

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE DECLARING CERTAIN FINDINGS; PROVIDING FOR LIMITED PURPOSE ANNEXATION OF 19.384 ACRES OF LAND, MORE OR LESS, OUT OF THE T. & P.R.R. CO. SURVEY, ABSTRACT NO. 1035, WISE COUNTY, TEXAS, PURSUANT TO SECTION 43.0751, LOCAL GOVERNMENT CODE, FOR THE SOLE PURPOSE OF IMPOSING A SALES AND USE TAX; 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**, Northstar Ranch, LLC (“Owner”) is the owner of approximately 733.648 acres of land in Tarrant, Denton and Wise Counties, Texas (the “Development”) located within the extraterritorial jurisdiction of the City of Fort Worth (the “City”);

**WHEREAS**, the Development is included within Far North Fort Worth Municipal Utility District No. 1 of Denton and Wise Counties (the “District”) and located in the exclusive extraterritorial jurisdiction of the City;

**WHEREAS**, the Development Agreement entered into by the City and Owner for the Development effective October 12, 2017 (City Secretary Contract No. 49783), as amended effective October 20, 2018 (City Secretary Contract No. 49783-A1) designated 19.384 acres of land for commercial development (the “Commercial Tract”);

**WHEREAS**, the remainder of the Development is designated for residential use pursuant to the Development Agreement; and

**WHEREAS**, the City and the District entered into that certain Strategic Partnership Agreement effective August 20, 2018 (City Secretary Contract No. 51134, Mayor and Council Communication L-16135) (the “Agreement”), providing for the limited purpose annexation of the Commercial Tract for the sole purpose of imposition by the City of a sales and use tax, in accordance with the procedural requirements of Section 43.0751, Texas Local Government Code; and

**WHEREAS**, the City conducted two public hearings regarding the proposed limited purpose annexation of 19.384 acres of land, at which members of the public who wished to present testimony or evidence regarding the proposed limited purpose annexation were given the opportunity to do so, in accordance with the procedural requirements of Chapter 43 of the Local Government Code on September 17, 2019 at 7:00 p.m., and on September 24, 2019, at 7:00 p.m. at the City Council Chambers;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:**

**SECTION 1.**

That 19.384 acres of land as shown in the map in Exhibit A and as described in Exhibit B, lying within the Far North Fort Worth Municipal Utility District No. 1 of Denton and Wise Counties, and further described as the Commercial Tract, is hereby annexed to the City of Fort Worth, Texas, for the limited purpose of imposing a sales and use tax, in accordance with Section 43.0751 of the Texas Local Government Code, and the present corporate boundary limits of the City of Fort Worth are altered to include said area within the corporate limits of such city, for the limited purpose described herein.

**SECTION 2.**

Chapter 43, Subchapter F, of the Local Government Code does not apply to limited purpose annexation under a strategic partnership agreement. Accordingly, any residents of the Commercial Tract residing on such property on the effective date of this ordinance or at any time thereafter are not entitled to vote in City elections.

**SECTION 3.**

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 4.**

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 5.**

The City Council hereby declares it to be its purpose to annex to the City of Fort Worth, for the limited purpose of imposing a sales and use tax in accordance with Section 43.0751 of the Texas Local Government Code, every part of the area described in Section 1 of this ordinance. 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 limited 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 6.**

This ordinance shall take effect upon adoption.

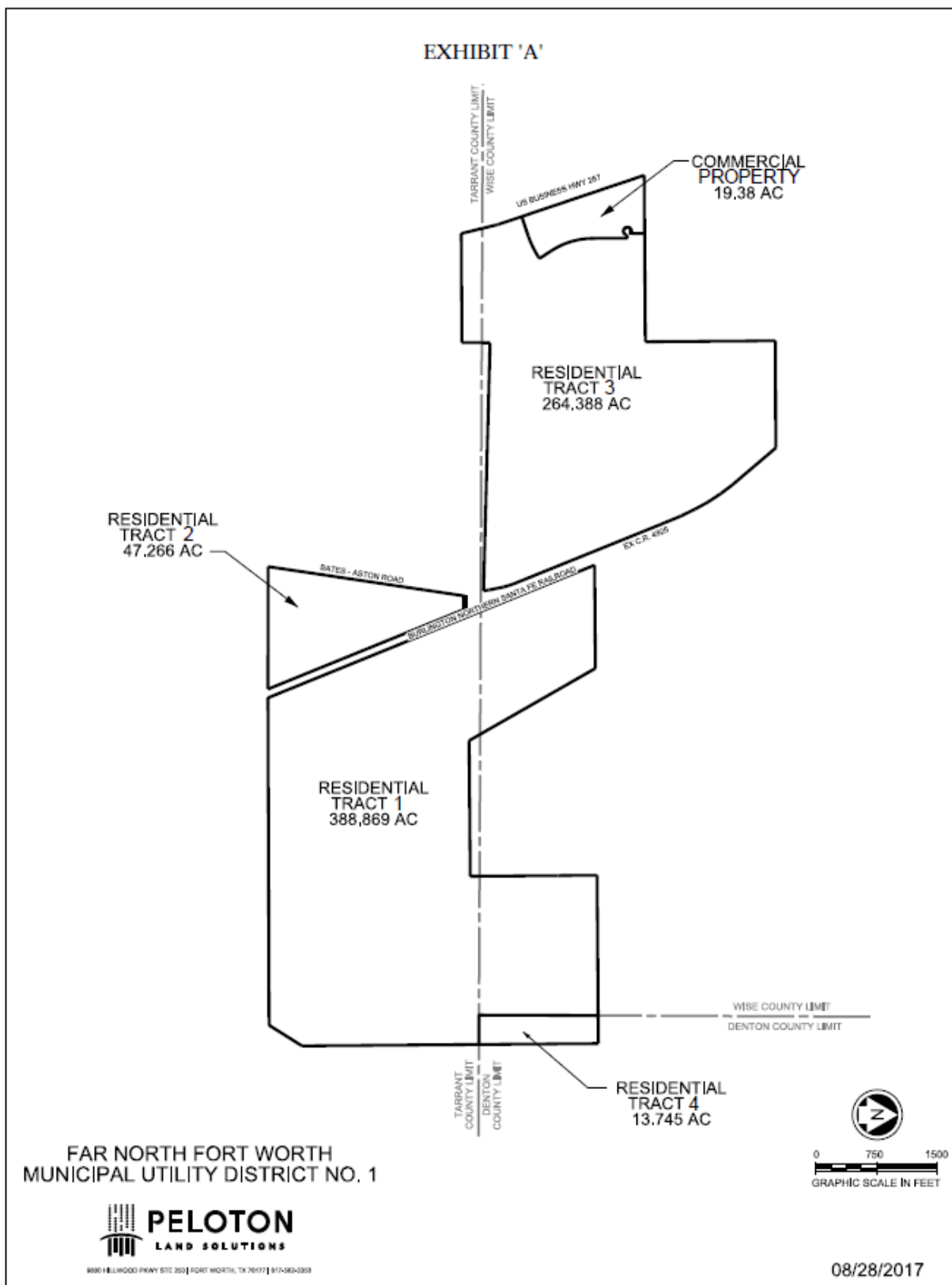
APPROVED AS TO FORM AND LEGALITY:

By: \_\_\_\_\_  
Melinda Ramos,  
Sr. Assistant City Attorney

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

ADOPTED and EFFECTIVE: \_\_\_\_\_

# EXHIBIT A Map



## EXHIBIT B

### Legal Description of Commercial Property

**BEING** a tract of land situated in the T. & P.R.R. Co. Survey, Abstract Number 1035, Wise County, Texas, and being a portion of that tract of land described by deed to Northstar Ranch LLC, (tract 3) recorded in Instrument Number D217014609, County Records, Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

**BEGINNING** at the northwest corner of said Northstar Ranch tract, being in the east right-of-way line of US Business Highway 287;

**THENCE** S 89°49'58"E, 721.93 feet departing said east line, with the north line of said Northstar tract;

**THENCE** S 00°07'40"W, 164.30 feet;

**THENCE** N 89°52'20"W, 29.16 feet, to the beginning of a curve to the left;

**THENCE** with said curve to the left, an arc distance of 209.44 feet, through a central angle of 240°00'00", having a radius of 50.00 feet, the long chord which bears S 29°52'20"E, 86.60 feet, to the beginning of a curve to the right;

**THENCE** with said curve to the right, an arc distance of 52.08 feet, through a central angle of 59°40'52", having a radius of 50.00 feet, the long chord which bears N 59°58'06"E, 49.76 feet;

**THENCE** S 00°07'40"W, 438.72 feet, to the beginning of a curve to the left;

**THENCE** with said curve to the left, an arc distance of 531.93 feet, through a central angle of 32°35'46", having a radius of 935.00 feet, the long chord which bears S 16°10'13"E, 524.79 feet;

**THENCE** S 32°28'06"E, 180.25 feet;

**THENCE** S 57°31'54"W, 30.24 feet, to the beginning of a curve to the right;

**THENCE** with said curve to the right, an arc distance of 288.10 feet, through a central angle of 14°25'00", having a radius of 1145.00 feet, the long chord which bears S 64°44'24"W, 287.34 feet;

**THENCE** S 71°56'54"W, 249.60 feet to the east right of way line of the aforementioned US Business Highway 287;

**THENCE** N 18°03'06"W, 1606.63 feet to the **Point of Beginning** and containing 844,377 square feet or 19.384 acres of land more or less.