

ORDINANCE NO. _____

AN ORDINANCE DECLARING CERTAIN FINDINGS; PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF FORT WORTH; PROVIDING FOR THE FULL PURPOSE ANNEXATION OF AN APPROXIMATELY 55.305 ACRES OF LAND REPRESENTING BONDS RANCH ROAD, SITUATED IN PARTS OF THE RAMON GANZARA SURVEY, ABSTRACT NO. 563; THE M.E.P.&P.R.R. CO. SURVEY, ABSTRACT NO. 1110; THE I&GN R.R. CO. SURVEY, ABSTRACT NO. 1956; THE SCT FORD SURVEY, ABSTRACT NO. 531; THE JOHN HIBBINS SURVEY, ABSTRACT NO. 639; THE M.E.P.&P.R.R. CO. SURVEY, ABSTRACT NO. 1138; THE T&P.R.R. CO. SURVEY, ABSTRACT NO. 1568; THE JP SMITH SURVEY, ABSTRACT NO. 1915; THE HENRY ROBERTSON SURVEY, ABSTRACT NO. 1259; THE JOSEPH HIGHLAND SURVEY, ABSTRACT NO. 752; AND THE GEORGE A. CRINER SURVEY, ABSTRACT NO. 296 TARRANT COUNTY, TEXAS (CASE NO. AX-22-004) 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, pursuant to Chapter 43, Section 43.003, of the Texas Local Government Code, a home-rule municipality may extend the boundaries of the municipality and annex area adjacent to the municipality; 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, Texas Local Government Code Section 43.1055 authorizes a municipality to annex a road or right-of-way of a road on the request of the owner of the road or right-of-way of the road or the governing body of the political subdivision that maintains the road or right-of-way under the procedures described by Chapter 43, Subchapter C-1; and

WHEREAS, 55.305 acres of land (2,409,068 sq. feet) of Bonds Ranch Road as described in Exhibit A, is a road and right-of-way situated within Tarrant County, and owned and maintained by Tarrant County; and

WHEREAS, the City has received a petition in writing from Tarrant County requesting the full-purpose annexation of the land to be annexed into the City; and

WHEREAS, the City deems it appropriate to annex the 55.305 acres section of Bonds Ranch Road; and

WHEREAS, a notice of the availability of the Service Plan and notice of the first and second hearings were published in a newspaper of general circulation in the City of Fort Worth and in the area proposed for annexation and made available to the public in the City's Development Services Department and on the City's Internet website; and

WHEREAS, in accordance with the procedural requirements Texas Local Government Code, Chapter 43, Subchapter C-1, Section 43.063 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 May 10, 2022 at 6:00 p.m. and May 24, 2022 at 10:00 a.m., at the City Council Chamber;

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.

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:

BEGINNING at the southeast corner of Lot 2, Block 1 of the Matyastik Daycare Addition No. 2, an addition to Tarrant County, Texas recorded in Instrument No. D210209977 of the Official Public Records of Tarrant County, Texas; said point being in a west line of City Ordinance No. 14260 and the north right-of-way of Bonds Ranch Road;

THENCE, southerly with the said west line of Ordinance No. 14260, passing at an approximate distance of 90 feet the most southerly southwest corner of said City Ordinance No. 14260, and continuing southerly across said Bonds Ranch Road to the northeast corner of Lot 1, Block 1 of

Fossil Hill Estates, an addition to the City of Fort Worth recorded in Cabinet A, Slide 6756 of the Plat Records of Tarrant County, Texas; said point being in the south right-of-way line of said Bonds Ranch Road;

THENCE, North 89 degrees, 55 minutes, 27 seconds West, 350.00 feet (bearing and distance taken from said Fossil Hill Estates plat) along the north line of said Block 1 and the said south line of Bonds Ranch Road to the northwest corner of Lot 5, Block 1 of said Fossil Hill Estates; said point being the northeast corner of that tract of land described to Wagley Robertson Neighborhood Shops By Slate, LLC by Special Warranty Deed recorded in Instrument No. D219223128 of the said Official Public Records;

THENCE, North 89 degrees, 55 minutes, 27 seconds West, 226.17 feet (bearing and distance taken from said Wagley Robertson Neighborhood Shops By Slate, LLC deed) along the north line of said Wagley Robertson Neighborhood Shops tracts and said south line of Bonds Ranch Road to the northwest corner of said Wagley Robertson Neighborhood Shops tract;

THENCE, westerly across Wagley Robertson Road (right-of-way width unknown) to the most northerly northeast corner and a point of tangency of Lot 12, Block 2 of Fossil Creek Estates, an addition to Tarrant County, Texas recorded in Cabinet A, Slide 3523 of the said Plat Records;

THENCE, along the north line of Block 2, Common Area No. 3, Block 3, and Block 1 of said Fossil Creek Estates and said south line of Bonds Ranch Road, the following three (3) calls (bearings and distances taken from said Fossil Creek Estates plat):

North 89 degrees, 55 minutes, 11 seconds West, 186.98 feet;

North 85 degrees, 36 minutes, 09 seconds West, 130.94 feet;

North 89 degrees, 55 minutes, 11 seconds West, 4,059.26 feet to the northwest corner of Lot 1, Block 1 of said Fossil Creek Estates; said point being the northeast corner of that tract of land to Sampson Family Limited Partnership by Special Warranty Deed recorded in Instrument No. D205020161 of the said Official Public Records;

THENCE, along the north line of said Sampson Family Limited Partnership tract and said south line of Bonds Ranch Road, the following two (2) calls (bearings and distances taken from said Special Warranty Deed to Sampson Family Limited Partnership):

North 89 degrees, 57 minutes, 49 seconds West, 1,072.40 feet;

North 89 degrees, 49 minutes, 17 seconds West, 4,773.59 feet to the northwest corner of said Sampson Family Limited Partnership tract; said point being the most northerly northeast corner of "Parcel 1" in City Ordinance No. 16704-11-2005; said point also being the in the east right-of-way line of the Fort Worth & Denver Railway Co.;

THENCE, westerly across the Burlington Northern Santa Fe Railway to the southeast corner of "Right-of-way Parcel H" described to Tarrant County in Right-of-way Warranty Deed recorded in Instrument No. D200106793 of the said Official Public Records;

THENCE, along the south line of said “Right-of-way Parcel H” (bearings and distances taken from said Right-of-way Warranty Deed of “Parcel H”), the following four (4) calls:

North 89 degrees, 48 minutes, 00 seconds West, 515.55 feet to the beginning of a curve to the left with a radius of 740 feet;

Southwesterly, along said curve to the left, an arc length of 61.88 feet and a chord bearing and distance South 87 degrees, 50 minutes, 27 seconds, 61.86 feet;

South 85 degrees, 26 minutes, 43 seconds West, 100.00 feet to the beginning of a curve to the right with a radius of 860 feet;

Southwesterly, along said curve to the right, an arc length of 61.00 feet to the southwest corner of said “Right-of-way Parcel H”; said point also being in the east right-of-way line of Union Pacific Railway;

THENCE, westerly across said Union Pacific Railway and across Business Highway 287 to the southeast corner of “Right-of-way Parcel A” described to Tarrant County, Texas by Right-of-way Warranty Deed recorded in Volume 13449, Page 39 of the Deed Records of Tarrant County, Texas;

THENCE, along the south line of said “Right-of-way Parcel A”, the following four (4) calls (bearings and distances taken from said Right-of-way Warranty Deed of “Parcel A”):

North 89 degrees, 00 minutes, 02 seconds West, passing at approximately 2,890 feet the most northerly northeast corner of “Parcel 1” of City Ordinance No. 14669, a total distance of 3,288.59 feet to a point for the beginning of a curve to the left with a radius of 2,995.87 feet;

Southwesterly, along said curve to the left and the north line of said City Ordinance No. 14669, an arc length of 942.00 feet and a chord bearing and distance of South 81 degrees, 59 minutes, 30 seconds West, 938.12 feet to a point for the beginning of a curve to the right with a radius of 3,115.00 feet;

Southwesterly, along said curve to the right and said north line of City Ordinance No. 14669, an arc length of 922.21 feet and chord bearing and distance of South 81 degrees, 27 minutes, 54 seconds West, 918.85 feet;

South 89 degrees, 56 minutes, 47 seconds West, a distance of 2,957 feet;

THENCE, North 00 degrees, 03 minutes, 13 seconds West, departing said south line of “Right-of-way Parcel A”, a distance of 120.00 feet to a point on the north line of said “Right-of-way Parcel A”;

THENCE, along the north line of said “Right-of-way Parcel A”, the following four (4) calls (bearings and distances taken from said Right-of-way Warranty Deed of “Parcel A”):

North 89 degrees, 56 minutes, 47 seconds East, along the said north right-of-way line of Bonds Ranch Road, 2,957.00 feet to a point for the beginning of a curve to the left with a radius of 2,995.00 feet;

Northeasterly, along said curve to the left, an arc length of 886.68 feet and a chord bearing and distance of North 81 degrees, 27 minutes, 54 seconds East, 883.45 feet to a point for the

beginning of a curve to the right with a radius of 3,115.87 feet;

Northeasterly, along said curve to the right, an arc length of 979.73 feet and a chord bearing and distance of North 81 degrees, 59 minutes, 29 seconds East, 975.70 feet;

South 89 degrees, 00 minutes, 02 seconds, 3,232.83 feet to the northeast corner of said "Right-of-way Parcel A"; said point being in the west line of said Business Highway 287;

THENCE, easterly across said Business Highway 287 and said Union Pacific Railway to the northwest corner of said "Right-of-way Parcel H";

THENCE, along the north line of said "Right-of-way Parcel H" and said north line of Bonds Ranch Road (bearings and distances taken from said Right-of-way Warranty Deed of "Parcel H"), the following five (5) calls:

South 89 degrees, 00 minutes, 02 seconds East, 27.69 feet to the beginning of a curve to the left with a radius of 740 feet;

Northeasterly, along said curve to the left, an arc length of 71.73 feet and a chord bearing and distance of North 88 degrees, 13 minutes, 21 seconds East, 71.70 feet;

North 85 degrees, 26 minutes, 43 seconds East, 100 feet to the beginning of a curve to right with a radius of 860 feet;

Northeasterly, along said curve to the right, an arc length of 71.84 feet and a chord bearing and distance of North 87 degrees, 50 minutes, 18 seconds East, 71.82 feet;

South 89 degrees, 48 minutes, 00 seconds East, 438.58 feet to a point in the west right-of-way line of said Burlington Northern Santa Fe Railway;

THENCE, easterly across said Burlington Northern Santa Fe Railway to the northwest corner of that tract of land described to Tarrant County, Texas in Right-of-Way Warranty Deed recorded in Volume 13891, Page 213 of said Deed Records; said point being in the north right-of-way line of Bonds Ranch Road;

THENCE, North 89 degrees, 41 minutes, 19 seconds East, (bearing and distances taken from said Right-of-way Warranty Deed in Volume 13891, Page 213) along the north line of said Tarrant County Right-of-way Warranty Deed and said north line of Bonds Ranch Road, a distance of 1,681.48 feet to the southwest corner of Lot 1, Block 2 of Sun Valley Estates, an addition to Tarrant County, Texas recorded in Cabinet A, Slide 4208, of said Plat Records;

THENCE, North 89 degrees, 59 minutes, 18 seconds East, (bearing and distances taken from said Sun Valley Estates plat) along the south line of said Lot 1, Block 2 and along the south line of Lot 1, Block 1 of said Sun Valley Estates and said north line of Bonds Ranch Road, a distance of 610.00 feet to the southeast corner of said Lot 1, Block 1; said point being a southwest corner of "Parcel 2" of City Ordinance No. 16704-11-2005;

THENCE, East, (bearing and distances taken from said City Ordinance No. 16704-11-2005) along the south line of said City Ordinance No. 16704-11-2005 and said the north line of Bonds Ranch

Road, a distance of 2,650.00 feet to a southeast corner of said City Ordinance No. 16704-11-2005; said point being in the west right-of-way line of Willow Springs Road;

THENCE, easterly across said Willow Springs Road to the southwest corner of Lot 3, Block 9 of Van Zandt Farms at Fossil Creek, an addition to Tarrant County, Texas recorded in Cab. A, Slide 9148 of said Plat Records;

THENCE, along the south line of Lots 3, 2, 1, and 10, Block 9 of said Van Zandt Farms at Fossil Creek and said north line of Bonds Ranch Road, the following two (2) calls (bearing and distances taken from said Van Zandt Farms at Fossil Creek plat recorded in Cabinet A, Slide 9148):

South 89 degrees, 54 minutes, 47 seconds East, 963.55 feet;

North 89 degrees, 49 minutes, 46 seconds East, 832.96 feet to the southwest corner of Lot A, Block 8 of Van Zandt Farms at Fossil Creek, an addition to Tarrant County, Texas recorded in Cabinet A, Slide 6773 of said Plat Records;

THENCE, North 89 degrees, 49 minutes, 46 seconds East, along the south line of Lots A, 2, and 1 of said Block 8 and said north line of Bonds Ranch Road, 581.09 feet to the southeast corner of said Lot 1 (bearing and distances taken from said Van Zandt Farms at Fossil Creek plat recorded in Cabinet A, Slide 6773);

THENCE, easterly across Van Zandt Gate Lane to the southwest corner of Lot 1, Block 1, Van Zandt Farms at Fossil Creek, an addition to Tarrant County, Texas recorded in Cabinet A, Slide 4269 of the said Plat Records;

THENCE, North 89 degrees, 49 minutes, 46 seconds, (bearing and distances taken from said Van Zandt Farms at Fossil Creek plat recorded in Cabinet A, Slide 4269) along the south line of Lots 1-6, of said Block 1 and said north line of Bonds Ranch Road, approximately 1,322 feet to the southeast corner of said Lot 6; said point being the southwest corner of Lot 7, Block 1, Van Zandt Farms at Fossil Creek, an addition to Tarrant County, Texas recorded in Cabinet A, Slide 6460, of said Plat Records;

THENCE, North 89 degrees, 49 minutes, 46 seconds, (bearing and distances taken from said Van Zandt Farms at Fossil Creek plat recorded in Cabinet A, Slide 6460) along the south line of Lots 7-12, of said Block 1 and said north line of Bonds Ranch Road, to the most southern southeast corner and a point of tangency of said Lot 12;

THENCE, easterly across the Wagley Robertson Road right-of-way to the most southern southwest corner of Lot 1, Block 1 of said Matyastik Daycare Addition No. 2;

THENCE, along the south line of said Lot 1 and 2, Block 1 and said north line of Bonds Ranch Road, the following four (4) calls (bearing and distances taken from said Matyastik Daycare Addition No. 2 plat):

North 89 degrees, 44 minutes, 01 seconds East, 150.00 feet to the beginning of a curve to the right with a radius of 600.00 feet;

Southeasterly, along said curve to the right, an arc length of 67.39 feet and a chord bearing and distance of South 86 degrees, 27 minutes, 45 seconds East, 67.35 feet to the beginning of a curve to the left with a radius of 1,000.00 feet;

Southeasterly, along said curve to the left, an arc distance of 122.55 feet and a chord bearing and distance of South 86 degrees, 45 minutes, 20 seconds East, 122.47 feet;

North 89 degrees, 44 minutes, 01 seconds East, 147.12 feet to the **POINT OF BEGINNING**.

CONTAINING an approximate area of 55.305 acres (2,409,068 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.

That the Service Plan attached hereto as Exhibit "B" was made available for inspection by and explanation to the inhabitants of the area to be annexed and is approved and incorporated into this ordinance for all purposes.

SECTION 5. **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 6. **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 7.
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 8.
EFFECTIVE DATE

That this ordinance shall take effect upon adoption.

APPROVED AS TO FORM AND LEGALITY:

Melinda Ramos, Assistant City Attorney

ADOPTED AND EFFECTIVE: _____

