

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 4.98 ACRES OF LAND, MORE OR LESS, AND APPROXIMATELY 0.13 ACRES OF LAND MORE OR LESS OF RIGHTS-OF-WAY OUT OF THE ARCHIBALD ROBINSON SURVEY, ABSTRACT NO. 1119, AND THE M.E.P. & P.R.R. CO. SURVEY, ABSTRACT NO. 906, IN DENTON COUNTY, TEXAS (CASE NO. AX-20-008) 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 Cornerstone Bible Church, the owners, requesting the full-purpose annexation of 4.98 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, 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 section 43.0672 of Chapter 43 of the Texas Local Government Code, Cornerstone Bible Church 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 0.13 acres of county roads; and

WHEREAS, Chapter 43, Section 43.106 of the Texas Local Government Code requires that when a municipality proposes to annex territory that abuts a county road the municipality must also annex the entire width of the county road and the adjacent right-of-way on both side of the county road; 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 43.0686 of the Local Government Code on January 26, 2021 at 7:00 p.m., at the City Council Chamber; and square footage in the descriptions.

WHEREAS, the City Council finds and determines that annexation of the 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 4.98 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 situated in the Archibald Robinson Survey, Abstract No. 1119, and the M.E.P. & P.R.R. CO. Survey, Abstract No. 906, Denton County, Texas, and being part of a called 5.11 acre tract of land described in the Warranty Deed with Vendor's Lien, to Cornerstone Bible Church, Recorded in Instrument No. 2017-26595, Official Records, Denton County, Texas and being more particularly described as follows:

BEGINNING at the southwest corner of a called 0.1411 acre tract of land described in the Donation Deed to Denton County, Texas, recorded in Instrument No. 2010-24873, Official records, Denton County, Texas, and being in the south right-of-way line of Litsey Road (a variable with right-of-way);

THENCE North 89°48'51" East, with said south right-of-way line of Litsey Road and said south line of the 0.1411 acre tract, a distance of 592.71 feet to a point of the southeast corner of said 0.1411 acre tract;

THENCE South 02°43'14" West, with the east line of said 5.11 acre tract, a distance of 372.44 feet, to the southeast corner of said 5.11 acre tract and being the northeast corner of a called 1.124 acre tract of land described in a Warranty Deed with Vendor's Lien, to Litsey Property LLC, recorded in Instrument No. 2019-35010, Official Records, Denton County, Texas;

THENCE South 89°51'17" West, with the common line of said 5.11 acre tract and said 1.124 acre tract, a distance of 574.09 feet to the southwest corner of said 5.11 acre tract, same being the northwest corner of said 1.124 acre tract;

THENCE North 0°08'43" West, with the west line of said 5.11 acre tract, a distance of 371.55 feet to the **POINT OF BEGINNING** and containing 4.98 acres of land.

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.

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 all portions of the rights-of-way, comprising approximately 0.13 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 right-of-way being all that certain land particularly described below and depicted as on Exhibits “B” and “C” attached to and incorporated in this ordinance for all purposes.

SECTION 4.

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 Municipal Services Agreement and shall be bound by the acts, ordinances, resolutions and regulations of the City of Fort Worth, Texas.

SECTION 5.

That the Municipal Services Agreement attached hereto as Exhibit “D” is approved and incorporated into this ordinance for all purposes.

SECTION 6.
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 7.
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 8.
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 9.
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

Cornerstone Bible Church

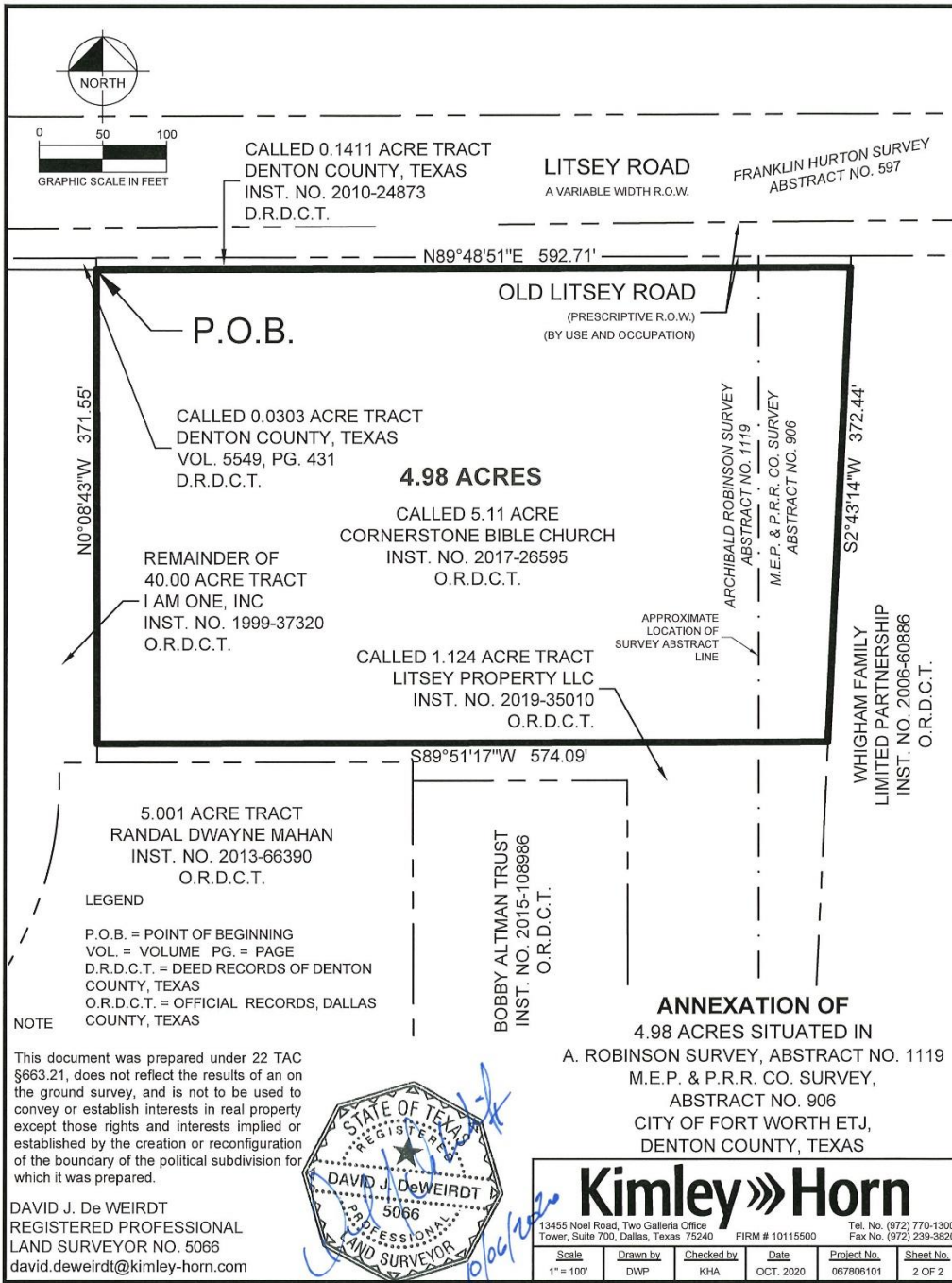


Exhibit B
Legal Description for Right-of-Way
“A Portion of Litsey Road”

BEING a tract of land situated in the Archibald Robinson Survey, Abstract No. 1119, and the M.E.P. & P.R.R. CO. Survey, Abstract No. 906, Denton County, Texas, and being all of a called 0.1411 acre tract of land described in the Donation Deed to Denton County, Texas, recorded in Instrument No. 2010-24873, Official Records, Denton County, Texas and being more particularly described as follows:

BEGINNING at the northwest corner of said 0.1411 acre tract, same being the northeast corner of a called 0.0303 acre tract of land described in the Special Warranty Deed to Denton County, Texas, recorded in Volume 5549, Page 131, Official Records, Denton County, Texas, and being in the south right-of-way line of Litsey Road (a variable with right-of-way) and the south line of that called 337.785 acre tract of land described in the City of Fort Worth Ordinance No. 14387, which annexed a total of 405.525 acres into the City of Fort Worth (Annexation Case No. A-00-12 dated November 14, 2000);

THENCE North 89°50'56" East, with said south right-of-way line of Litsey Road and said south line of the 337.785 acre tract, a distance of 593.16 feet to the northeast corner of said 0.1411 acre tract;

THENCE South 2°43'14" West, leaving said south right-of-way line and said south line of the 337.785 acre tract, with the east line of said 0.1411 acre tract a distance of 9.06 feet to the southeast corner of said 0.1411 acre tract;

THENCE South 89°48'51" West, with the south line of said 0.1411 acre tract, a distance of 592.71 feet to the southwest corner of said 0.1411 acre tract;

THENCE North 0°08'43" West, with the west line of said 0.1411 acre tract, a distance of 9.41 to the POINT OF BEGINNING and containing 0.13 acres of land.

**Exhibit C
Map of Right-of-Way
"A Portion of Litsey Road"**

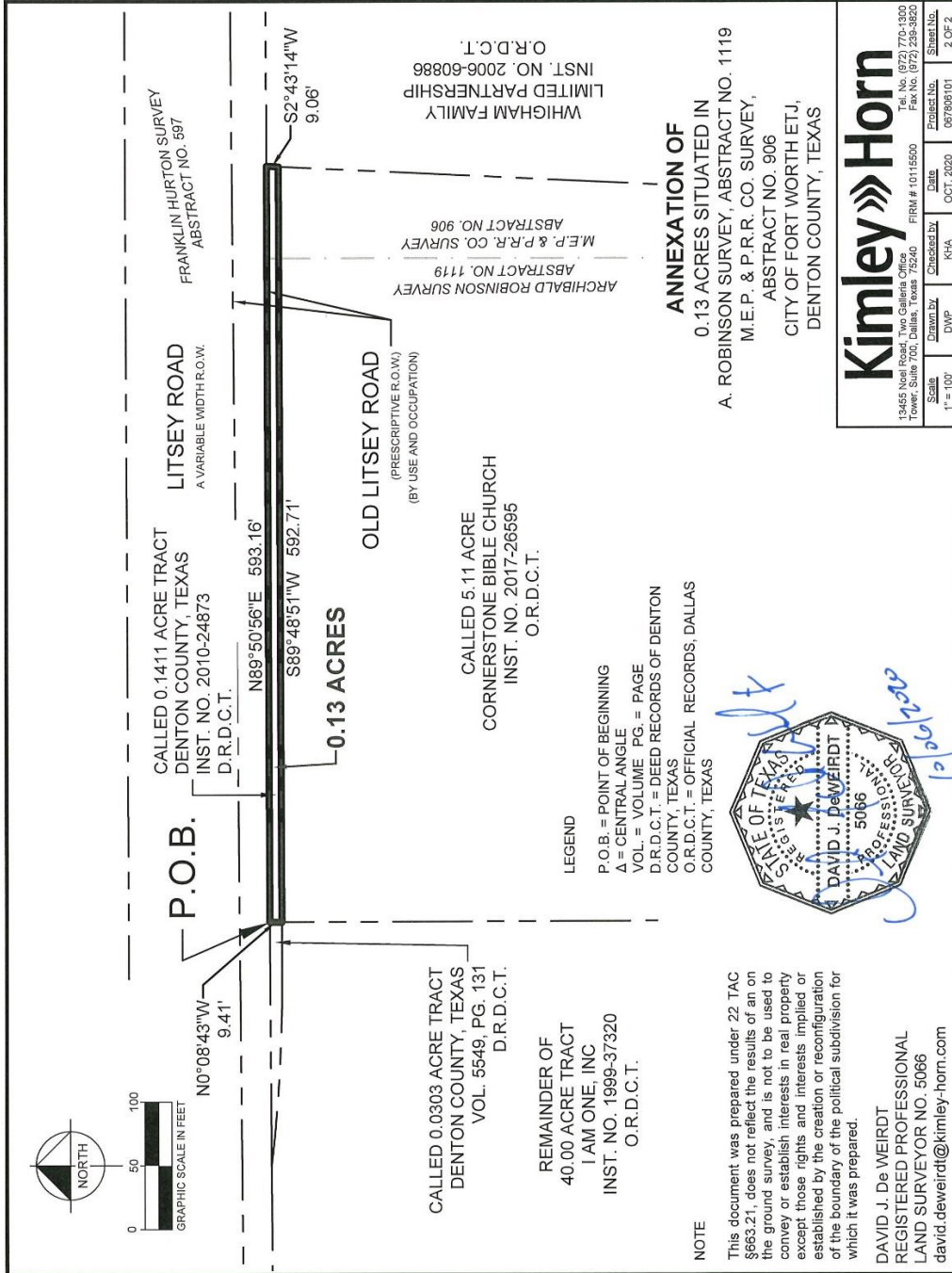


Exhibit D
Municipal Services Agreement