

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

**AN ORDINANCE DECLARING CERTAIN FINDINGS; PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF FORT WORTH; PROVIDING FOR THE ANNEXATION OF AN APPROXIMATELY 0.395 ACRES OF LAND SITUATED IN THE JOHN KORTICKY SURVEY, ABSTRACT NO. 914, THE WILLIAM H. COLTHARP SURVEY, ABSTRACT NO. 286 AND THE MOSES WALTERS SURVEY, ABSTRACT NO. 1598; SAID TRACT BEING A PORTION OF COUNTY ROAD 1035, COMMONLY KNOWN AS WEST CLEBURNE ROAD, BEING A VARIABLE-WIDTH RIGHT-OF-WAY, SAID TRACT ALSO BEING A PORTION OF THAT CERTAIN 36.291 ACRE TRACT OF LAND CONVEYED TO CROWLEY INDEPENDENT SCHOOL DISTRICT AND DESCRIBED IN INSTRUMENT NO. D207416955 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS, SAID TRACT ALSO BEING A PORTION OF THAT CERTAIN 10.18 ACRE TRACT OF LAND CONVEYED TO TEXAS ELECTRIC SERVICE COMPANY AND DESCRIBED IN VOLUME 3564, PAGE 577 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS (CASE NO. AX-23-006) 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** in accordance with Section 43.1055(b) and (c) of the Texas Local Government Code the City of Fort Worth is annexing road right-of-way contiguous to the City's boundary after notification to and no objection by Tarrant County for full-purpose annexation; and

**WHEREAS** the population of the City of Fort Worth, Texas, is in excess of 100,000 inhabitants; 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** the hereinafter described territory contains approximately 0.395 acres of right-of-

way (17,186 sq. feet of land,) more or less, commonly known as West Cleburne Road;

**WHEREAS**, 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, in accordance with the procedural requirements of Section 43.063 of the Local Government Code on November 28, 2023 at 10:00 a.m. and December 12, 2023 at 6:00 p.m., at the City Council Chamber; and square footage in the descriptions.

**WHEREAS**, the City Council finds and determines that annexation of the right-of-way, commonly known as West Cleburne Road, 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 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:

**DESCRIPTION** of a 0.395 acre (17,186 square foot) tract of land situated in the John Korticky Survey, Abstract No. 914, the William H. Coltharp Survey, Abstract No. 286 and the Moses Walters Survey, Abstract No. 1598; said tract being a portion of County Road 1035, commonly known as West Cleburne Road, having a variable-width right-of-way, said tract also being a portion of that certain 36.291 acre tract of land conveyed to Crowley Independent School District and described in Instrument No. D207416955 of the Official Public Records of Tarrant County, Texas, said tract also being a portion of that certain 10.18 acre tract of land conveyed to Texas Electric Service Company and described in Volume 3564, Page 577 of the Deed Records of Tarrant County, Texas; said 0.395 acre (17,186 square foot) tract being more particularly described as follows:

**BEGINNING** at a point in the approximate center of said West Cleburne Road, same being the northeast corner of said 10.18 acres, said point also being in a south City Limits line as described in Ordinance No. 13578 at its intersection with the west City Limits line as described in Ordinance No. 9581;

**THENCE**, South 00 degrees, 22 minutes, 06 seconds East, with said approximate center of West Cleburne Road, and the said west City Limits line, a distance of 659.53 feet to a point for corner at the southwest corner of said Ordinance No. 9471, same being the north line of the City of Fort Worth City Limits of that certain Ordinance No. 9609;

**THENCE**, South 89 degrees, 40 minutes, 28 seconds West, to the apparent west line of said West Cleburne Road, a distance of 26.35 feet to the northwest corner of said Ordinance No. 9609;

**THENCE**, North 00 degrees, 28 minutes, 58 seconds, West, with said apparent west line of West Cleburne Road, a distance of 247.86 feet, to an interior corner of said 36.291 acres;

**THENCE**, North 00 degrees, 03 minutes, 31 seconds, West, continuing with said apparent west line of West Cleburne Road, a distance of 411.54 feet, to a point for corner in said south line of Ordinance No. 13578, same being the north line of said 10.18 acre TESCO tract;

**THENCE**, North 89 degrees, 20 minutes, 00 seconds East, with said south line of Ordinance No. 13578 and said north line of 10.18 acre TESCO tract to the **POINT OF BEGINNING**;

**CONTAINING**: 0.395 acres of land (17,186 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.** **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 5.** **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 6.**

**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 7.  
EFFECTIVE DATE**

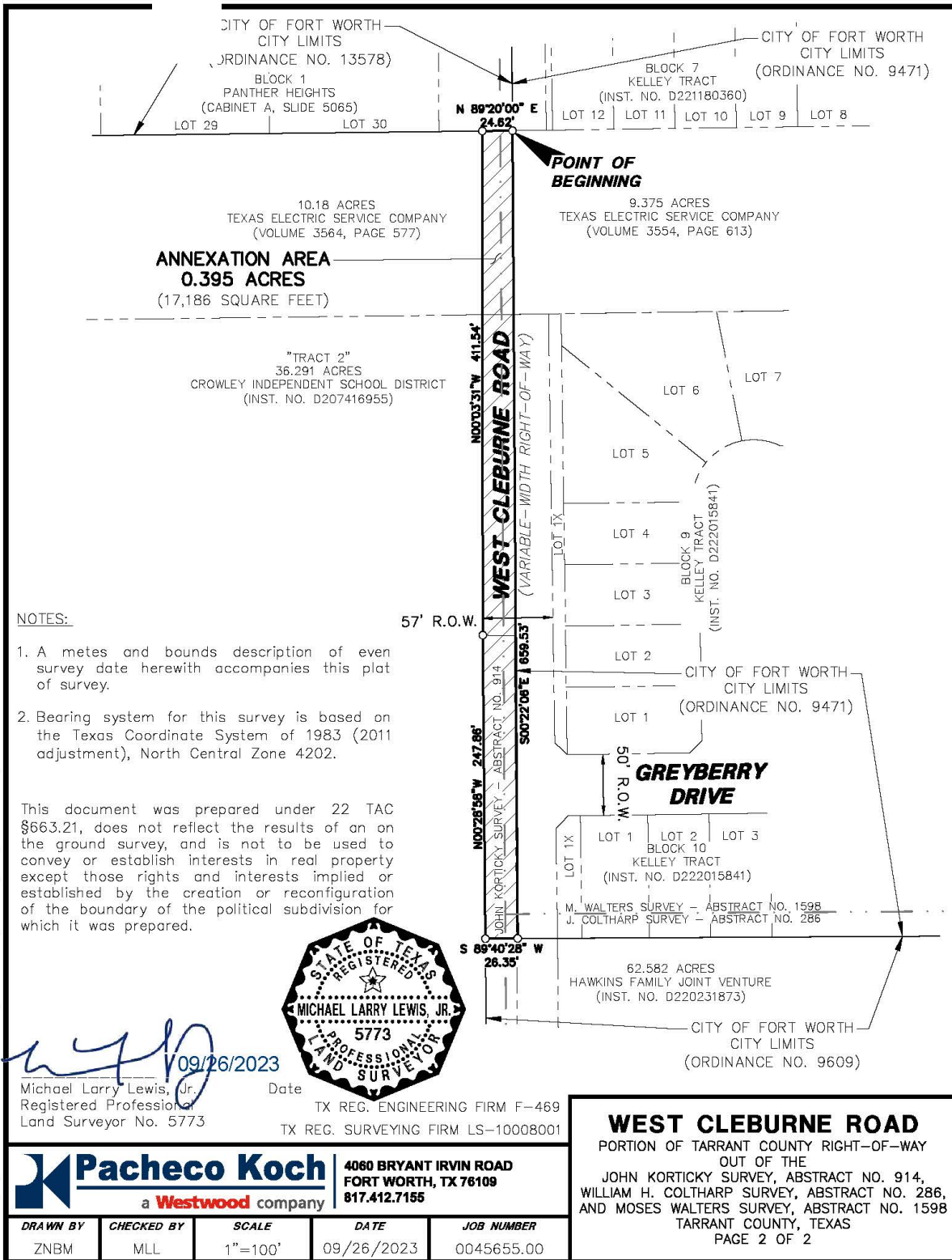
That this ordinance shall take effect upon adoption.

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Melinda Ramos, Deputy City Attorney

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

# EXHIBIT A



**NOTES:**

1. A metes and bounds description of even survey date herewith accompanies this plat of survey.
2. Bearing system for this survey is based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone 4202.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.



Michael Larry Lewis, Jr.  
Registered Professional  
Land Surveyor No. 5773

Date

TX REG. ENGINEERING FIRM F-469  
TX REG. SURVEYING FIRM LS-10008001

**Pacheco Koch** a Westwood company  
4060 BRYANT IRVIN ROAD  
FORT WORTH, TX 76109  
817.412.7155

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
ZNBM	MLL	1"=100'	09/26/2023	0045655.00

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