

CITY OF RIVER OAKS ORDINANCE NO. 1314-2021
CITY OF FORT WORTH ORDINANCE NO. 24961-08-2021
JOINT ORDINANCE AND BOUNDARY AGREEMENT

WHEREAS, the City of Fort Worth and the River Oaks have received a request by Castleberry Independent School District for a boundary adjustment concerning property on which it intends to construct future school facilities and sidewalk improvements; and

WHEREAS, the City of Fort Worth (hereinafter called "FORT WORTH") is a home-rule city located in Tarrant, Wise, Parker, Johnson and Denton Counties; and

WHEREAS, the City of River Oaks (hereinafter called "RIVER OAKS") is a home-rule city located in Tarrant County; and

WHEREAS, FORT WORTH and RIVER OAKS share a common boundary; and

WHEREAS, FORT WORTH and RIVER OAKS now desire to adjust the boundary between the two cities to promote orderly development to insure public safety and effective delivery of municipal services; and

WHEREAS, Section 43.031 of the Texas Local Government Code authorizes adjacent municipalities to make mutually agreeable changes to their boundaries that are less than 1,000 feet in width; and

WHEREAS, Section 43.142 of the Texas Local Government Code allows a home-rule municipality to disannex areas in the municipality in accordance with the rules as may be provided by its City Charter;

NOW, THEREFORE, BE IT ORDAINED AND MUTUALLY AGREED BY THE CITY COUNCIL OF THE CITY OF FORTH WORTH AND THE CITY COUNCIL OF THE CITY OF RIVER OAKS:

Section 1

Pursuant to Section 43.031 of the Texas Local Government Code, FORT WORTH and RIVER OAKS hereby agree that the boundary between the cities will be adjusted as set out herein so that White Settlement Heights, Block 1, Lots, 1, 2 and 3 located in FORT WORTH city limits, as described and shown in Exhibit "A", and with a width of less than 1,000 feet, will be located in the city limits of RIVER OAKS. This land is designated for future school facilities and improvements by Castleberry Independent School District. RIVER OAKS agrees to permit, inspect, and accept, in accordance with its ordinances, the ISD facilities and improvements, and to coordinate such improvements with FORT WORTH to ensure such improvements do not increase any flood risk. FORT WORTH agrees to

continue to provide water and wastewater service to the property at FORT WORTH's outside city limit rate. Both parties agree that the property shall remain in FORT WORTH's Certificate of Convenience and Necessity. In accordance with this Joint Ordinance and Boundary Agreement, FORT WORTH hereby relinquishes the property described in Exhibit "A" to RIVER OAKS and disannexes and discontinues such property as part of FORT WORTH city limits. In accordance with the terms of this Joint Ordinance and Boundary Agreement, RIVER OAKS accepts and annexes White Settlement Heights, Block 1, Lots 1, 2 and part of 3 into its city limits as reflected in Exhibit "A" attached and incorporated herein. The maps included control over any lot designation or metes and bounds description in the event of any conflict.

SECTION 2

This ordinance shall be cumulative of all provisions of the ordinances of the City of River Oaks and the City of Fort Worth, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 3

It is hereby declared to be the intention of the City Councils of FORT WORTH and RIVER OAKS that the phrases, clauses, sentences, paragraphs, and sections 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 without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4

The City of River Oaks and the City of Fort Worth do hereby covenant and agree to protect, preserve and defend the herein described boundary adjustment.

SECTION 5

The City of River Oaks and the City of Fort Worth agree and ordain that the adoption by both cities of this Joint Ordinance and Boundary Agreement, and the boundary change resulting from this Agreement do not mitigate, diminish or lessen in any way the rights that either party may have, at law or in equity, to challenge or contest any other annexations, attempted annexations or extraterritorial jurisdiction claims made by the other party.

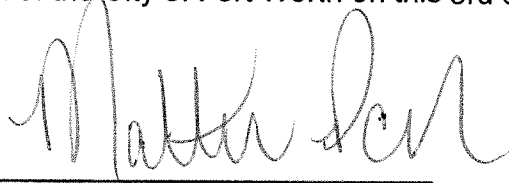
SECTION 6

This joint ordinance and boundary agreement shall become effective and shall become a binding agreement upon the City of Fort Worth and the City of River Oaks by the adoption of same in regular open city council meetings of the City of River Oaks and the City of Fort Worth.

SECTION 7

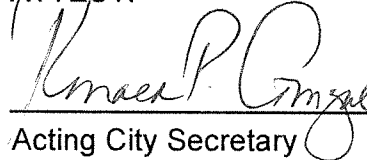
The Mayor of each city shall execute this Joint Ordinance and Boundary Agreement, upon adoption by both cities, in duplicate originals.

PASSED AND APPROVED by the City Council of the City of Fort Worth on this 3rd day of August 2021.



Mayor

ATTEST:



Acting City Secretary

APPROVED AS TO FORM AND LEGALITY:



Sr Asst CITY ATTORNEY,




PASSED AND APPROVED by the City Council of the City of River Oaks on this 22ND day of June 2021.




Mayor

ATTEST:




City Secretary

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY

ATTEST:



CITY SECRETARY



EXHIBIT "A"

LEGAL DESCRIPTION

BEING a tract of land situated in both the John Watson Survey, Abstract No. 1670 and the B.D. Ford Survey, Abstract No. 37 of Tarrant County, Texas and being all of Lots 1, 2, & part of Lot 3, Block 1 of the White Settlement Heights, an addition to the City of Fort Worth as recorded in Volume 388-58, Page 565 of the Plat Records of Tarrant County, Texas and being more particularly described in metes and bounds as follows;

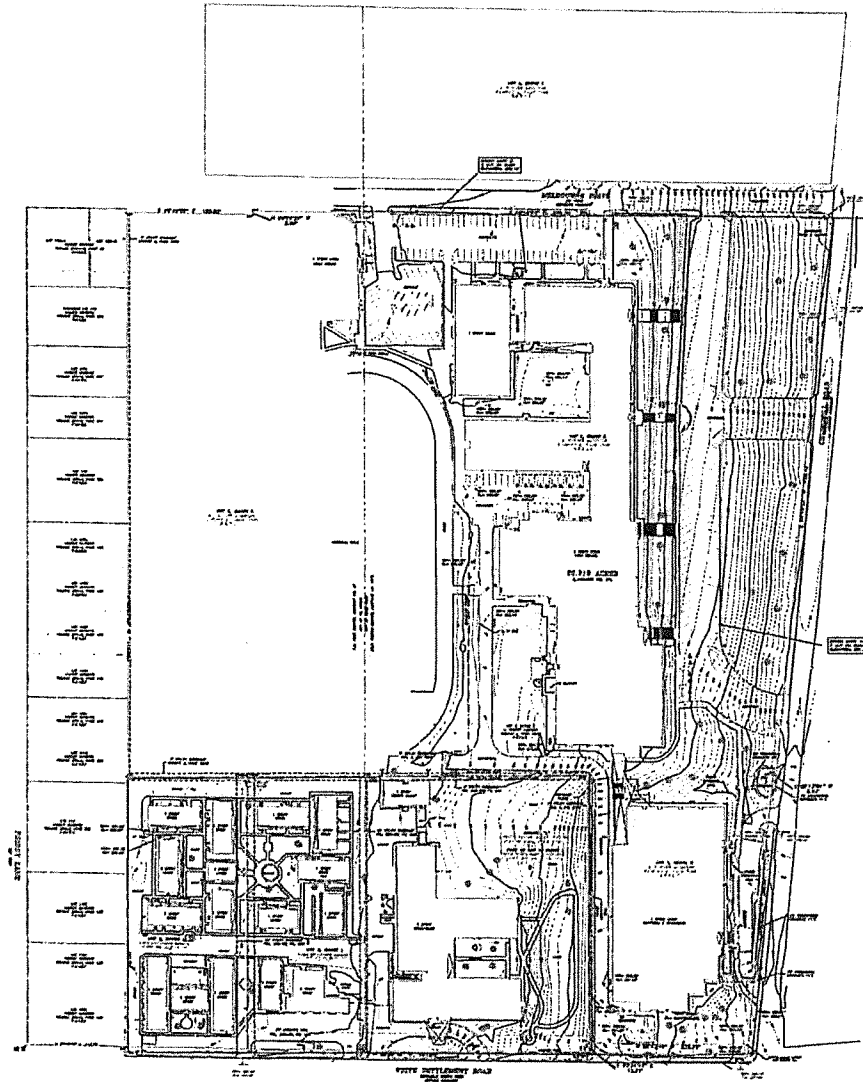
BEGINNING at a capped 1/2" iron rod stamped "4613" found for the southeast corner of Lot 122A of the Hassetts Gardens , an addition to the City of Fort Worth as recorded in Volume 388-K, Page 423 of the Plat Records of Tarrant County, Texas and said capped iron rod also being the southwest corner of said Lot 1, Block 1 of White Settlement Heights, and said capped iron rod also being in the north Right-of-Way (R.O.W.) line of White Settlement Road, a variable width R.O.W.;

THENCE N 00°07'00" W a distance of 383.82' to a capped 1/2" iron rod stamped "4613" found corner for the northwest corner of said Lot 1, said capped iron rod being at the most westerly southwest corner of Lot 1, Block 1, A. Cozart Addition, an addition to the City of Fort Worth as recorded in Cabinet A, Page 7300 of the Plat Records of Tarrant County, Texas and said capped iron rod also being the southwest corner of said Lot 1, Block 1 of White Settlement Heights

THENCE N 89°13'04" E following the most westerly south line of said Lot 1 a distance of 657.84' to a capped 1/2" iron rod stamped "4613" found corner at an ell corner of said Lot 1, Block 1, A. Cozart Addition;

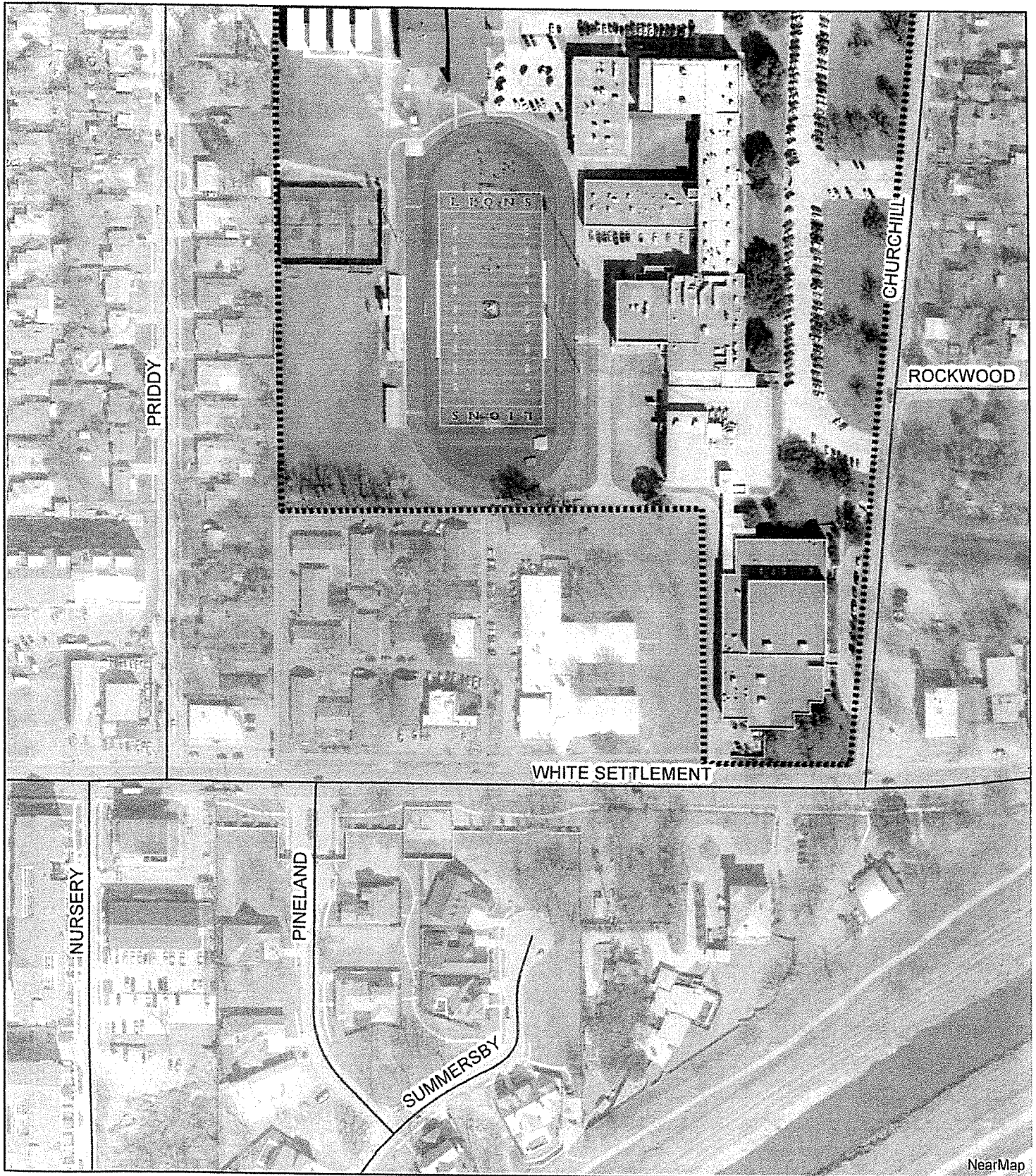
THENCE S 00°34'49" E following the most southerly west line of said Lot 1, Block 1, A. Cozart Addition a distance of 394.61' to a capped 1/2" iron rod stamped "4613" found corner at the most southerly southwest corner of said Lot 1, Block 1, A. Cozart Addition, said capped iron rod also being in the north ROW line of White Settlement Road;

THENCE N 89°50'42" W following the north ROW line of White Settlement Road a distance of 661.00' to the POINT OF BEGINNING and containing 256,646 Square Feet or 5.892 Acres of land.






LEGEND

- 1. BARRACKS
- 2. OFFICE BUILDING
- 3. WAREHOUSE
- 4. GARAGE
- 5. ENGINE HOUSE
- 6. WATER TOWER
- 7. POWER HOUSE
- 8. FUEL TANKS
- 9. AMMUNITION DEPOT
- 10. MEDICAL BUILDING
- 11. CHURCH
- 12. SCHOOL
- 13. POST OFFICE
- 14. CANTINE
- 15. RECREATION BUILDING
- 16. GYMNASIUM
- 17. SWIMMING POOL
- 18. TENNIS COURT
- 19. BASEBALL FIELD
- 20. SOFTBALL FIELD
- 21. HOCKEY RINK
- 22. SKATING RINK
- 23. BICYCLE TRACK
- 24. JUDO DOJO
- 25. KARATE DOJO
- 26. MOUNTAIN CLIMBING WALL
- 27. SHOOTING RANGE
- 28. FISH POND
- 29. GOLF COURSE
- 30. GARDENS
- 31. PARK
- 32. LAKE
- 33. RIVER
- 34. ROAD
- 35. RAILROAD
- 36. AIRPORT
- 37. HELIPAD
- 38. TOWER
- 39. LIGHTHOUSE
- 40. Lighthouse
- 41. Beacon
- 42. Buoy
- 43. Shoal
- 44. Reef
- 45. Sandbar
- 46. Spit
- 47. Point
- 48. Headland
- 49. Peninsula
- 50. Island



NearMap

1:2,400

-  Subject Properties - (@ 5.89 acres)
-  Fort Worth
-  River Oaks

0 100 200 400 Feet



Planning & Development Department
07/23/2020



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Mayor and Council Communication

DATE: 08/03/21

M&C FILE NUMBER: M&C 21-0517

LOG NAME: 06BAX-20-001 FIRESIDE LODGE - RIVER OAKS

SUBJECT

(CD 7) Authorize a Joint Ordinance and Boundary Agreement with the City of River Oaks to Adjust the City Limit Boundaries Between the Cities of Fort Worth and River Oaks for Castleberry ISD by Releasing to River Oaks Approximately 5.892 Acres of Land Located North of White Settlement Road and West of Churchill Street, BAX-20-001, Fireside Lodge

RECOMMENDATION:

It is recommended that the City Council:

1. Approve the attached joint ordinance and boundary agreement between the Cities of Fort Worth and River Oaks; and
2. Authorize the Mayor to execute the attached joint ordinance and boundary agreement.

DISCUSSION:

In order to promote orderly growth and development, the Cities of Fort Worth and River Oaks wish to realign their jurisdiction boundaries with a joint ordinance and boundary agreement to define the common boundaries of the two cities adjacent to Castleberry High School. Chapter 43, Section 43.142, of the Texas Local Government Code, authorizes the City of Fort Worth under its municipal charter, with action carried out by the City Council, the authority to disannex property. The property disannexed by the City of Fort Worth will be annexed by the City of River Oaks.

The subject property lies within the corporate limits of the City of Fort Worth, Texas, a home-rule city. Under the proposed agreement, Fort Worth would release approximately 5.892 acres of land to River Oaks. This agreement will benefit citizens of both cities and will allow for efficient planning and delivery of municipal services.

The subject property is identified as 4800 White Settlement Road. It is situated along the northern edge of White Settlement Road and west of Churchill Street (see Exhibit A). The site is currently owned by Castleberry Independent School District (ISD) and is proposed to be developed as an addition to the adjacent high school. Approval of this joint ordinance and boundary agreement would result in a release of 5.892 acres from the City of Fort Worth to the City of River Oaks. The Castleberry ISD supports this boundary adjustment.

The site is designated for future school facilities and improvements by Castleberry Independent School District. River Oaks and Castleberry ISD will coordinate with the City of Fort Worth when the school property is redeveloped to ensure the improvements do not increase flood risk within the City of Fort Worth. Since these properties are currently in the City of Fort Worth, the property owners pay a Stormwater Utility Fee to Fort Worth. Once the property is officially released to River Oaks, no Stormwater Utility fee will be collected by the City of Fort Worth. Upon release, the City of Fort Worth will no longer provide stormwater services to these properties. Since the property is being used for a school site, there will not be a loss of property tax revenue for the City of Fort Worth upon adjusting the city limit boundary.

The proposed boundary adjustment is located in Fort Worth City Limits. Upon approval, the property will be removed from COUNCIL DISTRICT 7.

A Form 1295 is not required because: This contract will be with a governmental entity, state agency or public institution of higher education: City of River Oaks

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that approval of this recommendation will have no material effect on city funds.

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

Originating Business Unit Head: D.J. Harrell 8032

Additional Information Contact: Leo Valencia 2497