

ORDINANCE NO. _____

AN ORDINANCE DECLARING CERTAIN FINDINGS; PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF FORT WORTH; 9.079 ACRES OF LAND SITUATED IN THE H.W. COOKE SURVEY, ABSTRACT NO. 310, DENTON COUNTY, TEXAS; SAID TRACT BEING A PORTION OF DALE EARNHARDT WAY, BEING A VARIABLE-WIDTH PUBLIC ACCESS EASEMENT; DENTON COUNTY, TEXAS (CASE NO. AX-24-006) WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT CORPORATE BOUNDARY LIMITS OF FORT WORTH, TEXAS; PROVIDING THAT THE TERRITORY ANNEXED SHALL BEAR ITS PRO RATA PART OF TAXES; PROVIDING THAT THE INHABITANTS THEREOF SHALL HAVE ALL THE PRIVILEGES OF ALL THE CITIZENS 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 in accordance with Section 43.1055(b) and (c) of the Texas Local Government Code the City of Fort Worth is annexing road right-of-way contiguous to the City's boundary after notification to and no objection by the Fort Worth Sports Authority and Denton County for full-purpose annexation; and

WHEREAS the population of the City of Fort Worth, Texas, is in excess of 100,000 inhabitants; and

WHEREAS the hereinafter described territory lies within the exclusive extraterritorial jurisdiction of the City of Fort Worth, Texas; and

WHEREAS the hereinafter described territory lies adjacent to and adjoins the City of Fort Worth, Texas; and

WHEREAS the hereinafter described territory contains approximately 9.079 acres of land (395,488 sq. feet) of land, more or less, of right-of-way;

WHEREAS, the City conducted two public hearings at which members of the public who wished to present testimony or evidence regarding the Service Plan and Full-Purpose Annexation were given the opportunity to do so, in accordance with the procedural requirements of Section 43.063 of the Local Government Code on August 13, 2024 at 6:00 p.m. and August 27, 2024 at 10:00 a.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 the following described land and territory lying adjacent to and adjoining the City of Fort Worth, Texas is hereby added to and annexed to the City of Fort Worth, Texas, and said territory hereinafter described shall hereafter be included within the boundary limits of the City of Fort Worth, Texas, and the present corporate boundary limits of said City, at the various points contiguous to the area hereinafter described, are altered and amended so as to include said area within the corporate limits of the City of Fort Worth, Texas, to-wit:

DESCRIPTION, of a 9.079 acre (395,488 square foot) tract of land situated in the H.W. Cooke Survey, Abstract No. 310, Denton County, Texas; said tract being a portion of Dale Earnhardt Way, a 120-foot-wide public right-of-way, as described as a 9.155 acre tract of land in that certain Dedication Deed to the City of Fort Worth, Texas, dated June 20, 2001, and appearing of record in Document No. 2001-60337 of the Official Public Records of Denton County, Texas, said 9.079 acres also being a northeasterly portion of Texas Motor Speedway, a subdivision of record located in the City of Fort Worth, Texas, according to the map or plat thereof, appearing of record in Document No. 2021-192 of said Official Public Records, said portion of Texas Motor Speedway being a part of that same tract of land described in that certain Notice of Lis Pendens to FW Sports Authority, Inc., recorded in Document No. 1997-32351 of said Official Public Records; said 9.079 acre (395,488 square foot) tract being more particularly described as follows:

COMMENCING at a point for the most easterly northeast corner of said Texas Motor Speedway and the south corner of that tract of land described as a 2.646-acre tract of land in that certain Dedication Deed to the City of Fort Worth, Texas, dated September 10, 2001, and appearing of record in Document No. 2001-105875 of said Official Public Records; said corner being in the northwesterly line of North Freeway Service Road Southbound, a variable-width public right-of-way;

THENCE, North 33 degrees, 59 minutes, 49 seconds East, with the easterly terminus of said Dale Earnhardt Way and said northwesterly line of North Freeway, at a distance of 11.68 feet passing the most southerly southeast corner of said Dale Earnhardt way tract, continuing in all a total distance of 202.36 feet to the northeast corner of said Dale Earnhardt Way and an angle point in said North Freeway; said corner being in the south line of the Town of Northlake City Limits according to that certain Ordinance No. 21-0114C recorded in Document No. 2021-14054 of said Official Public Records;

THENCE, North 66 degrees, 08 minutes, 09 seconds West, with the north right-of-way line of said Dale Earnhardt Way and the south line of said Ordinance No. 21-0114C, a distance of 640.72 feet to the beginning of a tangent curve to the left;

THENCE, with said curve to the left, said north line of Dale Earnhardt Way, and said south

line of Ordinance No. 21-0114C, said curve having a Delta Angle of 10 degrees, 49 minutes, 26 seconds, a Radius of 4,653.10 feet, an Arc Length of 879.03 feet, a Chord Bearing of North 69 degrees, 07 minutes, 30 seconds West, and a Chord Distance of 877.72 feet to the east corner and **POINT OF BEGINNING** hereof;

THENCE, departing said southerly line of Ordinance No. 21-0114C, and along the north line of the City Limits of Fort Worth, Texas, according to that certain City of Fort Worth Ordinance No. 13344, traversing through said Dale Earnhardt Way and said Texas Motor Speedway, the following FIVE (5) courses and distances:

In a southwesterly direction with a non-tangent curve to the left, said curve having a Delta Angle of 38 degrees, 02 minutes, 50 seconds, a Radius of 900.00 feet, an Arc Length of 597.64 feet, a Chord Bearing of South 56 degrees, 11 minutes, 43 seconds West, and a Chord Distance of 586.72 feet, to the end of said curve,

South 37 degrees, 10 minutes, 18 seconds West, a distance of 211.97 feet to the northeasterly line of Victory Circle E, a 120-foot-wide Public Access & Utility Easement, as described in that certain Dedicatory Certificate recorded in Document No. 1997-24338 of said Official Public Records,

North 44 degrees, 28 Minutes, 16 seconds West, along said northerly line of Victory Circle E, a distance of 469.43 feet, to the beginning of a tangent curve to the left,

In a westerly direction with said curve to the left, continuing with the northerly line of said Victory Circle E, said curve having a Delta Angle of 45 degrees, 37 minutes, 34 seconds, a Radius of 1,058.60 feet, an Arc Length of 842.99 feet, a Chord Bearing of North 67 degrees, 15 minutes, 07 seconds West, and a Chord Distance of 820.89 feet to the end of said curve,

South 89 degrees, 58 minutes, 00 seconds West, continuing with said northerly line of Victory Circle E, a distance of 131.14 feet, to a northeasterly line of said Texas Motor Speedway and the west line of said Dale Earnhardt Way tract; from said point a for a northeasterly interior corner of said Texas Motor Speedway and the southwest corner of said Dale Earnhardt Way tract bears South 00 degrees, 52 Minutes, 46 seconds East a distance of 107.54 feet;

THENCE, North 00 degrees, 55 minutes, 18 seconds West, with said west line of Dale Earnhardt Way tract, continuing with the apparent northerly line of said Ordinance No. 13344, a distance of 12.47 feet, to a point for corner in said northerly line of Texas Motor Speedway and said southerly line of Ordinance No. 21-0114C, from said point a northeasterly corner of said Texas Motor Speedway bears North 00 degrees, 52 minutes, 46 seconds West a distance of 54.75 feet;

THENCE, South 89 degrees, 54 minutes, 00 seconds East, departing said north line of Ordinance No. 13344 and with the northerly line of said Dale Earnhardt Way and the southerly line of said Ordinance No. 21-0114C, a distance of 600.13 feet to the beginning of a curve to the right;

THENCE, with said northerly line of Dale Earnhardt Way and said southerly line of Ordinance No. 21-0114C, said curve to the right having a Delta Angle of 15 degrees, 22 minutes, 07 seconds, a

Radius of 4,652.29 feet, an Arc Length of 1,247.90 feet, a Chord Bearing of South 82 degrees, 13 minutes, 12 seconds East, and a Chord Distance of 1,244.16 feet to the **POINT OF BEGINNING**; **CONTAINING**: 9.079 acres of land (395,488 square feet), more or less.

SECTION 2.

That the above described territory is shown on Map Exhibit "A" which is attached hereto and expressly incorporated herein by reference for the purpose of illustrating and 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 Service Plan and shall be bound by the acts, ordinances, resolutions and regulations of the City of Fort Worth, Texas.

SECTION 4. **CUMULATIVE CLAUSE**

That this ordinance shall and does amend 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 5. **SEVERABILITY CLAUSE**

That 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 6. **SAVING CLAUSE**

That 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, 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. 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. Provided, further, that if there is included within the description of territory set out in Section 1 of this ordinance to be annexed to the City of Fort Worth any area which is presently part of and included within the limits of the City of Fort Worth, or which is presently part of and included within the limits of any other city, town or village, or which

is not within the City of Fort Worth's jurisdiction to annex, the same is hereby excluded and excepted from the territory to be annexed hereby as fully as if such excluded and excepted area were expressly described herein.

SECTION 7.
EFFECTIVE DATE

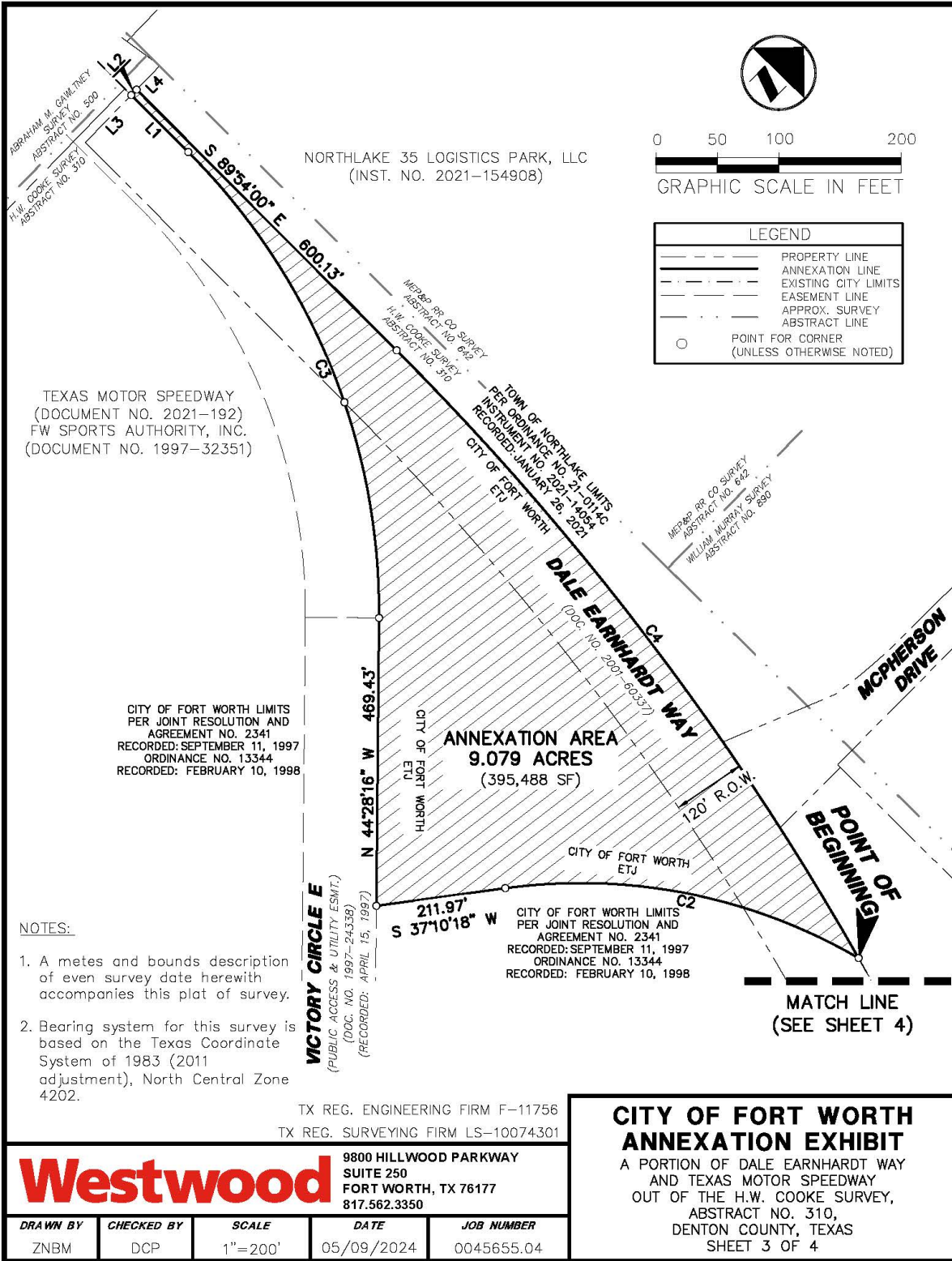
That this ordinance shall take effect upon adoption.

APPROVED AS TO FORM AND LEGALITY:

Melinda Ramos, Deputy City Attorney

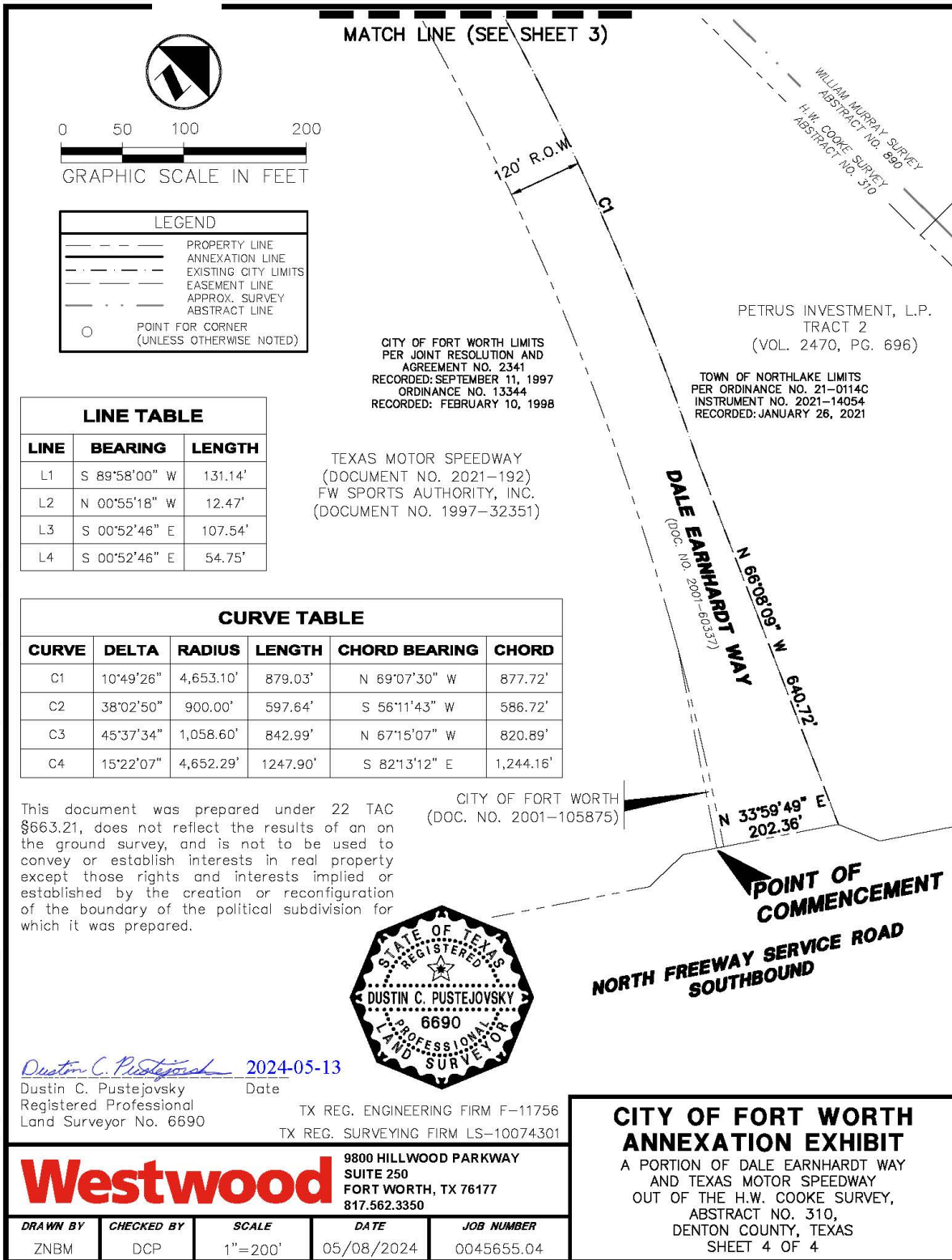
ADOPTED AND EFFECTIVE: _____

EXHIBIT A



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EXHIBIT A
CONTINUED



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