

CITY OF RIVER OAKS ORDINANCE NO. 1314-2021
CITY OF FORT WORTH ORDINANCE NO. _____
JOINT ORDINANCE AND BOUNDARY AGREEMENT

WHEREAS, the City of Fort Worth and the River Oaks have received a request by Castleberry Independent School District for a boundary adjustment concerning property on which it intends to construct future school facilities and sidewalk improvements; and

WHEREAS, the City of Fort Worth (hereinafter called "FORT WORTH") is a home-rule city located in Tarrant, Wise, Parker, Johnson and Denton Counties; and

WHEREAS, the City of River Oaks (hereinafter called "RIVER OAKS") is a home-rule city located in Tarrant County; and

WHEREAS, FORT WORTH and RIVER OAKS share a common boundary; and

WHEREAS, FORT WORTH and RIVER OAKS now desire to adjust the boundary between the two cities to promote orderly development to insure public safety and effective delivery of municipal services; and

WHEREAS, Section 43.031 of the Texas Local Government Code authorizes adjacent municipalities to make mutually agreeable changes to their boundaries that are less than 1,000 feet in width; and

WHEREAS, Section 43.142 of the Texas Local Government Code allows a home-rule municipality to disannex areas in the municipality in accordance with the rules as may be provided by its City Charter;

NOW, THEREFORE, BE IT ORDAINED AND MUTUALLY AGREED BY THE CITY COUNCIL OF THE CITY OF FORTH WORTH AND THE CITY COUNCIL OF THE CITY OF RIVER OAKS:

Section 1

Pursuant to Section 43.031 of the Texas Local Government Code, FORT WORTH and RIVER OAKS hereby agree that the boundary between the cities will be adjusted as set out herein so that White Settlement Heights, Block 1, Lots, 1, 2 and 3 located in FORT WORTH city limits, as described and shown in Exhibit "A", and with a width of less than 1,000 feet, will be located in the city limits of RIVER OAKS. This land is designated for future school facilities and improvements by Castleberry Independent School District. RIVER OAKS agrees to permit, inspect, and accept, in accordance with its ordinances, the ISD facilities and improvements, and to coordinate such improvements with FORT WORTH to ensure such improvements do not increase any flood risk. FORT WORTH agrees to

continue to provide water and wastewater service to the property at FORT WORTH's outside city limit rate. Both parties agree that the property shall remain in FORT WORTH's Certificate of Convenience and Necessity. In accordance with this Joint Ordinance and Boundary Agreement, FORT WORTH hereby relinquishes the property described in Exhibit "A" to RIVER OAKS and disannexes and discontinues such property as part of FORT WORTH city limits. In accordance with the terms of this Joint Ordinance and Boundary Agreement, RIVER OAKS accepts and annexes White Settlement Heights, Block 1, Lots 1, 2 and part of 3 into its city limits as reflected in Exhibit "A" attached and incorporated herein. The maps included control over any lot designation or metes and bounds description in the event of any conflict.

SECTION 2

This ordinance shall be cumulative of all provisions of the ordinances of the City of River Oaks and the City of Fort Worth, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 3

It is hereby declared to be the intention of the City Councils of FORT WORTH and RIVER OAKS that the phrases, clauses, sentences, paragraphs, and sections 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 without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4

The City of River Oaks and the City of Fort Worth do hereby covenant and agree to protect, preserve and defend the herein described boundary adjustment.

SECTION 5

The City of River Oaks and the City of Fort Worth agree and ordain that the adoption by both cities of this Joint Ordinance and Boundary Agreement, and the boundary change resulting from this Agreement do not mitigate, diminish or lessen in any way the rights that either party may have, at law or in equity, to challenge or contest any other annexations, attempted annexations or extraterritorial jurisdiction claims made by the other party.

SECTION 6

This joint ordinance and boundary agreement shall become effective and shall become a binding agreement upon the City of Fort Worth and the City of River Oaks by the adoption of same in regular open city council meetings of the City of River Oaks and the City of Fort Worth.

SECTION 7

The Mayor of each city shall execute this Joint Ordinance and Boundary Agreement, upon adoption by both cities, in duplicate originals.

PASSED AND APPROVED by the City Council of the City of Fort Worth on this ____ day of _____, 2021.

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

ATTEST


CITY SECRETARY

PASSED AND APPROVED by the City Council of the City of River Oaks on this 22ND day of June 2021.



Mayor

ATTEST:




City Secretary

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY

ATTEST



CITY SECRETARY



EXHIBIT "A"

LEGAL DESCRIPTION

BEING a tract of land situated in both the John Watson Survey, Abstract No. 1670 and the B.D. Ford Survey, Abstract No. 37 of Tarrant County, Texas and being all of Lots 1, 2, & part of Lot 3, Block 1 of the White Settlement Heights, an addition to the City of Fort Worth as recorded in Volume 388-58, Page 565 of the Plat Records of Tarrant County, Texas and being more particularly described in metes and bounds as follows;

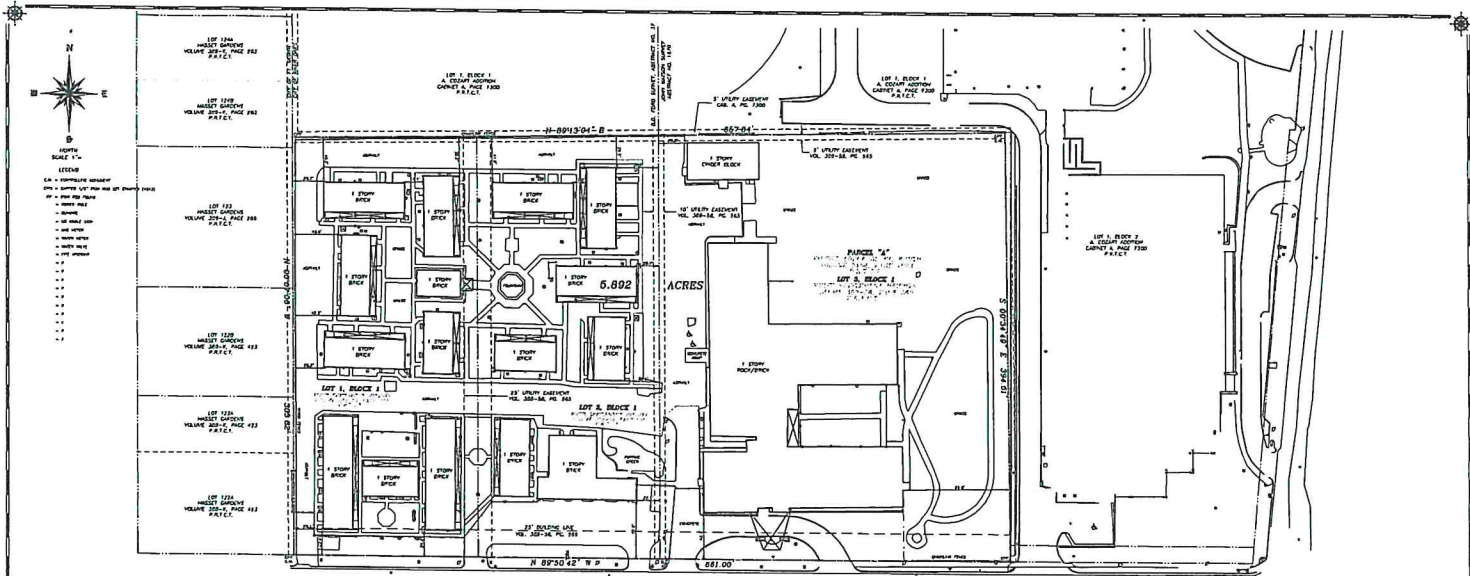
BEGINNING at a capped 1/2" iron rod stamped "4613" found for the southeast corner of Lot 122A of the Hassetts Gardens , an addition to the City of Fort Worth as recorded in Volume 388-K, Page 423 of the Plat Records of Tarrant County, Texas and said capped iron rod also being the southwest corner of said Lot 1, Block 1 of White Settlement Heights, and said capped iron rod also being in the north Right-of-Way (R.O.W.) line of White Settlement Road, a variable width R.O.W.;

THENCE N 00°07'00" W a distance of 383.82' to a capped 1/2" iron rod stamped "4613" found corner for the northwest corner of said Lot 1, said capped iron rod being at the most westerly southwest corner of Lot 1, Block 1, A. Cozart Addition, an addition to the City of Fort Worth as recorded in Cabinet A, Page 7300 of the Plat Records of Tarrant County, Texas and said capped iron rod also being the southwest corner of said Lot 1, Block 1 of White Settlement Heights

THENCE N 89°13'04" E following the most westerly south line of said Lot 1 a distance of 657.84' to a capped 1/2" iron rod stamped "4613" found corner at an ell corner of said Lot 1, Block 1, A. Cozart Addition;

THENCE S 00°34'49" E following the most southerly west line of said Lot 1, Block 1, A. Cozart Addition a distance of 394.61' to a capped 1/2" iron rod stamped "4613" found corner at the most southerly southwest corner of said Lot 1, Block 1, A. Cozart Addition, said capped iron rod also being in the north ROW line of White Settlement Road;

THENCE N 89°50'42" W following the north ROW line of White Settlement Road a distance of 661.00' to the POINT OF BEGINNING and containing 256,646 Square Feet or 5.892 Acres of land.



WHITE SETTLEMENT ROAD
 TARRANT COUNTY, TEXAS

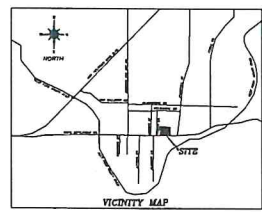
LEGAL DESCRIPTION

BEING a part of land situated in both the John Wilson Survey, Abstract No. 1870 and the B.D. Ford Survey, Abstract No. 37 of Tarrant County, Texas, and being all of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

SURVEYOR CERTIFICATION

I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner thereof, and that the same has been compared with the original survey and found to be a true and correct copy of the original survey.

DAVID J. BURTON
 APRIL 10, 2020



CLASS LINE

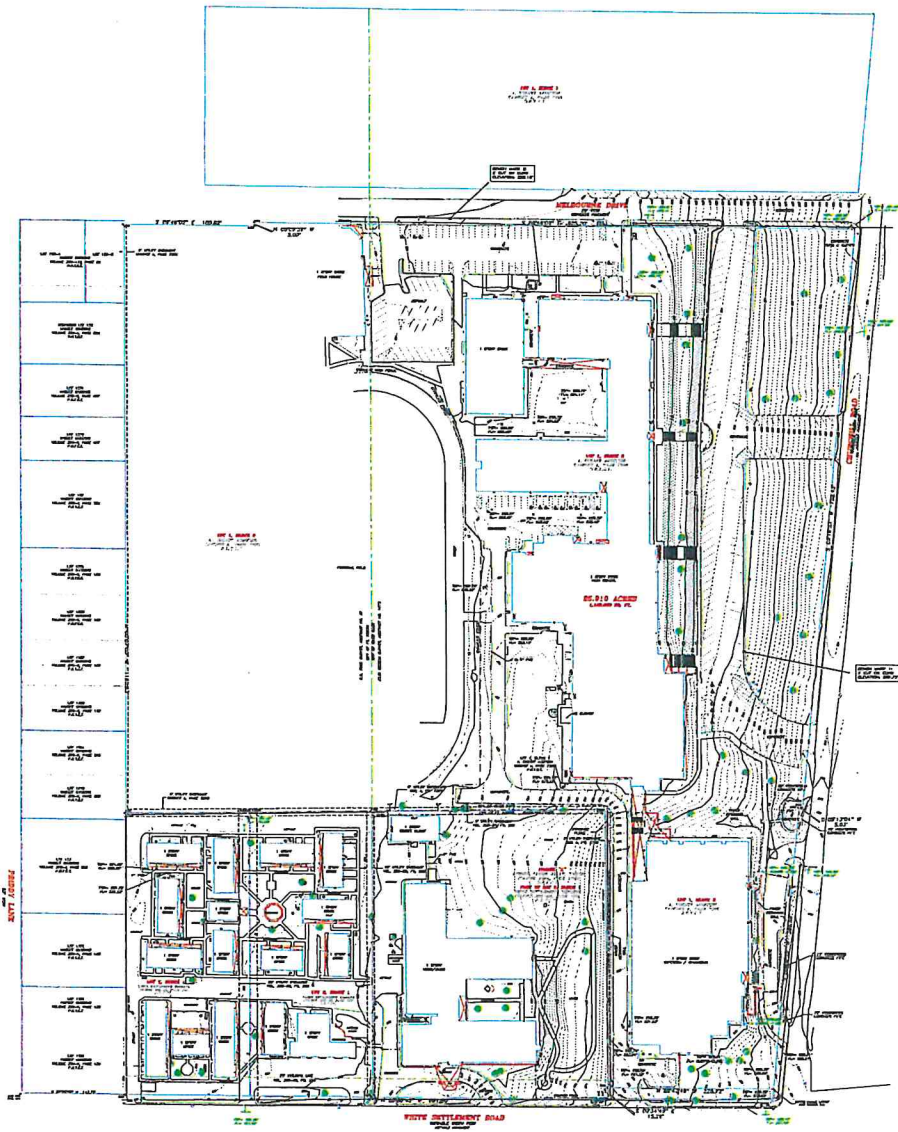
This plat is in compliance with the provisions of the Texas Property Code, Chapter 121, Section 121.001, as amended by the Texas Legislature.

NOTES

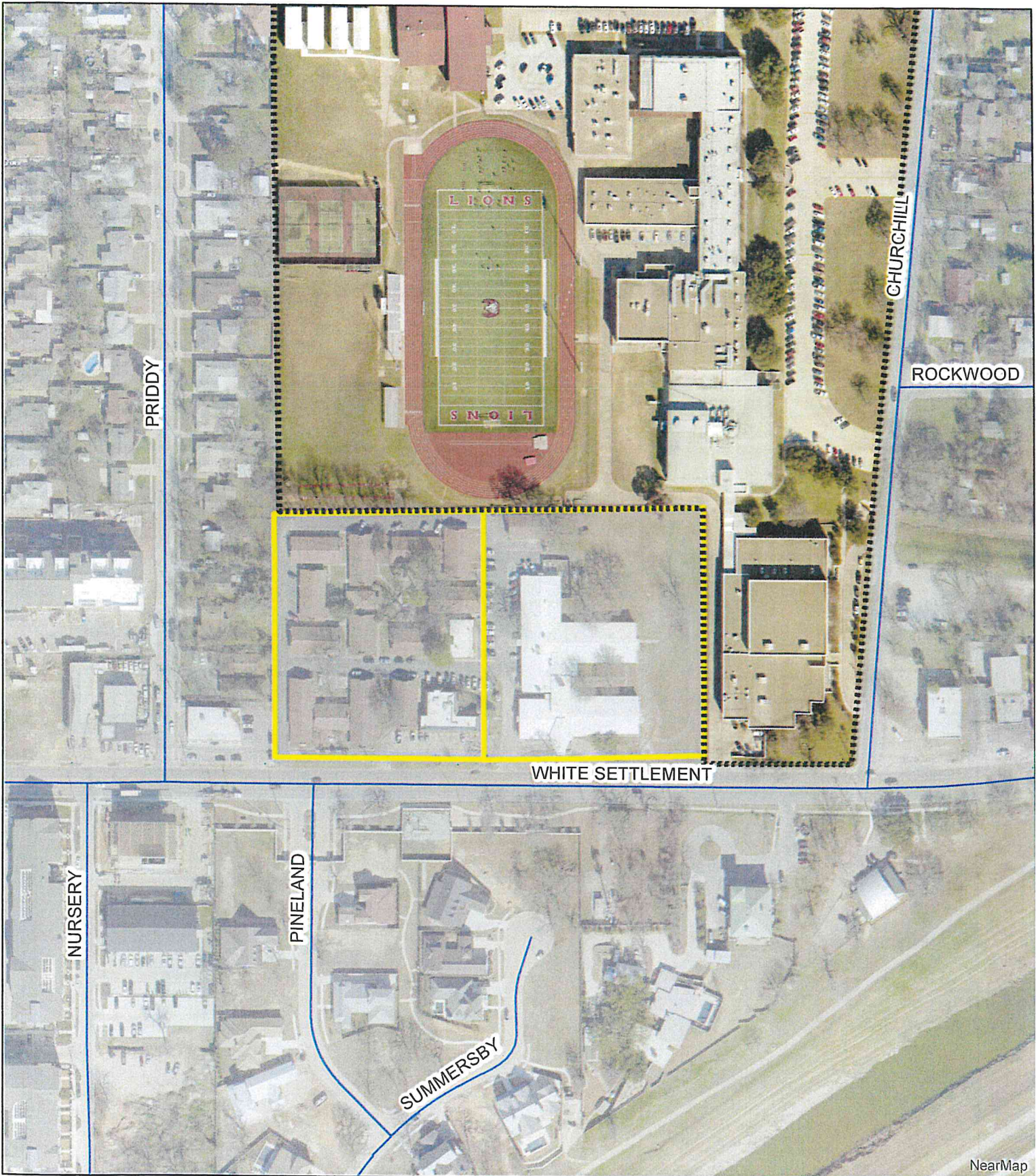
- The original copy of this original plat is on file in the office of the Surveyor General, State of Texas, Austin, Texas.
- The Surveyor General is not responsible for the accuracy of the original plat.
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ALTA SURVEY
5.892 ACRES
LOTS 1, 2 AND PART OF 3, BLOCK 1
WHITE SETTLEMENT HEIGHTS
AN ADDITION TO
THE CITY OF FT. WORTH, TEXAS
B.D. FORD SURVEY
ABSTRACT NO. 37
CITY OF FT. WORTH
TARRANT COUNTY, TEXAS
SUBDIVISION SURVEYING, INC.
 1000 W. 10TH ST.
 SUITE 1000
 FT. WORTH, TEXAS 76102
 PHONE: 817-335-1000
 FAX: 817-335-1001
 EMAIL: info@sdsvi.com
 WEBSITE: www.sdsvi.com

DATE: NOVEMBER 13, 2020 JOB NO: 2020-03
 SHEET: 1 OF 1
 SCALE: 1" = 40'



- LEGEND**
- 1. Proposed Building Footprints
 - 2. Existing Building Footprints
 - 3. Proposed Parking Spaces
 - 4. Existing Parking Spaces
 - 5. Proposed Driveways
 - 6. Existing Driveways
 - 7. Proposed Roads
 - 8. Existing Roads
 - 9. Proposed Landscaping
 - 10. Existing Landscaping
 - 11. Proposed Utilities
 - 12. Existing Utilities
 - 13. Proposed Fences
 - 14. Existing Fences
 - 15. Proposed Easements
 - 16. Existing Easements
 - 17. Proposed Setbacks
 - 18. Existing Setbacks
 - 19. Proposed Zoning
 - 20. Existing Zoning
 - 21. Proposed Access Points
 - 22. Existing Access Points
 - 23. Proposed Stormwater Management
 - 24. Existing Stormwater Management
 - 25. Proposed Fire Hydrants
 - 26. Existing Fire Hydrants
 - 27. Proposed Fire Exits
 - 28. Existing Fire Exits
 - 29. Proposed Fire Alarm
 - 30. Existing Fire Alarm
 - 31. Proposed Fire Sprinklers
 - 32. Existing Fire Sprinklers
 - 33. Proposed Fire Staircases
 - 34. Existing Fire Staircases
 - 35. Proposed Fire Elevators
 - 36. Existing Fire Elevators
 - 37. Proposed Fire Exits
 - 38. Existing Fire Exits
 - 39. Proposed Fire Alarm
 - 40. Existing Fire Alarm
 - 41. Proposed Fire Sprinklers
 - 42. Existing Fire Sprinklers
 - 43. Proposed Fire Staircases
 - 44. Existing Fire Staircases
 - 45. Proposed Fire Elevators
 - 46. Existing Fire Elevators



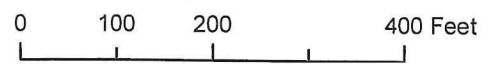
NearMap

1:2,400

-  Subject Properties - (@ 5.89 acres)
-  Fort Worth
-  River Oaks



Planning & Development Department
07/23/2020



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