

# Mayor and Council Communication

**DATE:** 06/10/25

**M&C FILE NUMBER:** M&C 25-0487

**LOG NAME:** 06AX-24-014: WHIGHAM TRACT, OWNER-INITIATED ANNEXATION

## **SUBJECT**

(Future CD 10) Conduct a Public Hearing to Authorize Execution of a Municipal Services Agreement, and Consider Adopting an Ordinance for the Proposed Owner-Initiated Annexation of Approximately 35.832 Acres of Land in Denton County, Known as Whigham Tract, Located East of I-35 West and South of the Chadwick Farms Subdivision Along Litsey Road, in the Far North Planning Sector, (AX-24-014)

(PUBLIC HEARING - a. Staff Available for Questions: Derek Hull; b. Public Comment; c. Council Action: Close Public Hearing and Act on M&C)

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## **RECOMMENDATION:**

It is recommended that the City Council:

1. Conduct a public hearing for the proposed owner-initiated annexation of approximately 35.832 acres of land in Denton County located east of I-35 West, south of the Chadwick Farms Subdivision along Litsey Road as shown on Exhibit A;
2. Authorize execution of Municipal Services Agreement between the City and property owners - Whigham Family Limited Purpose, I AM ONE, Inc., Nolin W. Ragsdale; and
3. Adopt an ordinance annexing AX-24-014 for full purposes.

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## **DISCUSSION:**

On September 30, 2024, representatives for the property owners, Whigham Family Limited Purpose, I AM ONE, Inc., and Nolin W. Ragsdale submitted a request for full-purpose annexation of the property shown in Exhibit A into the City of Fort Worth. The subject property is located entirely in that portion of the City's extraterritorial jurisdiction, which is in Denton County. The site is located east of I-35 West, south of the Chadwick Farms subdivision along Litsey Road. The owner-initiated annexation contains approximately 35.832 acres of land. The subject area is currently residential and vacant land. The property is proposed for single-family residential development.

On April 9, 2025, the related zoning case (ZC-24-132) was heard by the Zoning Commission, and the Commission voted to recommend approval of the requested zoning to the City Council. The requested zoning is "A-5" Single-family Residential. The City Plan Commission conducted a public hearing on April 30, 2025, to consider a future land use change in the Comprehensive Plan from Open Space to Single-family Residential.

Subchapter C-3 of Chapter 43 of the Texas Local Government Code (LGC) provides for the process of annexation of an area upon request of an owner of land. Section 43.0672 of the LGC requires a municipality that elects to annex an area upon the request of an owner to first negotiate and enter into a written agreement with the owners of land in the area for the provision of municipal services. The agreement must include:

1. A list of each service the municipality will provide on the effective date of the annexation; and
2. A schedule that includes the period within which the municipality will provide each service that is not provided on the effective date of the annexation.

The municipal services agreement includes these provisions in accordance with state law. Emergency services will be provided through the City of Fort Worth. The City's Fire Department will provide emergency medical and fire protection services comparable with the provision of services available in other parts of the municipality with topography, land use and population density to be similar to the level of service contemplated or projected in the area. The City's Police Department will provide protection and law enforcement services. The City will also provide operation and maintenance of water and wastewater facilities; roads and streets, including road and street lighting; and of any other publicly owned facility, building, or service in the annexed area.

The proposed uses were considered while assessing the financial impact to the General Fund. The city tax revenue is expected to have a positive fiscal impact over the next 10 years after the proposed development has been built. Based on the operating costs projected by the Police, Code Compliance and Transportation and Public Works Departments, the fiscal impact shows a slightly negative effect to the General Fund for the first year but will have a positive impact thereafter. Due to the area meeting the City's annexation criteria and the positive fiscal impact over the next 10 years, staff recommends approval of the requested owner-initiated annexation, AX-24-014.

Section 43.0673 in Subchapter C-3 of Chapter 43 of the Texas Local Government Code (LGC) requires a municipality that elects to annex an area upon the request of an owner to provide notice of public hearings on the proposed annexation. Notice was posted on the City of Fort Worth Annexation webpage on Wednesday, April 16, 2025, and was published in the Fort Worth Star-Telegram on Friday, May 2, 2025. Additional notices were sent by certified mail to public entities to include: Tarrant and Denton Appraisal-Districts, Denton County Fire Marshal's Office, Denton County Administrator, Northwest Independent School District and public utilities.

The City Council will conduct a public hearing on the proposed annexation. Once the City Council has conducted the required public hearing, Council may close the hearing and vote on authorizing the City Manager to execute the Municipal Services Agreement between the City and property owners and adopt an ordinance annexing the Whigham Tract.

Upon approval of the annexation request, the property will become part of COUNCIL DISTRICT 10.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that upon approval of the above recommendations and adoption of the attached ordinance, the annexation will have a long-term positive impact to the General Fund.

**Submitted for City Manager's Office by:**    Dana Burghdoff    8018

**Originating Business Unit Head:**                D.J. Harrell                8032

**Additional Information Contact:**                Leo Valencia