

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 2.263 ACRES, MORE OR LESS, OUT OF LAND SITUATED IN THE CHARLES MARTIN SURVEY, ABSTRACT NO. 1022, TARRANT COUNTY, TEXAS; SAID TRACT BEING ALL OF A TRACT OF LAND DESCRIBED AS TRACT I IN INDEPENDENT EXECUTOR'S WARRANTY DEED TO JUDY A. BAUMGARDNER RECORDED IN INSTRUMENT NUMBER D224016924, OFFICIAL PUBLIC RECORDS, TARRANT COUNTY, TEXAS (O.P.R.T.C.T.) AND A PORTION OF A TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED TO CITY OF FORT WORTH RECORDED IN INSTRUMENT NUMBER D216044405, O.P.R.T.C.T.; OF THE OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS, AND APPROXIMATELY 0.3796 ACRES OF LAND MORE OR LESS OF RIGHTS-OF-WAY OUT OF THE CHARLES MARTIN SURVEY, ABSTRACT NO. 1022, TARRANT COUNTY, TEXAS, BEING A PORTION OF CLEBURNE-CROWLEY ROAD (VARIABLE R-O-W), (CASE NO. AX-24-005) 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 QT South, LLC representatives for Judy Baumgardner, the owner, requesting the full-purpose annexation of 2.263 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, section 43.0671 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 of Chapter 43 of the Texas Local Government Code, the City section 43.0672 of the Texas Local Government Code Judy Baumgardner 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 0.3796 acres of county roads and rights-of-way;

and

WHEREAS, in accordance with Section 43.106 of the Texas Local Government code, the city must annex the entire width of the county road and adjacent right-of-way on both sides of the county road; and

WHEREAS, the City conducted a 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 43.0673 of the Local Government Code on September 17, 2024 at 6:00 p.m., at the City Council Chamber; and

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 2.263 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 2.2630 acre (98,578 square foot) tract of land situated in the Charles Martin Survey, Abstract No. 1022, Tarrant County, Texas; said tract being all of a tract of land described as Tract I in Independent Executor's Warranty Deed to Judy A. Baumgardner recorded in Instrument Number D224016924, Official Public Records, Tarrant County, Texas (O.P.R.T.C.T.) and a portion of a tract of land described in Special Warranty Deed to City of Fort Worth recorded in Instrument Number D216044405, O.P.R.T.C.T.; said tract being more particularly described as follows:

BEGINNING at a point for corner being northeast corner of a tract of land described in Special Warranty Deed to City of Fort Worth recorded in Instrument Number D217143589, O.P.R.T.C.T.;

THENCE North 89°13'18" East, a distance of 366.44 feet to a point for corner in the east line of said City of Fort Worth tract recorded in Instrument Number D216044405, said point being the beginning of a non-tangent curve to the left with a radius of 1,492.40 feet, a central angle of 30°13'58", and a chord bearing and distance of South 27°36'20" West, 778.38 feet;

THENCE in a southwesterly direction, with said non-tangent curve to the left, an arc distance of 787.48 feet to a point for corner in the east line of a tract of land described

in Warranty Deed to Texas Electric Service Company recorded in Volume 6892, Page 1268, Deed Records, Tarrant County, Texas (D.R.T.C.T.);

THENCE North 00°28'42" West, departing the west right-of-way line of N. Crowley Road (a variable width right-of-way), a distance of 684.81 feet to the **POINT OF BEGINNING** and containing 98,578 square feet or 2.2630 acres of land, more or less.

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 roads and rights-of-way, comprising approximately 0.3796 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 roads and rights-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 LAUSE

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.

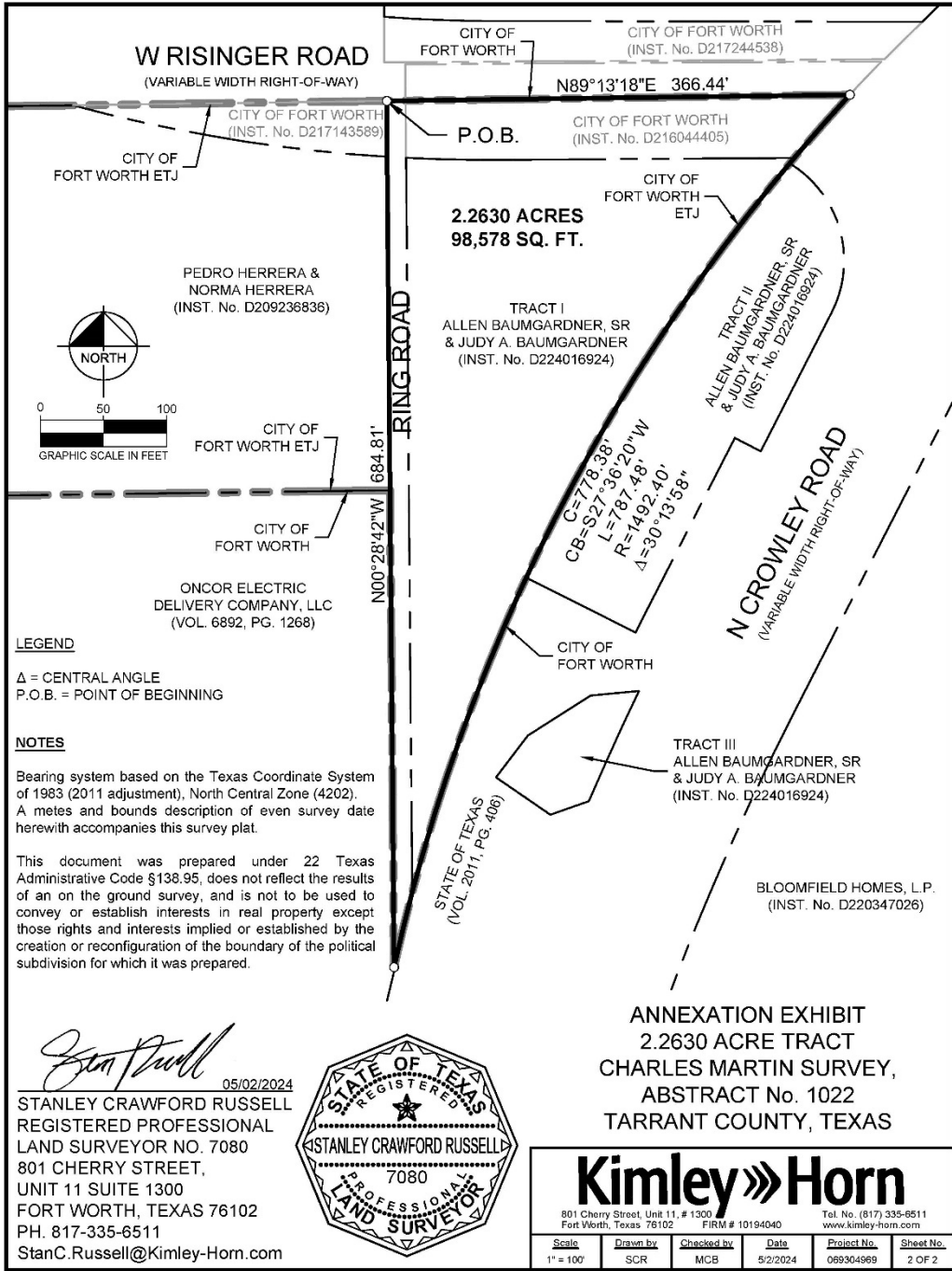
APPROVED AS TO FORM AND LEGALITY:

Melinda Ramos
Deputy City Attorney

Jannette S. Goodall
City Secretary

ADOPTED AND EFFECTIVE: _____

EXHIBIT A



Stan Russell
05/02/2024
STANLEY CRAWFORD RUSSELL
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 7080
801 CHERRY STREET,
UNIT 11 SUITE 1300
FORT WORTH, TEXAS 76102
PH. 817-335-6511
StanC.Russell@Kimley-Horn.com



Kimley»Horn
801 Cherry Street, Unit 11, #1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SCR	MCB	5/2/2024	069304969	2 OF 2

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Exhibit B Risinger Road

LEGAL DESCRIPTION

ANNEXATION EXHIBIT - 0.3796 ACRE TRACT

BEING a 0.3796 acre (16,536 square foot) tract of land situated in the Charles Martin Survey, Abstract No. 1022, Tarrant County, Texas; said tract being a portion of a tract of land described in Special Warranty Deed to City of Fort Worth recorded in Instrument Number D216044405, Official Public Records, Tarrant County, Texas (O.P.R.T.C.T.); said tract being more particularly described as follows:

BEGINNING at a point for corner being the southeast corner of said City of Fort Worth tract recorded in Instrument Number D216044405 and the northeast corner of a tract of land described as Tract I in Independent Executor's Warranty Deed to Judy A. Baumgardner recorded in Instrument Number D224016924, O.P.R.T.C.T., said point being the intersection of the west right-of-way line of N. Crowley Road (a variable width right-of-way) and the south right-of-way line of W. Risinger Road (a variable width right-of-way);

THENCE South 89°38'54" West, along the south line of said City of Fort Worth tract recorded in Instrument Number D216044405 and the north line of said Tract I, a distance of 236.28 feet to a point for corner being the beginning of a tangent curve to the right with a radius of 1,255.00 feet, a central angle of 03°54'30", and a chord bearing and distance of North 88°23'50" West, 85.59 feet;

THENCE in a westerly direction, continuing along the said south line of City of Fort Worth tract recorded in Instrument Number D216044405 and the said north line of Tract I, with said tangent curve to the right, an arc distance of 85.61 feet to a point for corner, said point being the southeast corner of a tract of land described in Special Warranty Deed to City of Fort Worth recorded in Instrument Number D217143589, O.P.R.T.C.T. and the northeast corner of a tract of land described in General Warranty Deed with Vendor's Lien to Pedro Herrera and Norma Herrera recorded in Instrument Number D209236836, O.P.R.T.C.T.;

THENCE North 00°28'42" West, along the east line of said City of Fort Worth tract recorded in Instrument Number D217143589, a distance of 44.15 feet to a point for corner;


THENCE North 89°13'18" East, departing the said east line of City of Fort Worth tract recorded in Instrument Number D217143589, a distance of 366.44 feet to a point for corner in the east line of said City of Fort Worth tract recorded in Instrument Number D216044405, said point being the beginning of a non-tangent curve to the left with a radius of 1,492.40 feet, a central angle of 02°33'51", and a chord bearing and distance of South 41°26'24" West, 66.79 feet;

THENCE in a southwesterly direction, along the said east line of City of Fort Worth tract recorded in Instrument Number D216044405, with said non-tangent curve to the left, an arc distance of 66.79 feet to the **POINT OF BEGINNING** and containing 16,536 square feet or 0.3796 acres of land, more or less.

NOTES

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

This document was prepared under 22 Texas Administrative Code §138.95, 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.


05/02/2024
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REGISTERED PROFESSIONAL
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PH. 817-335-6511
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ANNEXATION EXHIBIT
0.3796 ACRE TRACT
CHARLES MARTIN SURVEY,
ABSTRACT No. 1022
TARRANT COUNTY, TEXAS

Kimley»Horn

801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SCR	MCB	5/2/2024	069304969	1 OF 2

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Exhibit D
Municipal Services Agreement