

**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 407.8606 ACRES OF LAND, MORE OR LESS, OUT OF THE N. HOLBROOK SURVEY, ABSTRACT No. 647 IN TARRANT COUNTY, TEXAS AND BEING A PORTION OF THAT CALLED 567.553 ACRES TRACT OF LAND DESCRIBED IN DOCUMENT NUMBER D204343515, OFFICIAL PUBLIC RECORDS TARRANT COUNTY, TEXAS, (O.P.R.T.C.T.) AND PORTIONS OF OLD WEATHERFORD ROAD AS ESTABLISHED BY PRESCRIPTIVE USE (CASE NO. AX-19-012) 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 ANNETTA INVESTMENTS, LP, GYF INVESTMENTS, LLLP, BOA SORTE LIMITED PARTNERSHIP, LS TYLER INVESTMENTS, LLLP, RIO CLARO, INC.,TK COWLEY INVESTMENTS, LLLP, SPG-HARVARD III, LLLP, THE COWLEY FAMILY FOUNDATION, SMT INVESTORS LIMITED PARTNERSHIP, CFG-ZAHARIS, LLLP, CFG- BROADWAY & ROOKS, LLLP, ALLEN-COWLEY LIVING TRUST, CFG-BROWN I, LLLP, AND CFG-WHITEMAN I, LLLP, the owners, requesting the full-purpose annexation of 407.8606 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, ANNETTA INVESTMENTS, LP, GYF INVESTMENTS, LLLP, BOA SORTE LIMITED PARTNERSHIP, LS TYLER INVESTMENTS, LLLP, RIO CLARO, INC.,TK COWLEY INVESTMENTS, LLLP, SPG-HARVARD III, LLLP, THE COWLEY

FAMILY FOUNDATION, SMT INVESTORS LIMITED PARTNERSHIP, CFG-ZAHARIS, LLLP, CFG- BROADWAY & ROOKS, LLLP, ALLEN-COWLEY LIVING TRUST, CFG-BROWN I, LLLP, AND CFG-WHITEMAN I, LLLP 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 4.1566 acres of county roads attached hereto as Exhibit “B”; 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 January 28, 2020 at 7:00 p.m., at the City Council Chamber; and

**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 407.8606 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 out of the N. HOLBROOK SURVEY, ABSTRACT No. 647, Tarrant County, Texas and being a portion of that called 567.553 acres tract of land described in Document Number D204343515, Official Public Records Tarrant County, Texas, (O.P.R.T.C.T.) said tract being more particularly described as follows:

**BEGINNING** at a point in the south line of that tract of land conveyed to Tannahill Ranch according to the document filed of record in Document Number D209144492, (O.P.R.T.C.T.), for the northwest and beginning corner of this tract, from which an “ell” corner of that called 1618.16 acres tract of land conveyed to William M. Brown Family Ranching Operations, LP, according to the document filed of record in Volume 13716, Page 590, (O.P.R.T.C.T.), same being the northwest corner of said 567.553 acres tract bears N 89°51'41" W, 909.89 feet and N 89°52'59" W, 902.72 feet;

**THENCE** S 89°53'13" E, with the common line of said 567.553-acre tract and said Tannahill Ranch tract, a distance of 2935.96 feet to a point for an "ell" corner of this tract;

**THENCE** N 00°07'37" E, a distance of 117.02 feet to a point for a corner of this tract;

**THENCE** N 89°30'48" E, a distance of 860.92 feet to a point for the northwest corner of those tracts of land conveyed to FW Vista West II, LP, according to the document filed of record in Document Number D206035754, (O.P.R.T.C.T.), for the northeast corner of this tract;

**THENCE** S 00°16'06" E, with the common line of said 567.553-acre tract and FW Vista tracts, a distance of 1592.60 feet to a point for an ell corner of this tract;

**THENCE** with the east lines of said 567.553-acre tract the following three (3) courses and distances:

S 89°44'19" W, a distance of 660.00 feet to a point for a corner of this tract;

S 00°15'41" E, a distance of 660.00 feet to a point for a corner of this tract;

N 89°43'42" E, a distance of 660.12 feet to a point for a corner of this tract;

**THENCE** S 00°15'19" E, a distance of 1405.40 feet to a point for the northeast corner of that called 34.560 acre tract of land conveyed to the City of Fort Worth according to the document filed of record in Document Number D206274011, (O.P.R.T.C.T.), same being platted as NORTHWEST WATER TREATMENT PLANT ADDITION, an addition to the City of Fort Worth, according to the Plat as recorded in Plat Cabinet A, Slide 12060, Plat Records, Tarrant County, Texas, for the most easterly southeast corner of this tract;

**THENCE** with the common line of said WATER TREATMENT PLANT ADDITION and the above mentioned 567.553-acre tract the following two (2) courses and distances:

S 89°44'41" W, a distance of 1300.00 feet to a point for a corner of this tract;

S 00°15'19" E, a distance of 1350.00 feet to a point in north line of Old Weatherford Road, for the most southerly southeast corner of this tract;

**THENCE** S 89°47'36" W, with said north line, a distance of 3076.07 feet to a point for the southwest corner of this tract;

**THENCE** along said road the following three (3) courses and distances:

N 12°06'18" W, a distance of 708.20 feet to a point for a corner of this tract;

N 08°05'25" W, a distance of 471.80 feet to a point for a corner of this tract;

N 32°26'42" W, a distance of 210.78 feet to a point in the south line of a called 125.000-acre tract of land according to the document filed of record in County Clerk's File Number

D214247803, Real Property Records Tarrant County, Texas, for a westerly northwest corner of this tract;

**THENCE** with the south and east lines of said 125.000-acre tract, same being common lines of the above mentioned 567.553-acre tract the following six (6) courses and distances:

N 88°46'01" E, a distance of 829.78 feet to a point for a corner of this tract;

N 00°14'11" W, a distance of 2891.45 feet to a point for a corner of this tract;

N 89°52'51" W, a distance of 184.71 feet to a point for a corner of this tract;

N 00°03'50" E, a distance of 409.47 feet to a point for a corner of this tract;

S 89°53'35" E, a distance of 250.08 feet to point for a corner of this tract;

N 00°07'55" E, a distance of 250.07 feet to the **POINT OF BEGINNING** and containing 407.8606 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 Service Plan and shall be bound by the acts, ordinances, resolutions and regulations of the City of Fort Worth, Texas.

## **SECTION 4.**

That the Municipal Services Agreements attached hereto as Exhibit "C" 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**

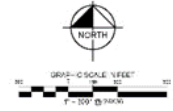
This ordinance shall be in full force and effect upon adoption.

APPROVED AS TO FORM AND LEGALITY:

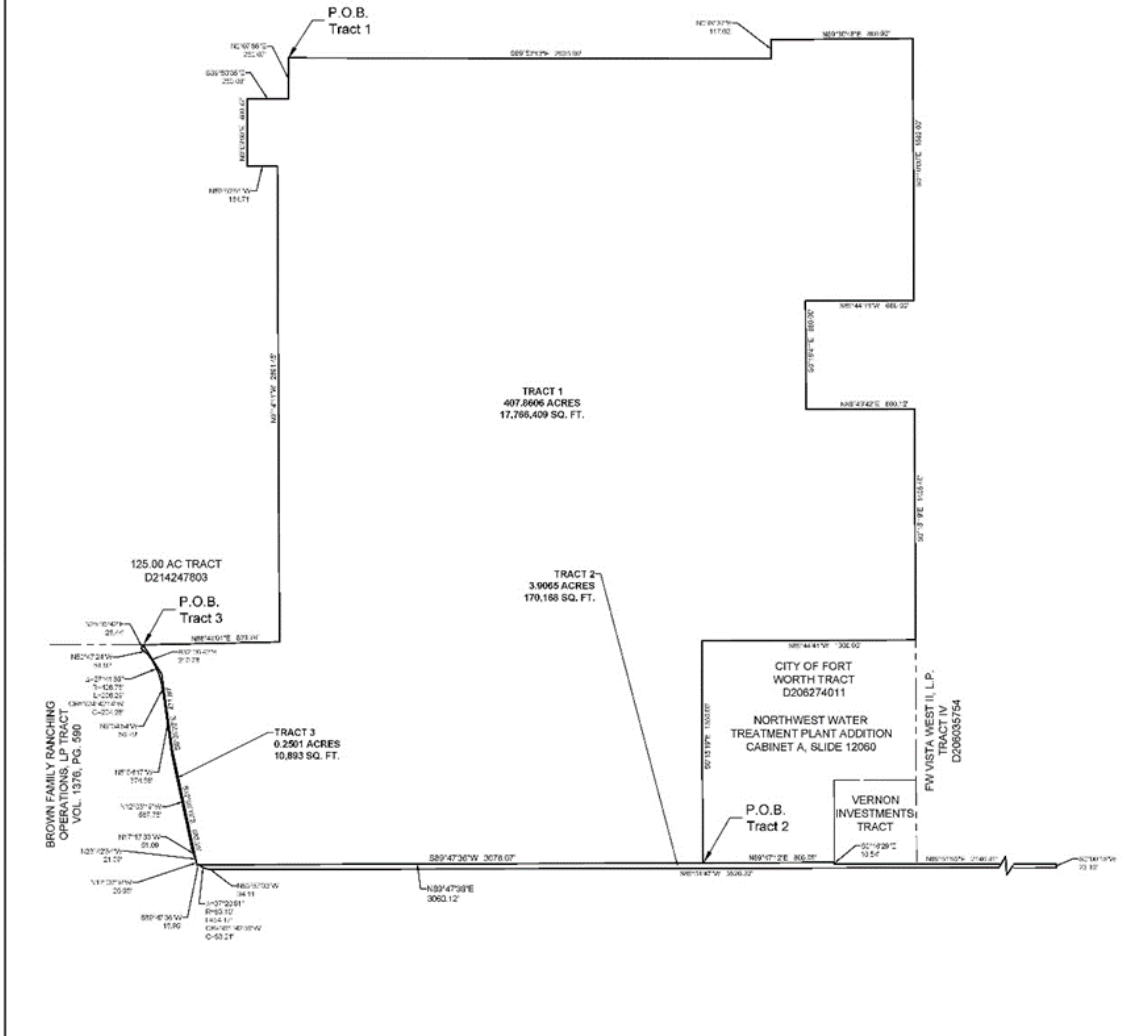
\_\_\_\_\_  
Melinda Ramos  
Senior Assistant City Attorney

\_\_\_\_\_  
Mary J. Kayser  
City Secretary

ADOPTED AND EFFECTIVE: \_\_\_\_\_



# EXHIBIT A MAP OF PROPERTY



**NOTES:**  
This document was created under 22 TAC §683.016, does not reflect the results of any of the ground survey, and is not to be used as a survey or exhibit file with any other survey. These files and records are filed or established by the location or non-location of the corners of the corner location or which it was located.

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ANNEXATION EXHIBIT  
OLD WEATHERFOR ROAD  
CITY OF FORT WORTH  
TARRANT COUNTY, TEXAS

**Kimley»Horn**

NO.	DATE	REVISION DESCRIPTION
1		

Scale	Graphic	Checked	DATE	Checked	DATE
1" = 300'	SEP	-	09/27/19	SEP	09/27/19

**Exhibit B**  
**Legal Description for Right-of-Way**  
**“Old Weatherford Road” Tracts 2 and 3**

**TRACT 2**

**BEING** a tract of land out of the N. HOLBROOK SURVEY, ABSTRACT No. 647, Tarrant County, Texas and being a portion Old Weatherford Road as established by prescriptive use, portion of which are adjacent to that called 567.553 acres tract of land described in Document Number D204343515, Official Public Records Tarrant County, Texas, (O.P.R.T.C.T.) said tract being more particularly described as follows:

**BEGINNING** at a point for the southeast corner of said 567.553 acre tract, same being the southwest corner of that called 34.560 acre tract of land conveyed to the City of Fort Worth according to the document filed or record in Document Number D206274011, (O.P.R.T.C.T.), platted as NORTHWEST WATER TREATMENT PLANT ADDITION, an addition to the City of Fort Worth, according to the Plat as recorded in Plat Cabinet A, Slide 12060, Plat Records, Tarrant County, Texas, said point being the **POINT OF BEGINNING** for the tract of land herein described;

**THENCE** N 89°47'12" E, with the south line of said ADDITION, a distance of 800.05 feet to a point for the southeast corner of said ADDITION and a corner of this tract;

**THENCE** S 00°16'29" E, leaving said southeast corner, a distance of 10.54 feet to a point for a corner of this tract located within Old Weatherford Road;

**THENCE** N 89°51'55" E, along said road, a distance of 2146.81 feet to a point for a corner of this tract;

**THENCE** S 00°00'15" W, over and across Old Weatherford Road, a distance of 23.16 feet to point in said road for a corner of this tract;

**THENCE** along said road the following three (3) courses and distances:

S 89°51'47" W, a distance of 5926.23 feet to a point for a corner of this tract;

N 83°57'33" W, a distance of 34.11 feet to a point for a corner of this tract, at the beginning of a curve to the right having a radius of 83.10 feet, a central angle of 37°20'51" and a chord bearing and distance of N 61°42'56" W, 53.21 feet;

With said curve to the right an arc distance of 54.17 feet to a point in the south line of the above mentioned 567.553-acre tract, for a corner of this tract, from which the southwest corner of said 567.553-acre tract bears S 89°47'36" W, 15.95';

1) **THENCE** N 89°47'36" E, with said south line, a distance of 3060.12 feet to the **POINT OF BEGINNING** and containing 3.9065 acres of land, more or less.

**Exhibit B**  
**Legal Description for Right-of-Way**  
**Continued**

**TRACT 3**

**BEING** a tract of land out of the N. HOLBROOK SURVEY, ABSTRACT No. 647, Tarrant County, Texas and being a portion Old Weatherford Road as established by prescriptive use, adjacent to that called 567.553 acres tract of land described in Document Number D204343515, Official Public Records Tarrant County, Texas, (O.P.R.T.C.T.) said tract being more particularly described as follows:

**BEGINNING** at a point in the south line of a called 125.000-acre tract of land according to the document filed of record in County Clerk's File Number D214247803, Real Property Records Tarrant County, Texas, said point being located in Old Weatherford Road for the most northerly southwest corner of said 567.553-acre tract and being the **POINT OF BEGINNING** for the tract of land herein described;

**THENCE** along said road the following eleven (11) courses and distances:

S 32°26'42" E, a distance of 210.78 feet to a point for a corner of this tract;

S 08°05'25" E, a distance of 471.80 feet to a point for a corner of this tract;

S 12°06'18" E, a distance of 682.25 feet to a point for the south corner of this tract from which the southwest corner of the above mentioned 567.553 acres tract bears S 12°06'18" E, 25.95 feet;

N 23°42'34" W, a distance of 21.09 feet to a point for a corner of this tract;

N 17°17'33" W, a distance of 51.09 feet to a point for a corner of this tract;

N 12°03'19" W, a distance of 587.75 feet to a point for a corner of this tract;

N 08°04'17" W, a distance of 374.58 feet to a point for a corner of this tract;

N 09°34'54" W, a distance of 56.79 feet to a point for a corner of this tract, at the beginning of a curve to the left having a radius of 426.78 feet, a central angle of 27°41'39" and a chord bearing and distance of N 24°40'14" W, 204.28 feet;

With said curve to the left an arc distance of 206.29 feet to a point for a corner of this tract;

N 50°47'24" W, a distance of 51.92 feet to a point for a corner of this tract;

N 25°35'42" E, over and across Old Weatherford Road, a distance of 26.44 feet to the **POINT OF BEGINNING** and containing 0.2501 acres of land, more or less.



**EXHIBIT C**  
**MUNICIPAL SERVICES AGREEMENT**  
*(to be inserted)*