south R-O-W line of said Old Weatherford Road per Aledo I.S.D. deed, also being in the north line of a variable width R-O-W dedicated for Old Weatherford Road, as per the plat of Walsh Ranch-Quail Valley, an addition to the City of Fort Worth, Parker County, Texas, as filed in Cabinet E, Slide 513, P.R.P.C.T.;

THENCE S 88°59'20" W, along the south of said Aledo I.S.D. tract and called south R-O-W line of said Old Weatherford Road per Aledo I.S.D. deed, passing along the north line of a variable width R-O-W dedicated for Old Weatherford Road, per said plat of Walsh Ranch-Quail Valley, also passing along the north line of Walsh Ranches Limited Partnership, as filed in Volume 1699, Page 1765, D.R.P.C.T., and also passing along the north line of Geo Beggs III et al, as filed in Volume 204, Page 497, D.R.P.C.T., in all, a distance of 2101.23 feet to the **POINT OF BEGINNING** and containing 3.875 acres of land.

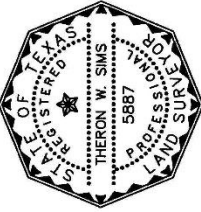
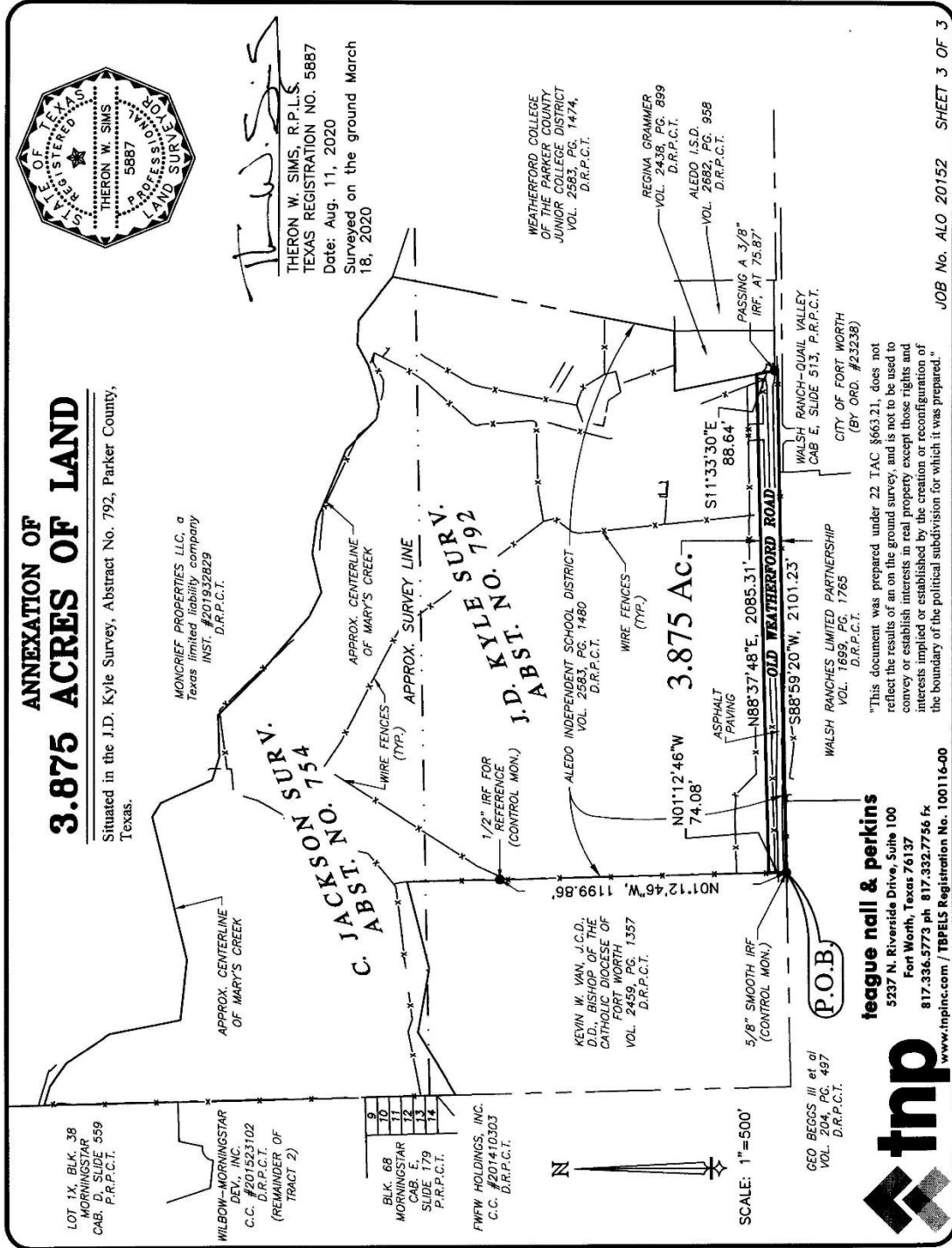

Date: August 11, 2020
Theron W. Sims, R.P.L.S.
Texas Registration No. 5887



Surveyed on the ground March 18, 2020

"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 Old Weatherford Road"



Theron W. Sims
 THERON W. SIMS, R.P.L.S.
 TEXAS REGISTRATION NO. 5887
 Date: Aug. 11, 2020
 Surveyed on the ground March 18, 2020

ANNEXATION OF
3.875 ACRES OF LAND

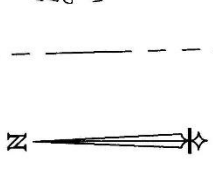
Situated in the J.D. Kyle Survey, Abstract No. 792, Parker County, Texas.

MONCREEF PROPERTIES LLC, a
 Texas limited liability company
 INST. #201932829
 D.R.P.C.T.

C. JACKSON SURV. NO. 754
J.D. ABST. NO. 792
KYLE SURV. NO. 792

9	BLK. 68
10	MORNINGSTAR
11	CAB. E.
12	SLIDE 559
13	P.R.P.C.T.
14	

FWFW HOLDINGS, INC.
 C.C. #201410303
 D.R.P.C.T.



GEO BEGGS III et al
 VOL. 204, PG. 497
 D.R.P.C.T.

teague nall & perkins
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Exhibit D
Municipal Services Agreement