

CITY OF EVERMAN ORDINANCE NO. 845
CITY OF FORT WORTH ORDINANCE NO. _____
JOINT ORDINANCE AND BOUNDARY AGREEMENT

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 Everman (hereinafter called "EVERMAN") is a home-rule city located in Tarrant County; and

WHEREAS, FORT WORTH and EVERMAN share a common boundary; and

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

WHEREAS, Section 43.015 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 FORT WORTH AND THE CITY COUNCIL OF THE CITY OF EVERMAN:

SECTION 1

Pursuant to Section 43.015 of the Texas Local Government Code, FORT WORTH and EVERMAN hereby agree that the boundary between the cities will be adjusted as set out herein so that 8.463 acres of land located in Blocks 38 and 39 of the Shelby County School Lands Survey Abstract Number 1375 in the 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 EVERMAN. In accordance with this Joint Ordinance and Boundary Agreement, FORT WORTH hereby relinquishes the 8.463 acres described in Exhibit "A" to EVERMAN 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, EVERMAN accepts and annexes 8.463 acres into its city limits as reflected in Exhibit "A" attached and incorporated herein.

SECTION 2

This ordinance shall be cumulative of all provisions of the ordinances of the City of Everman 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with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.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 EVERMAN 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 Everman 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 Everman 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 Everman by the adoption of same in regular, open city council meetings of the City of Everman 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 ____ day of _____, 202____.

Mattie Parker, Mayor

Attest:

Jannette Goodall, City Secretary

Approved as to Form:

Leann Guzman, City Attorney

PASSED AND APPROVED by the City Council of the City of Everman on this ____ day of _____, 202____ .

Ray Richardson, Mayor

Attest:

Mindi Parks, City Secretary

Approved as to Form:

Victoria Thomas, City Attorney

EXHIBIT A

4934-2484-4411, v. 1