

ORDINANCE O2020-45

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF WEATHERFORD, TEXAS, AND THE VOLUNTARY ANNEXATION OF CERTAIN TERRITORY CONSISTING OF A TOTAL OF APPROXIMATELY 5,100 FEET OF ROADWAY, APPROXIMATELY 25.785 ACRES OF LAND SITUATED IN THE J M RUTH SURVEY, ABSTRACT NO. 2256 THE JOHNSON WOOSLEY SURVEY, ABSTRACT NO. 1641, AND THE THOMAS JACKSON SURVEY, ABSTRACT NO. 745, PARKER COUNTY TEXAS AND BEING ALL OR A PORTION OF THOSE TRACTS OF LAND DESCRIBED IN DOCUMENTS NUMBER 201900840, 201730332, 201824870, 201731699, 201731513 AND 201916683 OF THE DEED RECORDS OF PARKER COUNTY, TEXAS AND A PORTION OF FARM TO MARKET ROAD 730, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMIT OF THE CITY OF WEATHERFORD, TEXAS, ADOPTING A "PLAN OF SERVICE" EXHIBIT "A" FOR SAID TERRITORY AS ATTACHED HERETO AND INCORPORATED HEREIN.

WHEREAS, two public hearings before the City Council of the City of Weatherford, Texas, where all interested persons were provided with an opportunity to be heard on the proposed voluntary annexation of the hereinafter described territory was held at the Public Meeting Room, Weatherford City Hall, 303 Palo Pinto Street, Weatherford, Texas, on August 25, and 31, 2020; and

WHEREAS, notice of such public hearing was published in a newspaper having general circulation in the City of Weatherford, Texas, and in the hereinafter described territory on the 15th day of August 2020 which date is not more than twenty nor less than ten days prior to the date of the public hearing and was posted on the City of Weatherford website on the 14th day of August 2020, and remained so posted until the date of the hearing, and

WHEREAS, the total corporate area of the City of Weatherford, Texas, on the first day of January 2020 was 18535 18 acres; and

WHEREAS, the estimated population of the City of Weatherford, Texas, is 30,654, and

WHEREAS, the hereinafter described property lies within the extraterritorial jurisdiction of the City of Weatherford, Texas, and

WHEREAS, the hereinafter described territory consists of tracts that contain a total of 25.785 acres.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEATHERFORD, TEXAS:

Section 1 The following described land and territories lying adjacent to and adjoining the City of Weatherford, Texas, and said territories hereinafter described, shall hereafter be included within the boundary limits of the City of Weatherford, Texas; and the present boundary limits of such city, at the various points contiguous to the areas hereinafter described, are altered and amended so as to include said areas within the corporate limits of the City of Weatherford, Texas, to-wit:

Being a 25.785 acre tract of land situated in the J. M. Ruth Survey, Abstract No. 2256 the Johnson Woosley Survey, Abstract No. 1641, and the Thomas Jackson Survey, Abstract No. 745, Parker County Texas and being all or a portion of those tracts of land described in Documents Number 201900840,

201730332, 201824870, 201731699, 201731513 and 201916683 of the Deed Records of Parker County, Texas and a portion of Farm to Market Road 730, said 25 785 acre tract of land being more particularly described by metes and bounds as follows:

- BEGINNING** at a 4 inch by 4 inch concrete monument in the northwesterly right of way line of Farm to Market Road 730 (a 100' right-of-way), for the common southerly corner of said 25 785 acre tract of land and the most easterly northeast corner of a tract of land described in the Last Will and Testament of Edward Allen Little and Lavelle Little to Glenna Sue Little and Gail Lavelle Wilk recorded in Cause No 01P146 of the Probate Records of Parker County, Texas and described as a 90 acre tract of land recorded in Volume 283, Page 334 of the Deed Records of Parker County, Texas, said 4 inch by 4 inch concrete monument also being the beginning of a non-tangent curve to the left having a radius of 35.00 feet, a central angle of 84 degrees 42 minutes 08 seconds, and a chord that bears North 20 degrees 26 minutes 59 seconds West, a distance of 47.16 feet;
- THENCE** Northwesterly, with said non-tangent curve to the left, an arc length of 51.74 feet to a point for corner,
- THENCE** North 62 degrees 48 minutes 03 seconds West, a distance of 245.86 feet to a point for corner,
- THENCE** South 22 degrees 45 minutes 59 seconds West, a distance of 53.37 feet to a point for corner in the common line of said 25.785 acre tract of land and northeasterly line of said 90 acre tract of land;
- THENCE** North 67 degrees 14 minutes 01 seconds West, with the common line of said 25.785 acre tract of land and northeasterly line of said 90 acre tract of land, a distance of 288.44 feet to a Mag Nail with washer stamped "1519 SURVEYING";
- THENCE** North 0 degrees 29 minutes 21 seconds East, with the common line of said 25.785 acre tract of land and northeasterly line of said 90 acre tract of land, a distance of 6 16 feet to a point for corner;
- THENCE** North 62 degrees 48 minutes 03 seconds West, a distance of 96 47 feet to a point for the beginning of a curve to the left having a radius of 9,350 00 feet, a central angle of 03 degrees 35 minutes 16 seconds, and a chord that bears North 64 degrees 35 minutes 41 seconds West, a distance of 585.37 feet;
- THENCE** Northwesterly, with said curve to the left, an arc length of 585.46 feet to a point for corner;
- THENCE** North 53 degrees 08 minutes 15 seconds West, a distance of 208.57 feet to a point for the beginning of a non-tangent curve to the left having a radius of 9,400.00 feet, a central angle of 21 degrees 12 minutes 28 seconds, and a chord that bears North 78 degrees 14 minutes 11 seconds West, a distance of 3,459.54 feet;
- THENCE** Northwesterly, with said non-tangent curve to the left, an arc length of 3,479 37 feet to a 1/2 inch iron rod with cap stamped "1519 SURVEYING" set for corner in the common west line of said 25 785 acre tract of land and east line of a called 154 64 acre tract of land described in the deed to James Bruce Thompson et ux Brenda Jones Thompson recorded in Volume 1735, Page 1747 of the Real Records of Parker County, Texas;

- THENCE** North 00 degrees 29 minutes 45 seconds East with the common west line of said 25.785 acre tract of land and east line of said 154.64 acre tract of land, a distance of 200 01 feet to a 1/2 inch iron rod with cap stamped "1519 SURVEYING" set for the beginning of a non-tangent curve to the right having a radius of 9,600 00 feet, a central angle of 18 degrees 00 minutes 52 seconds, and a chord that bears, South 79 degrees 51 minutes 00 seconds East, a distance of 3,005.94 feet;
- THENCE** Southeasterly, with said non-tangent curve to the right, an arc length of 3,018.35 feet to a 1/2 inch iron rod with cap stamped "1519 SURVEYING" set for corner, from which a 1/2 inch iron rod found for the corner of said 25 785 acre tract and southwest corner of said Francisco Ochoa Chavez 10.00 acre tract of land bears North 00 degrees 28 minutes 51 seconds East, a distance of 19.80 feet, said 1/2 inch iron rod with cap stamped "1519 SURVEYING" being the beginning of a tangent curve to the right having a radius of 9,600.00 feet, a central angle of 06 degrees 11 minutes 38 seconds, and a chord that bears South 78 degrees 18 minutes 33 seconds East, a distance of 1,037.31 feet;
- THENCE** Southeasterly, with said non-tangent curve to the right, an arc length of 1,037.81 feet to a 1/2 inch iron rod with cap stamped "1519 SURVEYING",
- THENCE** South 89 degrees 26 minutes 51 seconds East a distance of 75.99 feet to a 1/2 inch iron rod with cap stamped "1519 SURVEYING" for the beginning of a non-tangent curve to the right having a radius of 9,625.00 feet, a central angle of 03 degrees 05 minutes 03 seconds, and a chord that bears South 68 degrees 51 minutes 49 seconds East, a distance of 518.05 feet;
- THENCE** Southeasterly, with said non-tangent curve to the right, an arc length of 518.11 feet to a point for corner;
- THENCE** South 22 degrees 40 minutes 43 seconds West, a distance of 25 00 feet to a point for the beginning of a non-tangent curve to the right having a radius of 9,600.00 feet, a central angle of 01 degree 58 minutes 50 seconds, and a chord that bears South 66 degrees 19 minutes 52 seconds East, a distance of 331 85 feet;
- THENCE** Southeasterly, with said non-tangent curve to the right, an arc length of 331.86 feet to a point for corner;
- THENCE** South 78 degrees 47 minutes 10 seconds East, a distance of 105.18 feet to a point for the beginning of a non-tangent curve to the right having a radius of 9,625.00 feet, a central angle of 01 degree 40 minutes 54 seconds, and a chord that bears South 63 degrees 53 minutes 28 seconds East, a distance of 282 50 feet;
- THENCE** Southeasterly, with said non-tangent curve to the right, an arc length of 282.51 feet to a 1/2 inch iron rod with cap stamped "1519 SURVEYING" set for corner in the common east line of said 25.785 acre tract of land and west line of a called 1 492 acre tract of land described in the deed to Benny R. Byrd and wife, Brenda E. Byrd recorded in Volume 1471, Page 1367 of the Real Records of Parker County, Texas,
- THENCE** South 00 degrees 29 minutes 21 seconds West, with the common east line of said 25 785 acre tract of land and west line of said 1 492 acre tract of land, a distance of 21.91 feet to a 1/2 inch iron rod found for corner;

- THENCE** South 89 degrees 32 minutes 34 seconds East, with the common north line of said 25.785 acre tract of land and south line of said 1.492 acre tract, a distance of 269.87 feet to a 1/2 inch iron rod with cap stamped "1519 SURVEYING" set for corner of said 25.785 acre tract of land and southeast corner of said 1.492 acre tract of land, said 1/2 inch iron rod with cap stamped "1519 SURVEYING" being in the westerly right-of-way line of Hill Top Circle (a 60' right-of-way), said 1/2 inch iron rod with cap stamped "1519 SURVEYING" also being the beginning of a non-tangent curve to the left having a radius of 328.40 feet, a central angle of 22 degrees 37 minutes 18 seconds, and a chord that bears South 15 degrees 22 minutes 12 seconds East, a distance of 128.82 feet;
- THENCE** With the common easterly line of said 25.785 acre tract of land and westerly right-of-way line of said Hill Top Circle, and with said non-tangent curve to the left, an arc length of 129.66 feet to an "X" cut in the concrete base of a 6 inch pipe fence post set corner of said 25.185 tract of land, said "X" cut being in the southwesterly right-of-way line of said Hill Top Circle, said "X" cut also being the beginning of a non-tangent curve to the left having a radius of 328.40 feet, a central angle of 29 degrees 59 minutes 16 seconds, and a chord that bears South 53 degrees 50 minutes 42 seconds East, a distance of 169.92 feet;
- THENCE** Southeasterly, with said non-tangent curve to the left, an arc length of 171.88 feet to a 1/2 inch iron rod with cap stamped "1519 SURVEYING" set for corner,
- THENCE** South 68 degrees 50 minutes 23 seconds East, with the common northeasterly line of said 25.785 acre tract of land and the southwesterly right-of-way line of said Hill Top Circle, a distance of 244.88 feet to a 1/2 inch iron rod with cap stamped "1519 SURVEYING" set for the easterly corner of said 25.785 acre tract of land, said 1/2 inch iron rod with cap stamped "1519 SURVEYING" being the intersection of the southwesterly right-of-way line of said Hill Top Circle with the northwesterly right-of-way line of said Farm to Market Road 730, said 1/2 inch iron rod with cap stamped "1519 SURVEYING"
- THENCE** South 49 degrees 22 minutes 00 seconds East, a distance of 100.06 feet to the southeasterly right-of-way line of Farm to Market Road 730 and the northwesterly boundary line of the City of Weatherford City Limit Line Ordinance 14-57 a point, said point being the beginning of a non-tangent curve to the left having a radius of 1859.800 feet, a central angle of 04 degrees 37 minutes 14 seconds, and a chord that bears South 38 degrees 19 minutes 21 seconds West, a distance of 149.940 feet,
- THENCE** Southwesterly, with the said non-tangent curve to the left, an arc length of 158.05 feet to a point,
- THENCE** South 38 degrees 00 minutes 44 seconds West, along the southeasterly right-of-way line of Farm to Market Road 730 and the northeasterly boundary line of the City of Weatherford city Limit Line Ordinance 14-58-7 a distance of 92.470 feet to a point,
- THENCE** North 51 degrees 59 minutes 16 seconds West a distance of 100.00 feet to the **POINT OF BEGINNING**, and containing 25.785 acres of land, more or less.

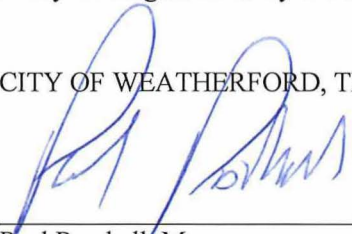
Section 2 The territories described herein and the areas so annexed shall be a part of the City of Weatherford, Texas, and the properties so added hereby shall bear its pro rata part of the taxes levied by the City of Weatherford, Texas, and the inhabitants thereof shall be entitled to all of the rights and

privileges of all citizens of the City of Weatherford, Texas, and shall be bound by acts, ordinances, resolutions and regulations of the City of Weatherford, Texas.

Section 3. The "Plan of Service" is attached hereto as Exhibit A, as required by state Statute cited in the Texas Local Government Code, Chapter 43, Subchapter C., Section 43.0672, is hereby incorporated and made a part of this ordinance, and its provisions are formally adopted in this "Agreement for City of Weatherford Annexation Service Plan" Exhibit "A" for the annexation of the above described property.

The foregoing ordinance was introduced, read, passed and approved on first and final reading at a regular meeting of the Weatherford City Council held on the 31st day of August 2020 by a vote of: Aye 5
No 0.

CITY OF WEATHERFORD, TEXAS



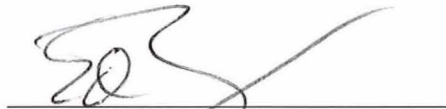
Paul Paschall, Mayor

ATTEST:



Malinda Nowell, TRMC, City Secretary

APPROVED AS TO FORM:



Ed Zellers, City Attorney

**AGREEMENT FOR
CITY OF WEATHERFORD
ANNEXATION SERVICE PLAN FOR
“East Loop”**

This Agreement is entered into with the City of Weatherford pursuant to Section 43.0672 of the Texas Local Government Code for municipal services to the area annexed in the ordinance attached hereto. Services shall be furnished after the effective date of annexation by the City of Weatherford, Texas, (“City”) at the following levels and in accordance with the following schedule:

1. **Services Currently Provided:** Platting
2. **Upon the effective date of annexation, the City will provide the following services to the newly annexed area:**
 - A. **Police Services**

The City will provide police services to the newly annexed area at the same or similar level of service now being provided to other areas of the City with similar topography, land use and population. The City will respond to all dispatched police calls and requests for service or assistance within the newly annexed area.
 - B. **Fire Protection and Emergency Medical Service**

The City will provide fire protection to the newly annexed area at the same or similar level of service now being provided to other areas of the City with similar topography, land use, and population. The City will respond to all dispatched calls and requests for service or assistance within the newly annexed area.
 - C. **Solid Waste Collection**

The City will provide for the collection of solid waste and refuse in the newly annexed area at the same fee as paid by other citizens within the city limits for the same service by the franchised solid waste provider.
 - D. **Maintenance of Water and Wastewater Facilities**

The City Council is not aware of the existence of any water or wastewater facilities now located in or serving the area proposed for annexation. If publicly owned water or wastewater facilities do exist in the area such facilities owned or maintained by the City at the time of the proposed annexation shall continue to be maintained by the City. Any water or wastewater facilities, which the City may acquire subsequent to the annexation of the proposed area, shall be maintained by the City to the extent of its ownership. It is the intent of the City to maintain all public water and wastewater facilities in the annexed area that are not within the service area of any other water or wastewater utility.
 - E. **Maintenance of Roads and Streets**

Road, streets, or alleyways which have been dedicated to the City or which are owned by the City shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas with similar topography, land use, and population density. Lighting of roads, streets, and alleyways that may be positioned in a right-of-way, roadway, or utility company easement shall be maintained by the applicable utility company servicing the City pursuant to the rules, regulations, and fees of the utility.
 - F. **Maintenance of Parks, Playgrounds and Swimming Pools**

The City Council is not aware of the existence of any parks, playgrounds or swimming pools now located in the area proposed for annexation. If parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain the areas to the same extent

and degree that it maintains parks, playgrounds, swimming pools, and other similar areas of the City.

G. Maintenance of Publicly-Owned Facility, Building, or Municipal Service

The City Council is not aware of the existence of any publicly-owned facility, building, or municipal service now located in or serving the area proposed for annexation. If publicly-owned facilities, buildings, or municipal services do exist, the City will maintain the facilities and services to the same extent and degree that it maintains similar facilities and services in other similar areas of the City.

H. Electric

The City Council is not aware of the existence of City-owned electric facilities now located in and serving the area proposed for annexation. Any City-owned electric facilities that exist in the area at the time of the proposed annexation shall continue to be maintained by the City to the same extent and degree that it maintains similar facilities and services in other similar areas of the City.

3. Program for construction or acquisition of any capital improvements necessary for providing municipal service for the area:

A. In General

1. The City policy for extending water and wastewater service is to extend service on an as required basis when development applications or subdivision plats are submitted to the City in accordance with the City's subdivision and development ordinances and utility extension regulations

2. Landowners may be required to fund capital improvements necessary to provide service in a manner consistent with Chapter 395, Texas Local Government Code. Nothing in this plan shall be interpreted to require a landowner within the newly annexed area to fund capital improvements necessary to provide municipal services in a manner inconsistent with Chapter 395 of the Local Government Code, unless otherwise agreed to by the landowner

3. There appear to be no public improvements of any kind other than existing state and county roads presently located in the area to be annexed

B. Police and Fire Protection Services

The City Council finds and determines it to be unnecessary to acquire or construct any capital improvements for the purposes of providing police or fire protection services and that it has at the present time adequate facilities to provide the same type, kind, and level of protection and service which is presently being administered to other areas already incorporated in the City with the same or similar topography, land use, and population density, without reducing by more than a negligible amount the level of police or fire services provided within the corporate limits of the City.

C. Water Facilities and Services

The City of Weatherford Municipal Utility System has plans to extend an 8" water line along the Ric Williamson Memorial Highway Municipal right-of-way water service to the area proposed for annexation. Developer(s) will be required to connect to the water main and extend service(s) to the proposed development pursuant to the ordinances and utility policies of the City. Upon connection to existing mains, water will be provided at the rates established by the City

D. Wastewater Facilities and Service

Municipal wastewater service is not currently available to the area proposed for annexation. No service will be provided for the area included in this annexation. Should future Developer(s) desire to connect to City wastewater services, then the Developer(s) will be required to extend service(s) to the proposed development pursuant to the ordinances and utility policies of the City, including gravity mains, force mains, and lift stations, as may be required.

E. Roads and Streets

When development occurs within the area, maintenance of properly dedicated roads and streets will be consistent with the maintenance provided by the City to other roads and streets in areas of similar topography, land use, and development as the annexed area. Developers will be required pursuant to the ordinances of the City to provide internal and peripheral streets and to construct those streets in accordance with the specifications required by the City for a properly dedicated street. The City will undertake to provide the same degree of road and street lighting as is provided in areas of similar topography, land use, and population density within the present corporate limits of the City.

F. Electric

The City of Weatherford Municipal Utility System has the ability to serve electric to the proposed annexation area determined by its certified electric service territory as granted by the Public Utility Commission of Texas. Any electric service provided would be according to the City's most current Electric Service Policy.

SPECIFIC FINDINGS

The City Council finds and determines that this proposed Service Plan will not provide any fewer services, and it will not provide a lower level of service in the area, including maintenance of infrastructure, proposed to be annexed than were in existence in the area at the time immediately preceding the annexation process, or within areas of the corporate limits of the City with similar topography, land use and population density, nor will it result in reduction the level of fire and police protection and emergency medical services provided within corporate limits before annexation.

Because of the differing characteristics of topography, land utilization and population density, the service levels which may ultimately be provided in the newly annexed area may differ somewhat from services provided to other areas of the City of Weatherford, Texas. These differences are specifically dictated because of differing characteristics of the property and the City of Weatherford, Texas will undertake to perform consistent with this contract so as to provide the newly annexed area with the same type, kind and quality of service presently enjoyed by the citizens of the City of Weatherford, Texas who reside in areas of similar topography, land utilization and population.

EXECUTED this 31 day of August, 2020.