

ORDINANCE NO. 26653-12-2023

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 2.595 ACRES OF LAND SITUATED IN THE BENJAMIN THOMAS SURVEY, ABSTRACT NO. 1497, THE JOHN WAGLEY SURVEY, ABSTRACT NO. 1597, AND THE JAMES P. ALFORD SURVEY, ABSTRACT NO. 53, TARRANT COUNTY, TEXAS; SAID TRACT BEING A PORTION OF COUNTY ROAD 4108, COMMONLY KNOWN AS WAGLEY ROBERTSON ROAD, BEING A VARIABLE-WIDTH RIGHT-OF-WAY; TARRANT COUNTY, TEXAS (CASE NO. AX-23-005) 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 2.595 acres of right-of-way (113,053 sq. feet more or less), commonly known as Wagley Robertson 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 Wagley Robertson 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 2.595 acre (113,053 square foot) tract of land situated in the Benjamin Thomas Survey, Abstract No. 1497, the John Wagley Survey, Abstract No. 1597, and the James P. Alford Survey, Abstract No. 53, Tarrant County, Texas; said tract being a portion of County Road 4108, commonly known as Wagley Robertson Road, having a variable-width right-of-way; said 2.595 acre (113,053 square foot) tract being more particularly described as follows:

BEGINNING at a point in the west line of said Wagley Robertson Road, dedicated by that plat known as The Estates at the Ranch Section One, recorded in Cabinet A, Slide 4406 of the Plat Records of Tarrant County, Texas, same being the northwest corner of a 0.46 acre Portion of Wagley Robertson Road described in Exhibit B of that certain City of Fort Worth Ordinance No. 24072-03-2020, same being a current City Limits line;

THENCE, North 00 degrees, 42 minutes, 00 seconds West, with said west line of Wagley Robertson Road, a distance of 536.45 feet to a point for corner at the southeast corner of Block A, Block A, B. Thomas Addition, recorded in Cabinet A, Slide 5610 of said Plat Records;

THENCE, North 00 degrees, 39 minutes, 41 seconds West, continuing with said west line of Wagley Robertson Road and the east line of said Block A, a distance of 1421.78 feet to a point for corner in the south line of Cofer Farm Addition, recorded in Instrument No. D214029586 of said Official Public Records, same being the south line of the City of Fort Worth City Limits as described in Parcel 1 of that certain Ordinance No. 16704-11-2005;

THENCE, North 78 degrees, 42 minutes, 22 seconds, East, with the south line of said City Limits, a distance of 57.68 feet to the west line of the City of Fort Worth City Limits according to that certain Ordinance No. 6390, said point being in the apparent east line of Wagley Robertson Road;

THENCE, South 00 degrees, 57 minutes, 01 seconds East with the said west line of said City Limits and the apparent east line of Wagley Robertson Road, a distance of 278.91 feet to the northwest corner of Bar C Ranch, according to the map or plat thereof, recorded in Instrument No. D221299372 of said Official Public Records;

THENCE, South 00 degrees, 37 minutes, 52 seconds East continuing with the west line of said City Limits, a distance of 1,690.69 feet to a point for corner for the northeast corner of the first referenced City Limits line;

THENCE, North 89 degrees, 55 minutes, 52 seconds, West, with the said City Limits line, a distance of 56.85 feet to the **POINT OF BEGINNING**;

CONTAINING: 2.595 acres of land (113,053 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

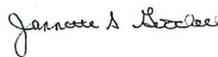
That this ordinance shall take effect upon adoption.

APPROVED AS TO FORM AND LEGALITY:

CITY SECRETARY



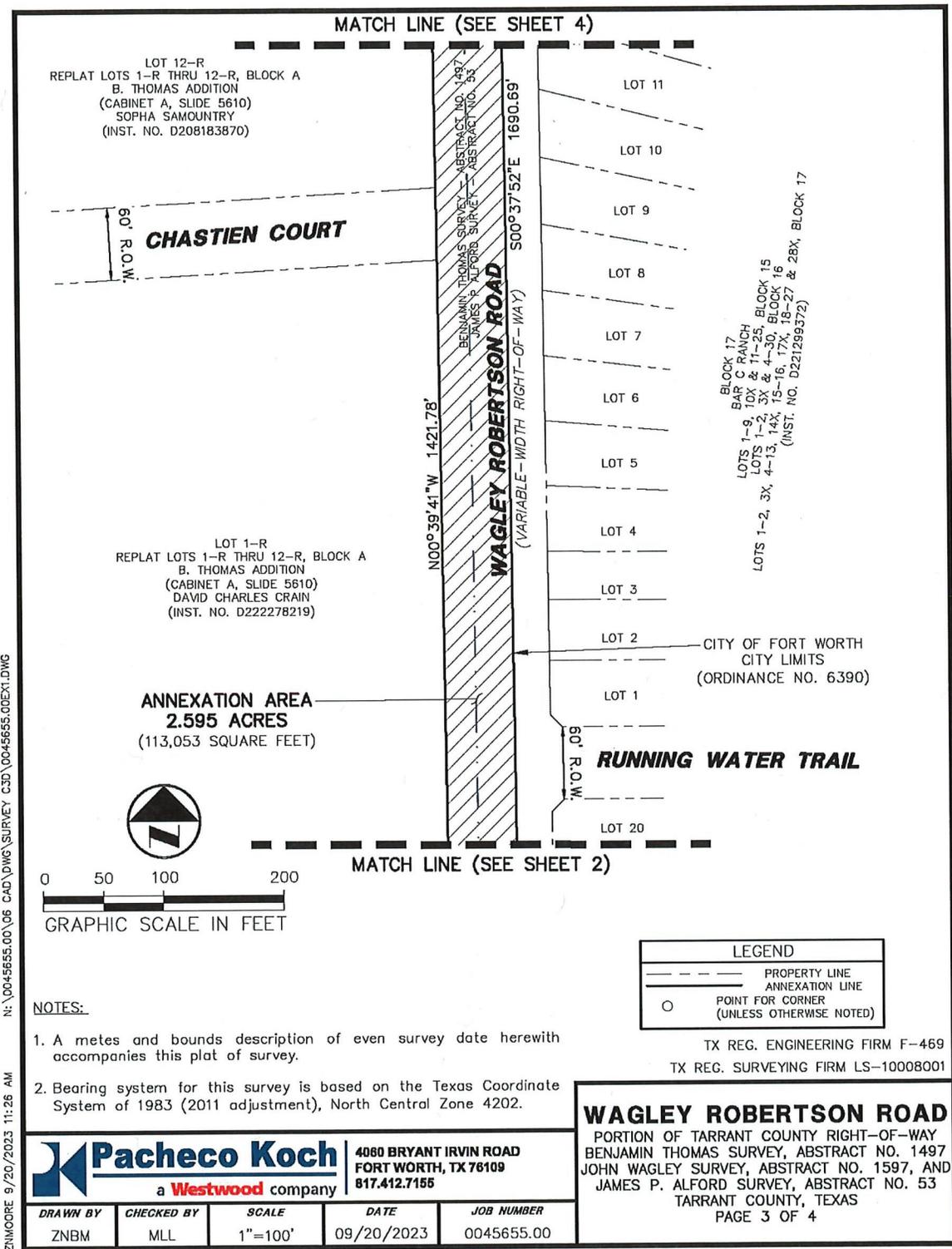
Melinda Ramos, Deputy City Attorney



Jannette S. Goodall
City Secretary

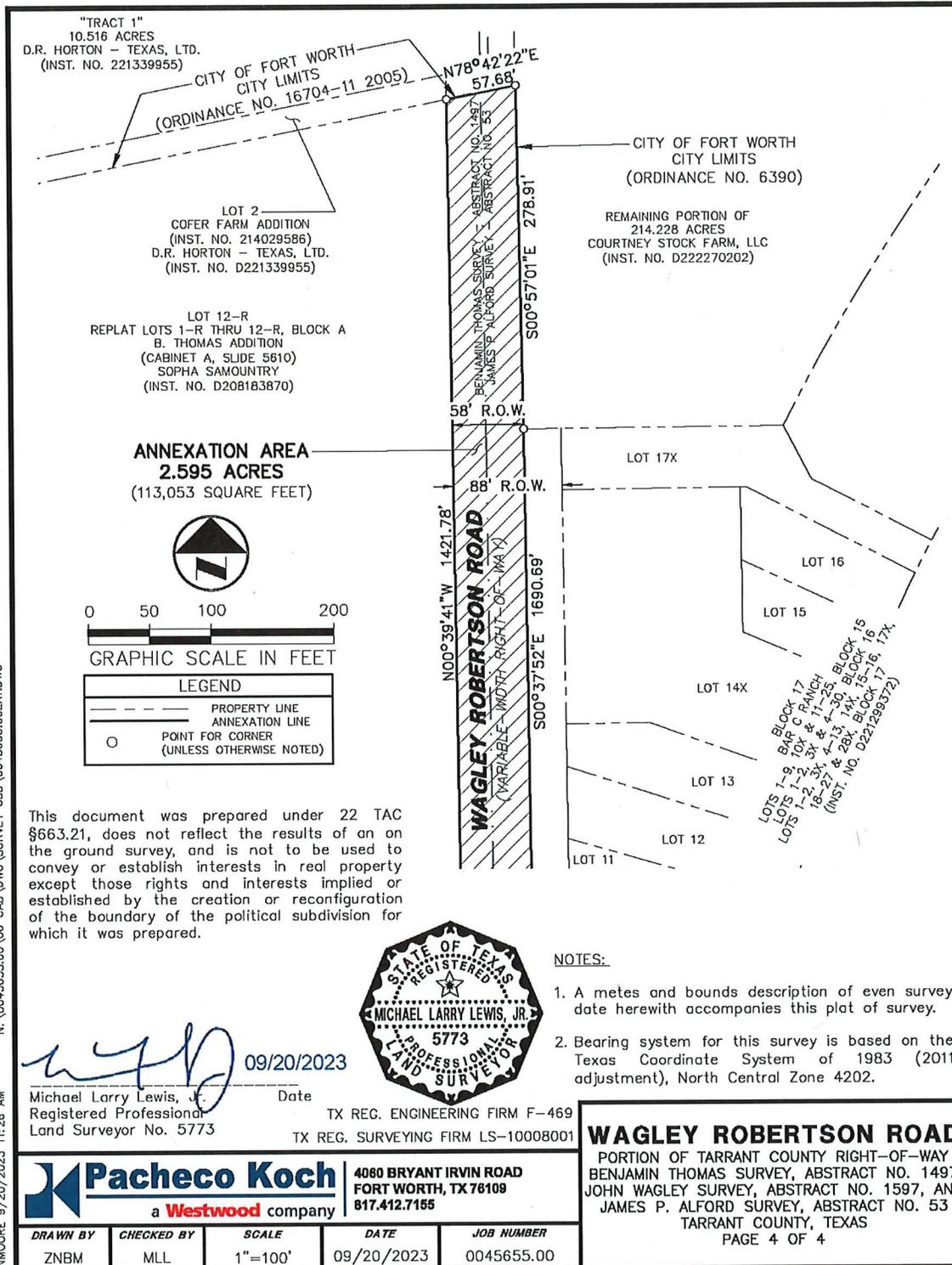
ADOPTED AND EFFECTIVE: December 12, 2023

EXHIBIT A
CONTINUED



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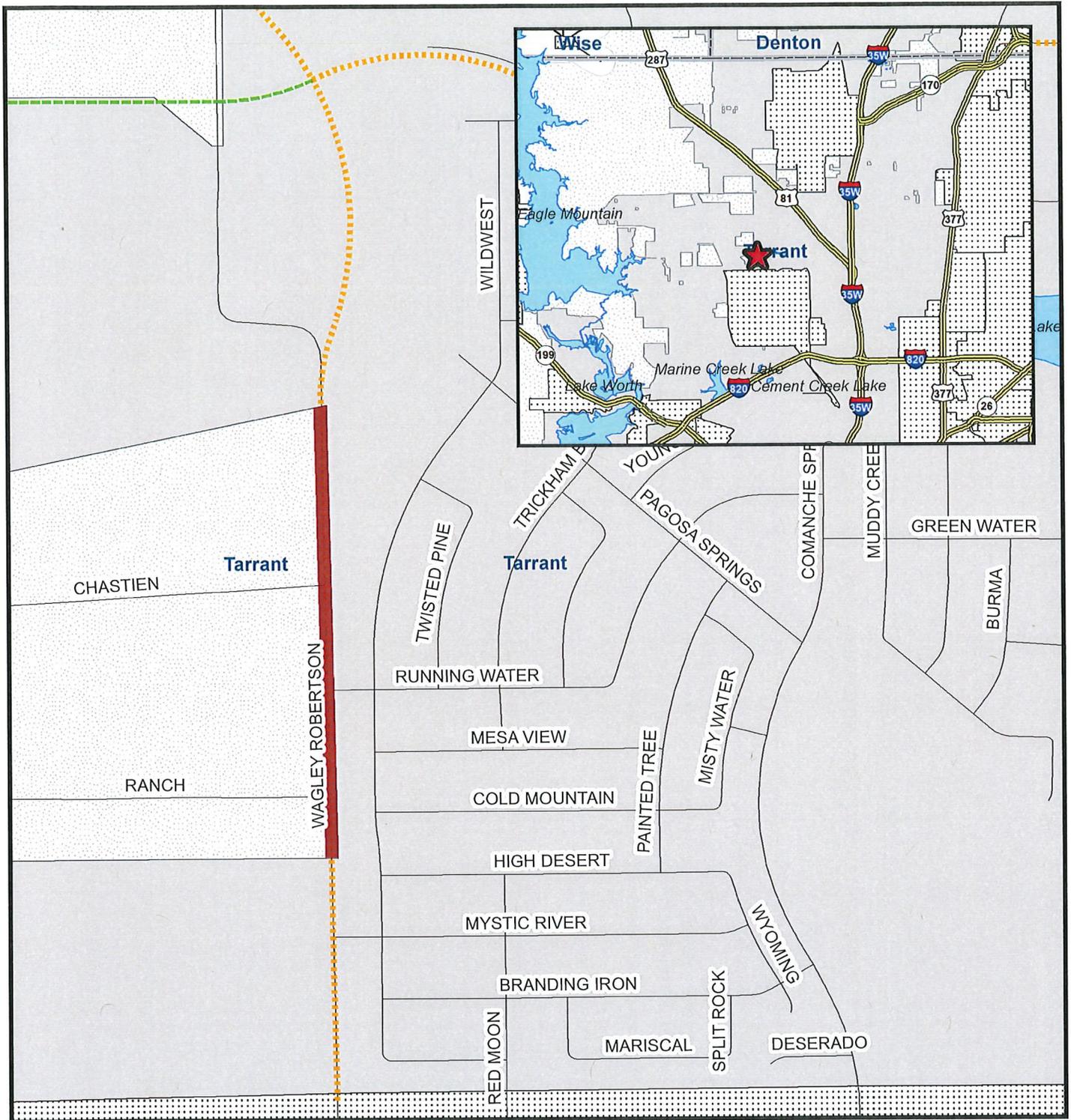
EXHIBIT A
CONTINUED



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AX-23-005

Approximately 2.595 Acres Adjacent to Council District 7



Master Thoroughfare Plan

Land Use

- Commercial Connector
- Neighborhood Connector

 Adjacent Cities

Fort Worth

- Full Purpose
- Limited Purpose
- Extraterritorial Jurisdiction
- Subject Area

0 500 1,000 Feet

1:7,200



Planning & Development Department
10/17/2023

COPYRIGHT 2023 CITY OF FORT WORTH UNAUTHORIZED REPRODUCTION IS A VIOLATION OF APPLICABLE LAWS. THIS DATA IS TO BE USED FOR A GRAPHICAL REPRESENTATION ONLY. THE ACCURACY IS NOT TO BE TAKEN / USED AS DATA PRODUCED FOR ENGINEERING PURPOSES OR BY A REGISTERED PROFESSIONAL LAND SURVEYOR. THE CITY OF FORT WORTH ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF SAID DATA.

**ANNEXATION EXHIBIT
WAGLEY ROBERTSON ROAD**

Part of the Benjamin Thomas Survey, Abstract No. 1497, the John Wagley Survey,
Abstract No. 1597, and the James P. Alford Survey, Abstract No. 53
Tarrant County, Texas

DESCRIPTION of a 2.595 acre (113,053 square foot) tract of land situated in the Benjamin Thomas Survey, Abstract No. 1497, the John Wagley Survey, Abstract No. 1597, and the James P. Alford Survey, Abstract No. 53, Tarrant County, Texas; said tract being a portion of County Road 4108, commonly known as Wagley Robertson Road, having a variable-width right-of-way; said 2.595 acre (113,053 square foot) tract being more particularly described as follows:

BEGINNING at a point in the west line of said Wagley Robertson Road, dedicated by that plat known as The Estates at the Ranch Section One, recorded in Cabinet A, Slide 4406 of the Plat Records of Tarrant County, Texas, same being the northwest corner of a 0.46 acre Portion of Wagley Robertson Road described in Exhibit B of that certain City of Fort Worth Ordinance No. 24072-03-2020, same being a current City Limits line;

THENCE, North 00 degrees, 42 minutes, 00 seconds West, with said west line of Wagley Robertson Road, a distance of 536.45 feet to a point for corner at the southeast corner of Block A, Block A, B. Thomas Addition, recorded in Cabinet A, Slide 5610 of said Plat Records;

THENCE, North 00 degrees, 39 minutes, 41 seconds West, continuing with said west line of Wagley Robertson Road and the east line of said Block A, a distance of 1421.78 feet to a point for corner in the south line of Cofer Farm Addition, recorded in Instrument No. D214029586 of said Official Public Records, same being the south line of the City of Fort Worth City Limits as described in Parcel 1 of that certain Ordinance No. 16704-11-2005;

THENCE, North 78 degrees, 42 minutes, 22 seconds, East, with the south line of said City Limits, a distance of 57.68 feet to the west line of the City of Fort Worth City Limits according to that certain Ordinance No. 6390, said point being in the apparent east line of Wagley Robertson Road;

THENCE, South 00 degrees, 57 minutes, 01 seconds East with the said west line of said City Limits and the apparent east line of Wagley Robertson Road, a distance of 278.91 feet to the northwest corner of Bar C Ranch, according to the map or plat thereof, recorded in Instrument No. D221299372 of said Official Public Records;

THENCE, South 00 degrees, 37 minutes, 52 seconds East continuing with the west line of said City Limits, a distance of 1,690.69 feet to a point for corner for the northeast corner of the first referenced City Limits line;

THENCE, North 89 degrees, 55 minutes, 52 seconds, West, with the said City Limits line, a distance of 56.85 feet to the **POINT OF BEGINNING**;

CONTAINING: 2.595 acres of land (113,053 square feet), more or less.

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.



Michael Larry Lewis, Jr. Date 09/20/2023
Registered Professional Land Surveyor No. 5773
Pacheco Koch, a Westwood Company
4060 Bryant Irvin Road, Fort Worth, TX 76109
(817) 412-7155
TX Reg. Surveying Firm LS-10008001
4742-20.458EX1.doc
4742-20.458EX1.dwg MCL



MATCH LINE (SEE SHEET 3)

LOT 1-R
REPLAT LOTS 1-R THRU 12-R, BLOCK A
B. THOMAS ADDITION
(CABINET A, SLIDE 5610)
DAVID CHARLES CRAIN
(INST. NO. D222278219)

0.856 ACRES
ISAIAS J. SANCHEZ AND
GENIA V. SANCHEZ
(INST. NO. D216107061)

ANNEXATION AREA
2.595 ACRES
(113,053 SQUARE FEET)

RANCH ROAD

0.968 ACRES
JON KEVIN CREED AND
LUCRETIA GAYLE CREED
(VOL. 11245, PAGE 397)

POINT OF BEGINNING

WAGLEY ROBERTSON ROAD
(VARIABLE-WIDTH RIGHT-OF-WAY)

LOT 19

LOT 18

LOT 17
JAMES P. ALFORD SURVEY - ABSTRACT NO. 53.
JOHN WAGLEY SURVEY - ABSTRACT NO. 1597

LOT 16

LOT 15

LOT 14

LOT 13

LOT 12

LOT 11

LOT 10

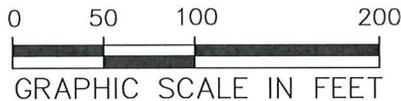
LOT 9

LOT 8

LOT 7
CITY OF FORT WORTH
CITY LIMITS
(ORDINANCE NO. 6390)

LOT 6

BLOCK 10
THE BAR C RANCH
BLOCK 9, LOTS 18-29 AND PRIVATE OPEN SPACE LOT 38X,
BLOCK 10, LOTS 6-20,
BLOCK 11, LOTS 8-29 AND PRIVATE OPEN SPACE LOT 37X
BLOCK 14, LOTS 19-21 AND 38-40,
BLOCK 15, LOTS 1-16, BLOCK 18, LOTS 19-35, AND
BLOCK 19, LOTS 12-24
(INST. NO. D221299372)



CITY OF FORT WORTH
CITY LIMITS
(ORDINANCE NO. 24072-03-2020)

N00°42'00"W 536.45'
87' R.O.W.
N00°39'41"W 1421.78'
S00°37'52"E 1690.69'

56.85'
N89°55'52"W

LEGEND

	PROPERTY LINE
	ANNEXATION LINE
	POINT FOR CORNER (UNLESS OTHERWISE NOTED)

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

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.



4060 BRYANT IRVIN ROAD
FORT WORTH, TX 76109
817.412.7155

WAGLEY ROBERTSON ROAD
PORTION OF TARRANT COUNTY RIGHT-OF-WAY
BENJAMIN THOMAS SURVEY, ABSTRACT NO. 1497
JOHN WAGLEY SURVEY, ABSTRACT NO. 1597, AND
JAMES P. ALFORD SURVEY, ABSTRACT NO. 53
TARRANT COUNTY, TEXAS
PAGE 2 OF 4

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
ZNBM	MLL	1"=100'	09/20/2023	0045655.00

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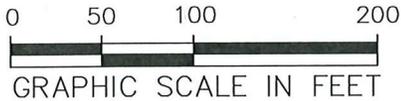
MATCH LINE (SEE SHEET 4)

LOT 12-R
REPLAT LOTS 1-R THRU 12-R, BLOCK A
B. THOMAS ADDITION
(CABINET A, SLIDE 5610)
SOPHA SAMOUNTRY
(INST. NO. D208183870)



LOT 1-R
REPLAT LOTS 1-R THRU 12-R, BLOCK A
B. THOMAS ADDITION
(CABINET A, SLIDE 5610)
DAVID CHARLES CRAIN
(INST. NO. D222278219)

ANNEXATION AREA
2.595 ACRES
(113,053 SQUARE FEET)



N00°39'41"W 1421.78'

BENJAMIN THOMAS SURVEY - ABSTRACT NO. 1497
JAMES P. ALFORD SURVEY - ABSTRACT NO. 53

WAGLEY ROBERTSON ROAD

(VARIABLE-WIDTH RIGHT-OF-WAY)

S00°37'52"E 1690.69'

LOT 11

LOT 10

LOT 9

LOT 8

LOT 7

LOT 6

LOT 5

LOT 4

LOT 3

LOT 2

LOT 1

LOT 20

CITY OF FORT WORTH
CITY LIMITS
(ORDINANCE NO. 6390)

RUNNING WATER TRAIL

LOT 1-2, 3X, 4-13, 14X, 15-16, 17X, 18-27 & 28X, BLOCK 16
(INST. NO. D221299372)

LOT 1-9, 10X & 11-25, BLOCK 15

LOT 1-9, 10X & 11-25, BLOCK 17
BAR C RANGH

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.

LEGEND	
	PROPERTY LINE
	ANNEXATION LINE
	POINT FOR CORNER (UNLESS OTHERWISE NOTED)

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

WAGLEY ROBERTSON ROAD
PORTION OF TARRANT COUNTY RIGHT-OF-WAY
BENJAMIN THOMAS SURVEY, ABSTRACT NO. 1497
JOHN WAGLEY SURVEY, ABSTRACT NO. 1597, AND
JAMES P. ALFORD SURVEY, ABSTRACT NO. 53
TARRANT COUNTY, TEXAS
PAGE 3 OF 4



4060 BRYANT IRVIN ROAD
FORT WORTH, TX 76109
817.412.7155

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
ZNBM	MLL	1"=100'	09/20/2023	0045655.00

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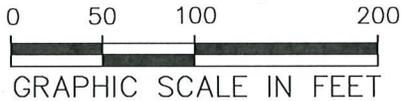
"TRACT 1"
10.516 ACRES
D.R. HORTON - TEXAS, LTD.
(INST. NO. 221339955)

CITY OF FORT WORTH
CITY LIMITS
(ORDINANCE NO. 16704-11 2005)

LOT 2
COFER FARM ADDITION
(INST. NO. 214029586)
D.R. HORTON - TEXAS, LTD.
(INST. NO. D221339955)

LOT 12-R
REPLAT LOTS 1-R THRU 12-R, BLOCK A
B. THOMAS ADDITION
(CABINET A, SLIDE 5610)
SOPHA SAMOUNTRY
(INST. NO. D208183870)

ANNEXATION AREA
2.595 ACRES
(113,053 SQUARE FEET)



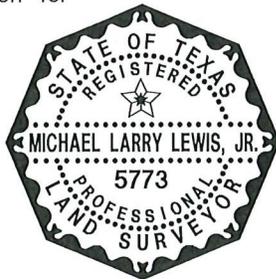
LEGEND	
	PROPERTY LINE
	ANNEXATION LINE
	POINT FOR CORNER (UNLESS OTHERWISE NOTED)

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.

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Date 09/20/2023
Michael Larry Lewis, Jr.
Registered Professional
Land Surveyor No. 5773



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

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.

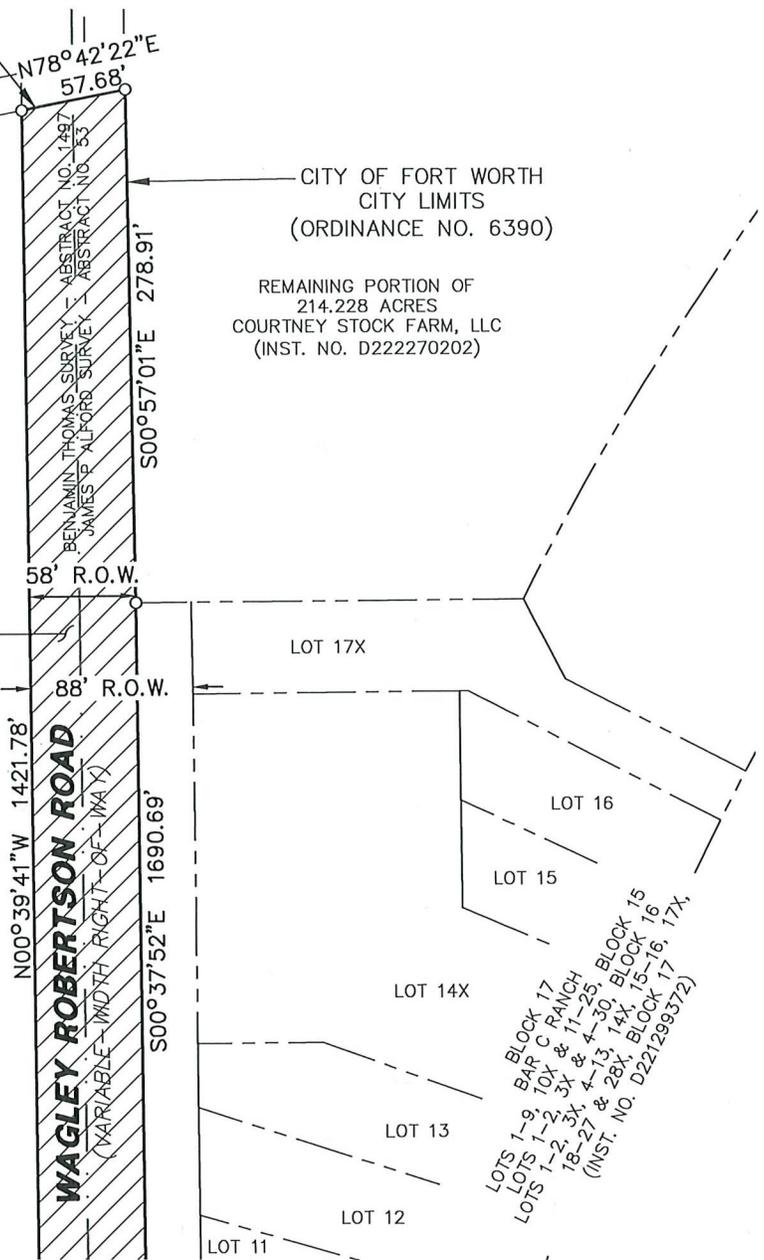


4060 BRYANT IRVIN ROAD
FORT WORTH, TX 76109
817.412.7155

WAGLEY ROBERTSON ROAD

PORTION OF TARRANT COUNTY RIGHT-OF-WAY
BENJAMIN THOMAS SURVEY, ABSTRACT NO. 1497
JOHN WAGLEY SURVEY, ABSTRACT NO. 1597, AND
JAMES P. ALFORD SURVEY, ABSTRACT NO. 53
TARRANT COUNTY, TEXAS

DRAWN BY	CHECKED BY	SCALE	DATE	JOB NUMBER
ZNBM	MLL	1"=100'	09/20/2023	0045655.00



City of Fort Worth, Texas

Mayor and Council Communication

DATE: 12/12/23

M&C FILE NUMBER: M&C 23-1033

LOG NAME: 06AX-23-005 WAGLEY ROBERTSON RIGHT-OF-WAY (CITY-INITIATED)

SUBJECT

(Future CD 7) Consider Institution and Adoption of Ordinance Annexing Approximately 2,595 Acres of Wagley Robertson Right-of-Way, Located South of Heritage Trace, East of Highway 287 and Extending Approximately 1,690-Foot Along Wagley Robertson Road, in the Far Northwest Planning Sector, AX-23-005

RECOMMENDATION:

It is recommended that the City Council institute the annexation and adoption of the attached ordinance annexing approximately 2,595 acres of Wagley Robertson Right-of-Way in Tarrant County, located south of Heritage Trace, east of Highway 287 and extending approximately 1,690-feet along Wagley Robertson Road, in the Far Northwest Planning Sector, AX-23-005.

DISCUSSION:

On September 18, 2023, representatives for Tarrant County submitted a letter supporting the full-purpose annexation of the above referenced right-of-way into the City of Fort Worth. This letter allows the City to annex for full purposes that stretch of Wagley Robertson right-of-way as identified in the attached Exhibit A. The Transportation and Public Works Department supports the annexation of Wagley Robertson right-of-way for full-purposes into the City. The adoption of the attached ordinance completes the annexation process.

The subject right-of-way is situated within the extraterritorial jurisdiction of the City, on Wagley Robertson Road and will continue to be used as right-of-way. The annexation policy states that the City will annex any right-of-way that is adjacent to and provides access to property within the City. In addition, Wagley Robertson Road is classified as a major arterial and is designated as a neighborhood connector on the Master Thoroughfare Plan. As such, it is critical the right-of-way be annexed and the existing roadway be maintained to City standards.

Although a fiscal impact analysis was not conducted, the annexation policy does not require thoroughfares to produce a positive fiscal impact due to the efficiencies gained in service delivery. This section of Wagley Robertson right-of-way meets this criterion. Furthermore, many of the adjacent properties are already within Fort Worth City Limits and the surrounding area is currently experiencing urban development. Staff has determined that the City is able to provide municipal services upon annexation in accordance with State law, without negatively impacting service provision within the City. Annexation of this site is thus consistent with the City's annexation policy.

If annexed, this property will become part of COUNCIL DISTRICT 7.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that the impact of this annexation will be built into the City's long-term financial forecast of the General Fund.

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

Originating Business Unit Head: D.J. Harrell 8032

Additional Information Contact: