

**CITY OF RIVER OAKS ORDINANCE NO. 1212-2018**  
**CITY OF FORT WORTH ORDINANCE NO. 23504-12-2018**  
**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 to expand an existing school facility for parking; 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 Westside Acres, Block E, Lot 1A1, 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 expansion of an existing school facility for parking. RIVER OAKS agrees to require screening between the expansion and the residential lots adjacent to the expansion. 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 Westside Acres, Block E, Lot 1A1 into its city limits as reflected in Exhibit "A" attached and incorporated herein.

### **SECTION 3**

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 4**

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 5**

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 6**

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.

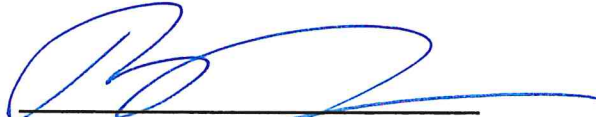
### **SECTION 7**

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 8

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 16<sup>th</sup> day of December, 2018.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Secretary

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
CITY ATTORNEY

ATTEST

  
\_\_\_\_\_  
CITY SECRETARY

PASSED AND APPROVED by the City Council of the City of River Oaks on this 11<sup>th</sup> day of DECEMBER, 2018.



[Signature]  
Mayor

ATTEST:

[Signature]  
City Secretary

APPROVED AS TO FORM AND LEGALITY

[Signature]  
CITY ATTORNEY

ATTEST

[Signature]  
CITY SECRETARY

## EXHIBIT "A"

### LEGAL DESCRIPTION

BEING Lot 1-A-1, Block E, Westside Acres Addition, an Addition to the City of River Oaks, Tarrant County, Texas, according to the plat thereof recorded in Cabinet B, Page 24, Plat Records of Tarrant County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "4030 found for the southeast corner of said Lot 1-A-1;

THENCE N 89°53'38" W a distance of 111.00' to a 1/2" iron rod with yellow plastic cap stamped "4030 found for the southeast corner of said Lot 1-A-1;

THENCE N 00°06'22" E a distance of 12.10' to a point for corner;

THENCE N 89°53'38" W a distance of 138.00' to a point for corner in the east Right Of Way line of Churchill Road;

THENCE N 00°06'22" E following the east Right Of Way line of Churchill Road a distance of 50.80' to a point for corner;

THENCE S 89°53'38" E a distance of 249.00' to a point for corner;

THENCE S 00°06'22" W a distance of 62.90' to the POINT OF BEGINNING and containing 13,992 Square Feet or 0.321 Acres of land.

#### NOTES:

1. The original copy will have original signatures, stamp seal and an impression seal.
2. Copyright 2017, Surdukan Surveying, Inc.
3. This survey is being provided solely for the use of the current parties.
4. This survey is subject to all easements of record.
5. The basis of bearings, horizontal and vertical position are derived from Texas WDS RTK Network, Texas State Plane Coordinates System, NAD83, North Central Zone, Nad 83 (CORS96) Epoch 2002.0. Vertical position are referenced to NAVD88 using (GEOID03).

#### SURVEYOR'S CERTIFICATE

The survey shown hereon is a true representation of the property as determined by a survey made on the ground and under my personal supervision. All visible improvements are as shown. There are no visible encroachments, conflicts, or protrusions, except as shown. This survey conforms to the Texas Board of Professional Land Surveyors' Minimum Standards of Practice, as adopted by the Board effective September 1, 2016. The property is subject to all easements of record.



David J. Surdukan R.P.L.S. No. 4613



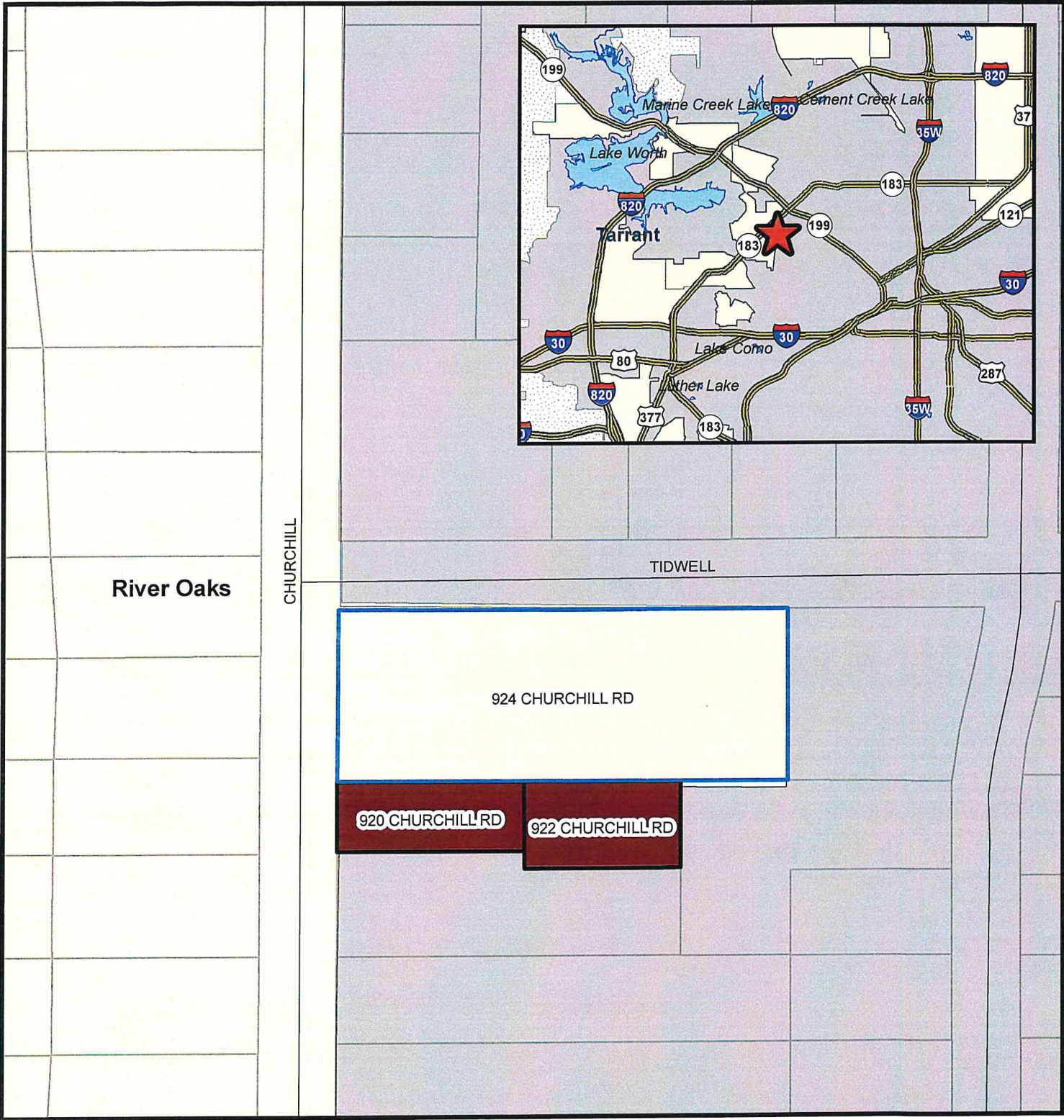




# Boundary Adjustment BAX-18-003

Exhibit A

Approximately 0.32 Acres



## Fort Worth DESIGNATION

- Full Purpose
- Limited Purpose
- Extraterritorial Jurisdiction

- Castleberry ISD's bus barn
- Boundary Adjustment Area
- Adjacent Cities

0 25 50 100 Feet  
1:1,200



Planning & Development Department  
11/13/2018

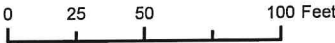
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# Boundary Adjustment - BAX-18-003

Aerial of Boundary Adjustment and Surrounding Area

Exhibit B



1:8,400



- City of Fort Worth
- Boundary Adjustment Area
- Castleberry ISD's bus barn
- City of River Oaks



Planning & Development Department  
11/13/2018

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# *City of Fort Worth, Texas*

## **Mayor and Council Communication**

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**COUNCIL ACTION: Approved on 12/11/2018 - Ordinance No. 23504-12-2018**

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**DATE:** Tuesday, December 11, 2018

**REFERENCE NO.:** \*\*L-16164

**LOG NAME:** 0606BAX-18-003 FORT WORTH AND RIVER OAKS BOUNDARY ADJUSTMENT

**SUBJECT:**

Authorize 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 Westside Acres, Block E, Lot 1A1 (COUNCIL DISTRICT 2)

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**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.

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**DISCUSSION:**

Castleberry Independent School District contacted staff and requested a boundary adjustment between the City of Fort Worth and the City of River Oaks. The property is located on the east side of Churchill Road, north of White Settlement Road (see Exhibit "A"). Castleberry ISD's bus barn is located to the north of the subject property. The lot is platted as Westside Acres, Block E, Lot 1A1. The school district plans to pave the lot for additional parking for the bus barn, and wants the entire school facility to be located within River Oaks city limit.

Whether the school facility is located in one city or the other does not impact taxable land, since schools are tax exempt; however, Fort Worth wants to ensure that the adjacent Fort Worth residents are screened from the adjacent nonresidential use. River Oaks staff has agreed to require screening for the facility consistent with their screening requirements for other nonresidential uses. This requirements is included in the draft Joint Ordinance and Boundary Agreement (see attached).

The Texas Local Government Code, Chapter 43.031, authorizes adjacent municipalities to make mutually agreeable changes in their boundaries for areas that are less than 1,000 feet in width. The purpose of these changes in boundaries is to promote orderly development, public safety and effective delivery of municipal services. If the City Council approves the proposed boundary adjustment, the ordinance will be executed between the Cities of Fort Worth and Red Oaks.

The proposed boundary adjustment is located in Fort Worth City limits and COUNCIL DISTRICT 2.

This contract will be with a governmental entity, state agency or public institution of higher education: City of Red Oaks.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that this action will have no material effect on City funds.

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**FUND IDENTIFIERS (FIDs):**

**TO**

Fund	Department ID	Account	Project ID	Program	Activity	Budget Year	Reference # (Chartfield 2)	Amount
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**FROM**

Fund	Department ID	Account	Project ID	Program	Activity	Budget Year	Reference # (Chartfield 2)	Amount
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**CERTIFICATIONS:**

**Submitted for City Manager's Office by:**

Jay Chapa (6122)

**Originating Department Head:**

Randle Harwood (6101)

**Additional Information Contact:**

Mary Elliott (7844)

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