



**COMMISSIONERS COURT
COMMUNICATION**

COURT ORDER NUMBER _____

PAGE 1 OF 21

DATE: 1/14/2025

**SUBJECT: RECEIVE AND FILE – CITY OF FORT WORTH ANNEXATION
ORDINANCE NO. 27178-09-2024 (CASE NO. AX-24-005) – PRECINCT 1**

***** CONSENT AGENDA *****

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court receive and file the City of Fort Worth Annexation Ordinance No. 27178-09-2024 (Case No. AX-24-005) for Precinct 1.

BACKGROUND

The subject ordinance is attached and was adopted, effective September 17, 2024.

The annexation area consists of two segments. The first segment includes approximately 2.263 acres of land, known as Quick Trip 1882, and is located along the southern edge of Risinger Road, approximately 111 feet west of N. Crowley Road. The second segment includes approximately 0.3796 acres of land consisting of the right-of-way of Risinger Road, located east of Crowley Road and west of N. Crowley Road, extending approximately 340 feet along the southern side of Risinger Road.

A location map of this annexation area is included in the attached ordinance.

FISCAL IMPACT

There is no fiscal impact on the General Fund associated with this item. The City of Fort Worth will assume full maintenance responsibilities of the right-of-way included in the annexation area.

SUBMITTED BY	Transportation Services	PREPARED BY:	Nicole Benoit
		APPROVED BY:	Joseph Jackson

ORDINANCE NO. 27178-09-2024

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. 62029, 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

Melinda Ramos
Deputy City Attorney

Jannette S. Goodall

Jannette S. Goodall
City Secretary

ADOPTED AND EFFECTIVE: September 17, 2024

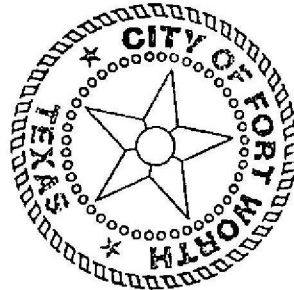
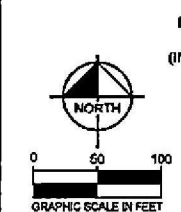
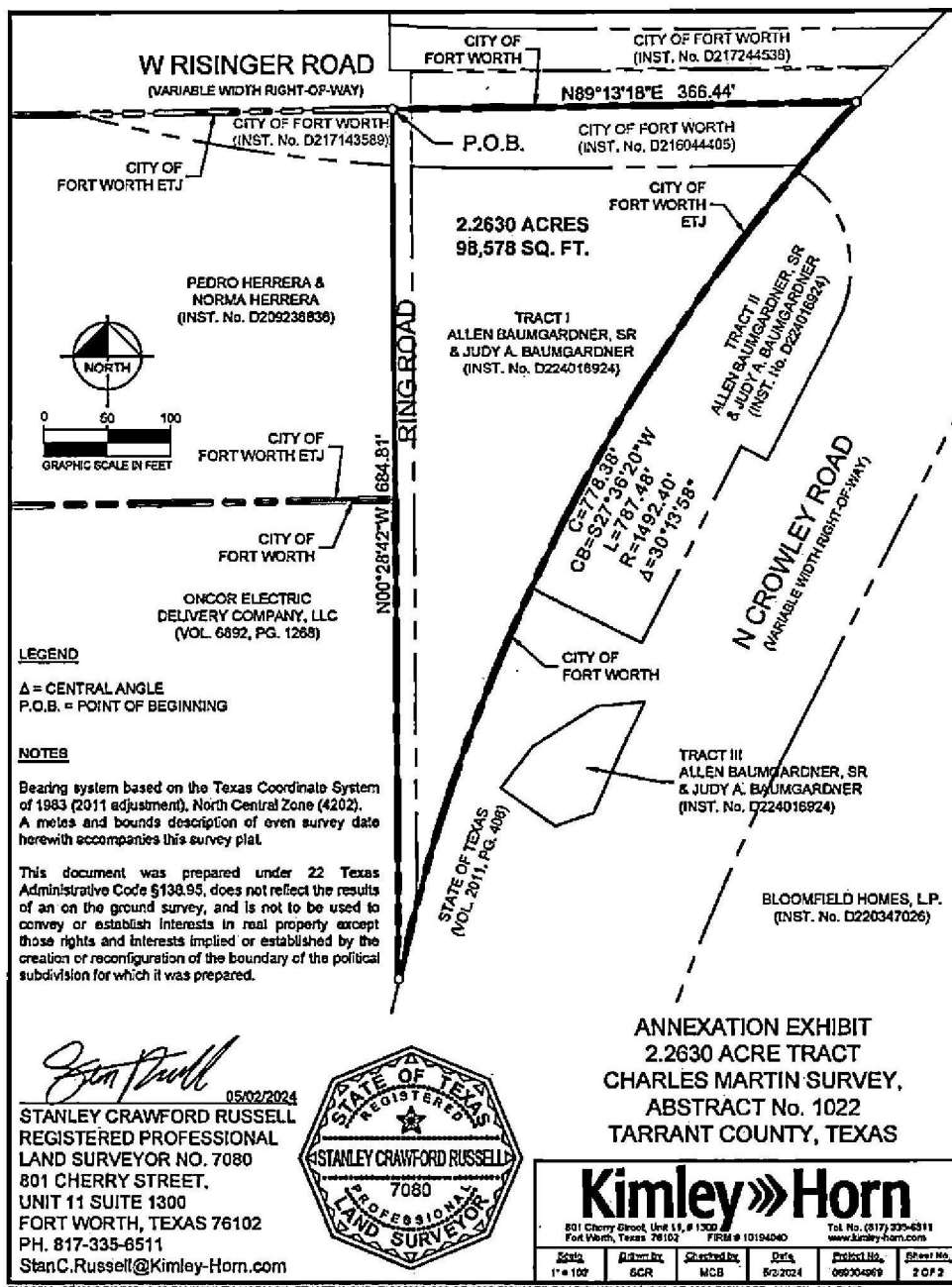


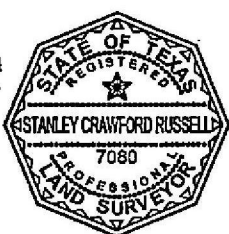
EXHIBIT A



LEGEND
 A = CENTRAL ANGLE
 P.O.B. = POINT OF BEGINNING

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

Stan C. 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



ANNEXATION EXHIBIT
 2.2630 ACRE TRACT
 CHARLES MARTIN SURVEY,
 ABSTRACT No. 1022
 TARRANT COUNTY, TEXAS

Kimley»Horn
 801 Cherry Street, Unit 11, # 1300
 Fort Worth, Texas 76102
 Tel. No. (817) 335-6311
 www.kimley-horn.com

Scale	Author by	Checked by	Date	Project No.	Sheet No.
1" = 100'	SCR	MCB	5/2/2024	059304969	2 OF 2

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 238.28 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, 65.59 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 D205238836, 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.

Stan Crawford Russell

05/02/2024

STANLEY CRAWFORD RUSSELL
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ANNEXATION EXHIBIT
0.3796 ACRE TRACT
CHARLES MARTIN SURVEY,
ABSTRACT No. 1022
TARRANT COUNTY, TEXAS

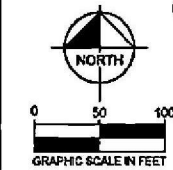
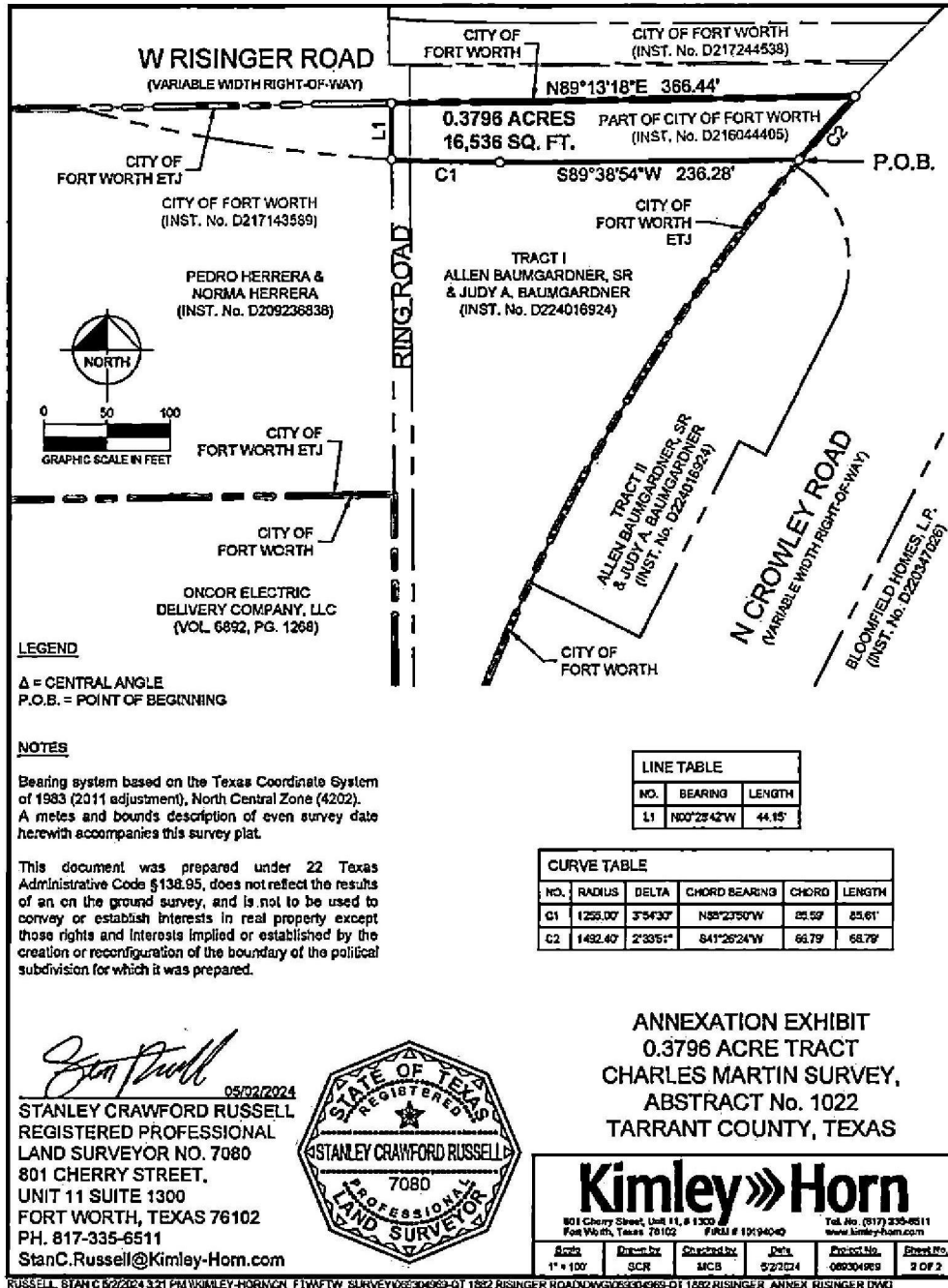
Kimley»Horn

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Scale	Drawn By	Checked By	Date	Project No.	Sheet No.
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Exhibit C Risinger Road



LEGEND
 Δ = CENTRAL ANGLE
 P.O.B. = POINT OF BEGINNING

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

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LINE TABLE		
NO.	BEARING	LENGTH
L1	N00°28'42\"W	44.15'

CURVE TABLE					
NO.	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	1255.00'	3°54'30"	N89°23'50\"W	85.59'	85.61'
C2	1482.40'	2°33'51"	S41°26'24\"W	66.79'	66.79'

Stan Russell
 05/02/2024
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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 Tel. No. (817) 335-6511 www.kimley-horn.com

PRJ # 10194040

Scale 1" = 100'	Drawn by SCR	Checked by MCS	Date 5/2/24	Project No. 08034983	Sheet No. 2 OF 2
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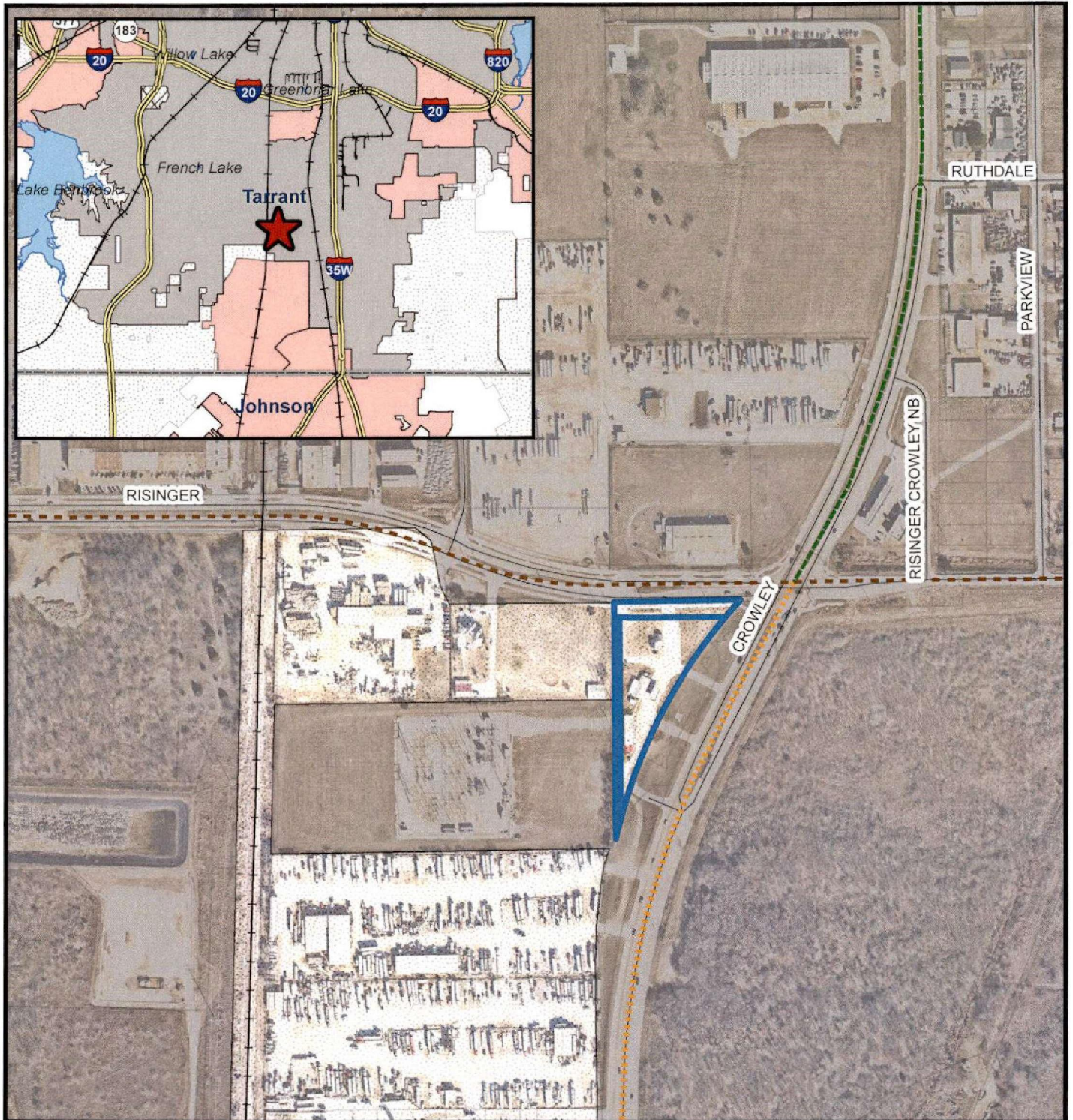
Risinger Road

Exhibit D
Municipal Services Agreement

AX-24-005

Exhibit A

Approximately 2.263 Acres Adjacent Council District 8



Fort Worth DESIGNATION

- | | |
|-------------------------------|-------------------|
| Full Purpose | County Boundaries |
| Limited Purpose | Adjacent Cities |
| Extraterritorial Jurisdiction | Subject Property |

0 250 500 Feet

1:6,000



Planning & Development Department
06/24/2024

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**MUNICIPAL SERVICES AGREEMENT
BETWEEN THE CITY OF FORT WORTH, TEXAS
AND
JUDY BAUMGARDNER**

This Municipal Services Agreement ("Agreement") is entered into on 17th day of September, 2024 by and between the City of Fort Worth, Texas, a home-rule municipality of the State of Texas, ("City") and Judy Baumgardner ("Owner").

RECITALS

The parties agree that the following recitals are true and correct and form the basis upon which the parties have entered into this Agreement.

WHEREAS, Section 43.0671 of the LGC permits the City to annex an area if each owner of land in an area requests the annexation;

WHEREAS, where the City elects to annex such an area, the City is required to enter into a written agreement with the property owner(s) that sets forth the City services to be provided for the Property on or after the effective date of annexation (the "Effective Date");

WHEREAS, Owner owns certain parcels of land situated in TARRANT County, Texas, which consists of approximately 2.5192 acres of land in the City's extraterritorial jurisdiction, such property being more particularly described and set forth in Exhibit "A" attached and incorporated herein by reference ("Property");

WHEREAS, Owner has filed a written request with the City for full-purpose annexation of the Property, identified as Annexation Case No. AX-24-005 ("Annexation Case");

WHEREAS, City and Owner desire to set out the City services to be provided for the Property on or after the effective date of annexation;

WHEREAS, the Annexation Case and execution of this Agreement are subject to approval by the Fort Worth City Council; and

NOW THEREFORE, in exchange for the mutual covenants, conditions and promises contained herein, City and Owner agree as follows:

1. **PROPERTY.** This Agreement is only applicable to the Property, which is the subject of the Annexation Case.
2. **INTENT.** It is the intent of the City that this Agreement provide for the delivery of full, available municipal services to the Property in accordance with state law, which may be accomplished through any means permitted by law. For purposes of this Agreement, "full municipal services" means all services provided by the City within its full-purpose boundaries.

including water and wastewater services and excluding gas or electrical service.

3. MUNICIPAL SERVICES.

- a. Commencing on the Effective Date, the City will provide the municipal services set forth below. As used in this Agreement, "providing services" includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City's infrastructure extension policies and developer or property owner participation in accordance with applicable city ordinances, rules, regulations, and policies.
 - i. Fire – The City's Fire Department will provide emergency and fire protection services comparable with the provision of services available in other parts of the municipality with topography, land use and population density similar to the level of service contemplated or projected in the area.
 - ii. Police – The City's Police Department will provide protection and law enforcement services.
 - iii. Emergency Medical Services – The City's Fire Department and MedStar (or other entity engaged by the City after the Effective Date) will provide emergency medical services.
 - iv. Planning and Zoning – The City's Development Services Department will provide comprehensive planning, land development, land use, and building review and inspection services in accordance with all applicable laws, rules, and regulations.
 - v. Parks and Recreational Facilities – Residents of the Property will be permitted to utilize all existing publicly-owned parks and recreational facilities and all such facilities acquired or constructed after the Effective Date (including community service facilities, libraries, swimming pools, etc.), throughout the City. Any private parks, facilities, and buildings will be unaffected by the annexation; provided, however, that the City will provide for maintenance and operation of the same upon acceptance of legal title thereto by the City and appropriations therefor. In the event the City acquires any other parks, facilities, or buildings necessary for City services within the Property, the appropriate City department will provide maintenance and operations of the same.
 - vi. Other Publicly Owned Buildings – Residents of the Property will be permitted to use all other publicly owned buildings and facilities where the public is granted access.
 - vii. Stormwater Utility Services – The Property will be included in the City's Stormwater Utility service area and will be assessed a monthly fee based on the amount of impervious surface. The fees will cover the direct and indirect costs of stormwater management services.
 - viii. Roads and Streets (including Street lighting) – The City's Transportation and Public Works Department will maintain the public streets and streetlights over which the City has jurisdiction. The City will provide regulatory signage services in accordance with the City policies and procedures and applicable laws.
 - ix. Water and Wastewater to Existing Structures – Occupied structures that are using water-well and on-site sewer facilities on the Effective Date may continue

to use the same. If a property owner desires to connect an existing structure to the City water and sewer system, then the owner may request a connection and receive up to 200 linear feet of water and sewer extension at the City's cost for each occupied lot or tract in accordance with the City's "Policy for the Installation of Community Facilities" and applicable law. Once connected to the City's water and sanitary sewer mains, the water and sanitary sewage service will be provided by the City at rates established by City ordinances for such service.

- x. Solid Waste Services – The City will provide solid waste collection services in accordance with existing City ordinances and policies, except where prohibited by law.
 - xi. Code Compliance – The City's Code Department will provide education, enforcement, and abatement relating to code violations within the Property.
 - xii. Full Municipal Services – Commencing on the Effective Date, the City will provide to the Property all services provided by the City within its full-purpose boundaries and not otherwise listed above, except as provided in Section 3(b).
- b. The City will provide water service and wastewater treatment service to developments established after the Effective Date in accordance with, and on the schedule determined by, the City's extension policies and applicable law and at rates established by City ordinances for such services.
 - c. It is understood and agreed that the City is not required to provide a service that is not included in this Agreement.
 - d. Owner understands and acknowledges that the City departments listed above may change names or be re-organized by the City Manager. Any reference to a specific department also includes any subsequent City department that will provide the same or similar services.
4. **SERVICE LEVEL.** The City will provide the Property with a level of services, infrastructure, and infrastructure maintenance that is comparable to the level of services, infrastructure, and infrastructure maintenance available in other parts of the City with topography, land use, and population density similar to those reasonably contemplated or projected for the Property.
5. **AUTHORITY.** City and Owner represent that they have full power, authority and legal right to execute, deliver and perform their obligations pursuant to this Agreement. Owner acknowledges that approval of the Annexation Case is within the sole jurisdiction of the City Council. Nothing in this Agreement guarantees favorable decisions by the City Council.
6. **SEVERABILITY.** If any part, term, or provision of this Agreement is held by the courts to be illegal, invalid, or otherwise unenforceable, such illegality, invalidity, or unenforceability will not affect the validity of any other part, term or provision, and the rights of the parties will be construed as if the part, term, or provision was never part of the Agreement.
7. **INTERPRETATION.** The parties to this Agreement covenant and agree that in any litigation relating to this Agreement, the terms and conditions of the Agreement will be interpreted according to the laws of the State of Texas. The parties acknowledge that they are of equal

bargaining power and that each of them was represented by legal counsel in the negotiation and drafting of this Agreement.

8. **GOVERNING LAW AND VENUE.** Venue shall be in the state courts located in Tarrant County, Texas or the United States District Court for the Northern District of Texas, Fort Worth Division and construed in conformity with the provisions of Texas Local Government Code Chapter 43.
9. **NO WAIVER.** The failure of either party to insist upon the performance of any term or provision of this Agreement or to exercise any right granted hereunder shall not constitute a waiver of that party's right to insist upon appropriate performance or to assert any such right on any future occasion.
10. **GOVERNMENTAL POWERS.** It is understood that by execution of this Agreement, the City does not waive or surrender any of its governmental powers or immunities.
11. **COUNTERPARTS.** This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.
12. **CAPTIONS.** The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.
13. **AGREEMENT BINDS AND BENEFITS SUCCESSORS AND RUNS WITH THE LAND.** This Agreement is binding on and inures to the benefit of the parties, their successors, and assigns. The term of this Agreement constitutes covenants running with the land comprising the Property, is binding on the Owner and the City, and is enforceable by any current or future owner of any portion of the Property.
14. **ENTIRE AGREEMENT.** This Agreement constitutes the entire agreement between the parties and supersedes all prior oral and written agreements between said parties. This Agreement shall not be amended unless executed in writing by both parties.

Executed as of the day and year first above written to be effective on the effective date of annexation of the Property.

CITY OF FORT WORTH

By: *Dana Burghdoff*
Dana Burghdoff (Sep 24, 2024 1:03 CDT)

Name: Dana Burghdoff
Assistant City Manager

Approved as to Form and Legality:

By: *Melinda Ramos*

Name: Melinda Ramos
Deputy City Attorney

By: *Derek Hull*
Derek Hull (Sep 20, 2024 12:27 CDT)

Name: Derek Hull
Contract Manager

By: *Jannette S. Goodall*

Name: Jannette S. Goodall
City Secretary

Approvals:

M&C: By: 24-0823

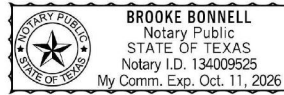
Ordinance No. By: 27178-09-2024

State of Texas _____ §
County of Tarrant _____ §

This instrument was acknowledged before me on the 24th day of September, 2024, by Dana Burghdoff, Assistant City Manager of the City of Fort Worth, a Texas municipal corporation, on behalf of said corporation.

By: 
Brooke Bonnell (Sep 25, 2024 08:10 CDT)

Notary Public, State of Texas



PROPERTY OWNER

By: Judy Baumgardner

Name: Judy Baumgardner

Title: Property Owner

State of TEXAS §

County of TARRANT §

This instrument was acknowledged before me on the 23 day of MAY, 2024 by

Judy Baumgardner, Property Owner.

By: [Signature]

Notary Public, State of TEXAS



EXHIBIT A

LEGAL DESCRIPTION**ANNEXATION EXHIBIT - 2.2630 ACRE TRACT**

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 787.46 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 1266, 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.

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.


01/15/2024
STANLEY CRAWFORD RUSSELL
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 7080
801 CHERRY STREET,
UNIT 11 SUITE 1300
FORT WORTH, TEXAS 76102
PH 817-335-8511
StanC.Russell@Kimley-Horn.com



ANNEXATION EXHIBIT
2.2630 ACRE TRACT
CHARLES MARTIN SURVEY,
ABSTRACT No. 1022
TARRANT COUNTY, TEXAS

Kimley»Horn

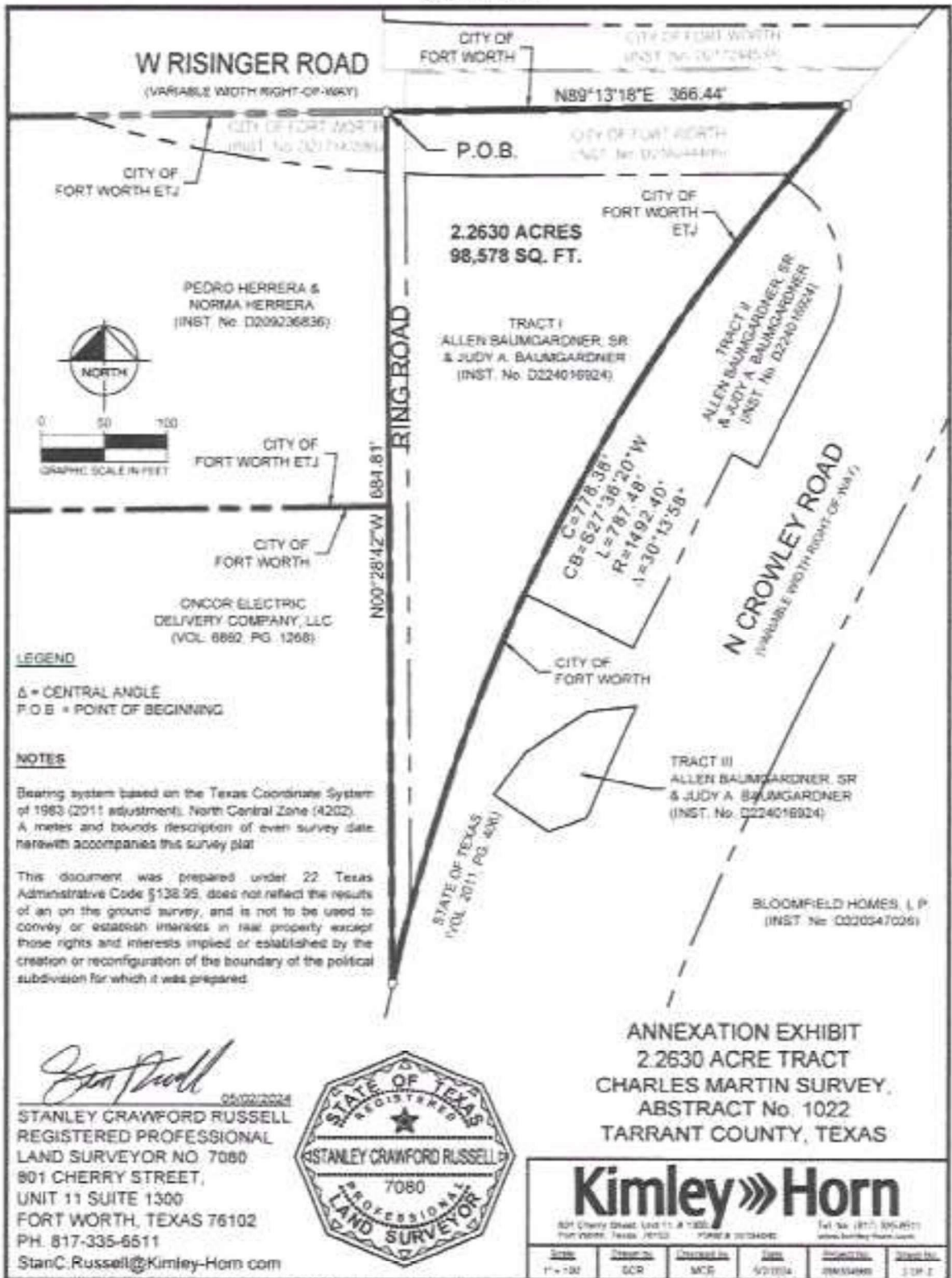
801 Cherry Street, Unit 11, A-1300
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Sheet	Drawn by	Checked by	Date	Project No.	Sheet No.
1 of 1	SCR	SCR	1/15/2024	240122004	1 OF 1

RUSSELL, STAN C. 522224 3 20 PM 3/15/24 - KIMLEY-HORN, FORT WORTH, SURVEYOR 0000000001 1902 REGISTER ROAD (MCDONNELL BLVD) 1902 REGISTER ANNEX ALL DWG

EXHIBIT A
Continued



Stan Russell
05/02/2024
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Date	Drawn by	Checked by	Date	Reviewed by	Project No.
11-18	SCR	MCS	5/1/2024	JKM/SAB	21P-2

RUSSELL, STANLEY CRAWFORD RUSSELL, REGISTERED PROFESSIONAL LAND SURVEYOR, 801 CHERRY STREET, UNIT 11, SUITE 1300, FORT WORTH, TEXAS 76102

Mayor and Council Communication

DATE: 09/17/24

M&C FILE NUMBER: M&C 24-0823

LOG NAME: 06AX-24-005, QUIKTRIP 1882, OWNER-INITIATED

SUBJECT

(Future CD 6) Conduct Public Hearing, Authorize Execution of Municipal Services Agreement and Consider Adopting Ordinance for the Proposed Owner-Initiated Annexation of Approximately 2.263 Acres of Land in Tarrant County, Known as QuikTrip 1882, Located West of Crowley Road and Along the Southern Edge of Risinger Road, and Approximately 0.3796 Acres of Adjacent Right-Of-Way, in the Far South Planning Sector, AX-24-005

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

RECOMMENDATION:

It is recommended that the City Council:

1. Conduct public hearing for the proposed owner-initiated annexation of approximately 2.263 acres of land and approximately 0.3796 acres of adjacent right-of-way in Tarrant County, known as QuikTrip 1882, located west of Crowley Road and along the southern edge of Risinger Road, in the Far South Planning Sector, AX-24-005, as shown on Exhibit A;
2. Authorize execution of Municipal Services Agreement between the City and property owner, Judy Baumgardner; and
3. Adopt ordinance annexing AX-24-005 for full purposes.

DISCUSSION:

On May 6, 2024, representatives for the property owner Judy Baumgardner, submitted a request for full-purpose annexation of the property depicted on Exhibit A into the City of Fort Worth. The subject property is located in the City's extraterritorial jurisdiction in Tarrant County. The site is located west of Crowley Road, and along the southern edge of Risinger Road. The owner-initiated annexation, which is approximately 2.263 acres, is consistent with the urban development annexation criteria as established by the City's Annexation Policy. The subject area is currently agricultural land and the property owner's proposal of commercial type development is consistent with the future land use map of the 2023 Comprehensive Plan. In accordance with Chapter 43, section 43.106, approximately 0.3796 acres of adjacent right-of-way will be annexed into the City's corporate limits.

On August 14, 2024, the related zoning case (ZC-24-072) was heard by the Zoning Commission, and the Zoning Commission voted to recommend approval of the requested zoning to City Council. The requested zoning is "E" Neighborhood Commercial.

Subchapter C-3, section 43.0671 of Chapter 43 of the Texas Local Government Code (TLGC) provides for the process of annexation of an area upon a request of an owner of land. Section 43.0672 of the TLGC requires a municipality that elects to annex an area upon the request of an owner 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.

The site proposed for annexation is located fully within the City of Fort Worth's Certificate of Convenience and Necessity (CCN) which grants the City exclusive rights to provide retail water and/or sewer utility service. The site will be included in the 20-Year Planned Service area which will be part of the 2025 Comprehensive Plan update. The 2023 Comprehensive Plan update is scheduled for City Council action in March 8, 2025.

A fiscal impact analysis (FIA) was prepared by the FWLab Planning Division with the assistance of other City Departments. Annual impacts on the General Fund are expected to be negative following construction, based on the information provided by departments and the developer, driven by anticipated Police Department expenditures. The FWLab has determined that the annexation meets the City's criteria for full-purpose annexation due to its location as part of an enclave and aligns with the Comprehensive Plan policies, the long-term financial sustainability poses a potential concern. Due to the ability of the area to meet the City's criteria for full-purpose annexation staff recommends approval of the requested owner-initiated annexation, AX-24-005.

If annexed, this property will become part of COUNCIL DISTRICT 6.

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 based 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:

Expedited