

# Mayor and Council Communication

**DATE:** 10/20/20

**M&C FILE NUMBER:** M&C 20-0739

**LOG NAME:** 06DEVELOPMENT AGREEMENT FOR BOSWELL CRESTVIEW RANCH

**SUBJECT**

(ETJ, Future CD 3) Authorize Execution of a Pre-Annexation Development Agreement with Boswell Crestview Ranch, 469.6 Acres North of Interstate 20 (US Highway 80) and West of FM 3325, for Property Located in Fort Worth's Extraterritorial Jurisdiction

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**RECOMMENDATION:**

It is recommended that the City Council authorize the City Manager to execute a pre-annexation development agreement between the City and Boswell Crestview Ranch property owner in unincorporated Parker County.

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**DISCUSSION:**

Boswell Interests, LTD ("Owner") represents a parcel of real property, a total of approximately 469.6 acres of land, as described in map Exhibit A, hereinafter called "the Property", located within Parker County. The Property is located in the extraterritorial jurisdiction "ETJ" of the City. The Owner of the property has requested, and the City has agreed, subject to the terms, conditions and limitations set forth in the Pre-annexation Development Agreement ("Agreement") that the City shall provide water service to the property. In consideration of the City providing water service to the Property, the Owner will petition the City to annex the Property pursuant to Subchapter C-3, Chapter 43 of the Texas Local Government Code when the property becomes contiguous to Fort Worth City Limits.

The parties have agreed that the Pre-annexation Development Agreement constitutes a petition for the voluntary annexation under the provisions of Subchapter C-3, Chapter 43 of the Texas Local Government Code, and upon the request of the City, the Owner shall execute all applications and documentation required by Texas law to petition for annexation required by Texas law.

The City plans to construct a water line for the purpose of providing wholesale and retail water service to certain parts of Parker County and the Owner will execute a Water Facility Easement across the Property for this purpose. The water lines easement consists of a 30-foot wide strip of land consisting of 2.212 acres, as well as a 15-foot wide temporary construction easement. The City has been working with the Cities of Willow Park and Hudson Oaks. The Owner has no present need for water service, but expects to market the Property to prospective developers at some time in the future which developers will have demand for water services. The property is designated for a mix of commercial, multifamily and single family uses. The pre-annexation agreement does not obligate the City to annex the property and any time. City staff will perform a fiscal impact analysis prior to considering annexation in the future.

The Agreement is entered into pursuant to Chapter 43, Subchapter C-3 and 212.172 of the Texas Local Government Code, in order to address the needs of the Owner and the procedures of the City. The Agreement runs with the land and is binding upon the City and the Owner and owner's respective successor and assigns. The Agreement will be recorded in Parker County.

The property is located in the extraterritorial jurisdiction adjacent to COUNCIL DISTRICT 3.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that this action will have no material effect on City funds.

**Submitted for City Manager's Office by:** Dana Burghdoff 8018

**Originating Business Unit Head:** D.J. Harrell 8032

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