

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 4.594 ACRES OF LAND, MORE OR LESS, OUT OF THE C. BOYD SURVEY, ABSTRACT NO. 212, IN TARRANT COUNTY, TEXAS (CASE NO. AX-19-007) 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 Jonathan Westrom and Tracy Westrom, the owners, requesting the full-purpose annexation of 4.594 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, the City is a Tier 2 municipality for purposes of annexation under Chapter 43 of the Texas Local Government Code (“LGC”); 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 of Chapter 43 of the Texas Local Government Code, the City section 43.0672 of the Texas Local Government Code, Jonathan Westrom and Tracy Westrom 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 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 43.0673 of the Local Government Code on November 5, 2019 at 7:00 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 4.594 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 4.594 ACRES TRACT OF LAND OUT OF THE C. BOYD SURVEY, ABSTRACT NO. 212, TARRANT COUNTY, TEXAS; BEING A PORTION OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN D218121542, OFFICIAL RECORDS, TARRANT COUNTY, TEXAS; BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND 3/4" IRON ROD, AT THE NORTHWEST CORNER OF THAT CERTAIN LOT 7, BLOCK 1, BOYD ADDITION AS RECORDED IN PC. A, P. 1795, PLAT RECORDS, TARRANT COUNTY, TEXAS, AT THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN V. 7481, P. 65, O.R.T.C.T., AT THE SOUTHEAST CORNER OF THAT CERTAIN LOT 6, BLOCK A, BOAZ ADDITION AS RECORDED IN PC. A, P. 3295, P.R.T.C.T., AND AT THE SOUTHWEST CORNER OF SAID D218121542, FOR THE SOUTHWEST AND BEGINNING CORNER OF THIS TRACT.

THENCE N 00°02'02" W AT 473.77 FEET PASSING A FOUND 1/2" IRON ROD AND IN ALL 504.17 FEET ALONG THE EAST LINE OF SAID LOT 6 AND THE WEST LINE OF SAID D218121542 TO A FOUND 3/4" IRON ROD, AT THE NORTHEAST CORNER OF SAID LOT 6 AND IN THE SOUTH LINE OF AVONDALE HASLET ROAD, FOR THE NORTHWEST CORNER OF THIS TRACT.

THENCE N 89°05'10" E 395.01 FEET OVER AND ACROSS SAID D218121542 AND ALONG THE SOUTH LINE OF SAID AVONDALE HASLET ROAD TO A FOUND 1" IRON ROD, IN THE EAST LINE OF SAID D218121542 AND THE WEST LINE OF THAT CERTAIN LOT 1, BLOCK 1, STITH ADDITION AS RECORDED IN D214211589, P.R.T.C.T., FOR THE NORTHEAST CORNER OF THIS TRACT.

THENCE S 00°00'57" W 509.74 FEET ALONG THE WEST LINE OF SAID LOT 1 AND THE EAST LINE OF SAID D218121542 TO A FOUND 3/4" IRON ROD, AT THE SOUTHEAST CORNER OF SAID D218121542, AT THE SOUTHWEST CORNER OF SAID LOT 1, AT THE NORTHWEST CORNER OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN D208335517, O.R.T.C.T., AND AT THE NORTHEAST

CORNER OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN D208019777, O.R.T.C.T., FOR THE SOUTHEAST CORNER OF THIS TRACT.

THENCE S 89°53'38" W 394.51 FEET ALONG THE SOUTH LINE OF SAID D218121542 TO THE POINT OF BEGINNING.

BEARINGS, DISTANCES, AND/OR AREAS DERIVED FROM GNSS OBSERVATIONS PERFORMED BY TEXAS SURVEYING, INC. AND REFLECT N.A.D. 1983, TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202. (GRID)

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 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.

That the Municipal Services Agreements attached hereto as Exhibit "B" is approved and incorporated into this ordinance for all purposes.

SECTION 5.
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 6.
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 7.
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 8.
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 MAP OF PROPERTY

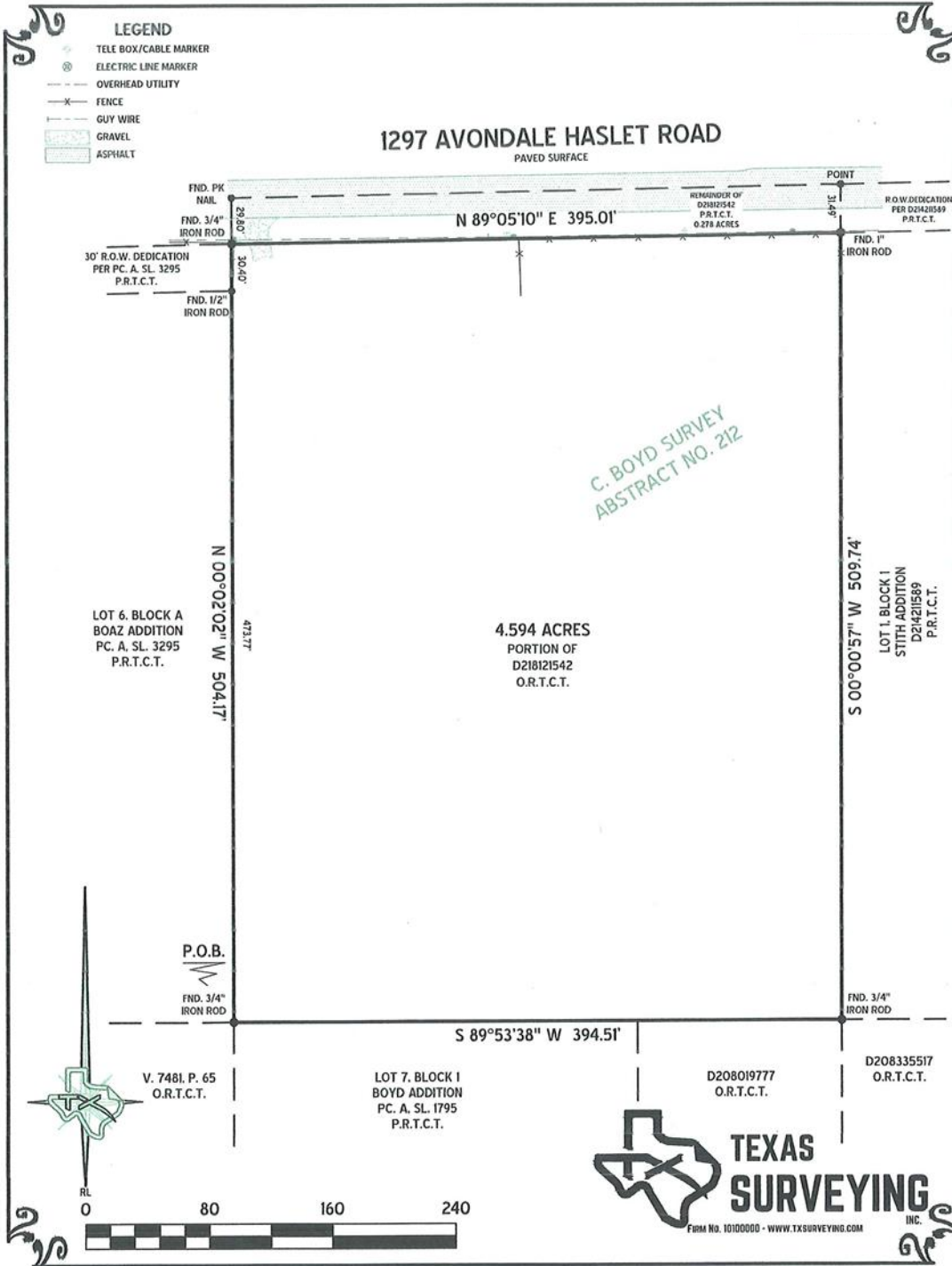


EXHIBIT B
MUNICIPAL SERVICES AGREEMENT
(to be inserted)