

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, ADOPTING THE ANNEXATION OF CERTAIN TERRITORY LOCATED IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF GRAND PRAIRIE, TEXAS, TO WIT: BEING AN APPROXIMATELY 5.730 ACRE TRACT OF LAND IN ELLIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AND GRAPHICALLY DEPICTED IN EXHIBIT “A”, SUCH TRACT IS GENERALLY DESCRIBED AS 262 CUAD IRR CO; 1280 R M WYATT AND IDENTIFIED BY ELLIS COUNTY APPRAISAL DISTRICT PROPERTY ID 261510 AND ALL ADJACENT RIGHTS-OF-WAY INTO THE CITY OF GRAND PRAIRIE, TEXAS; PROVIDING FOR INCORPORATION OF PREMISES, AMENDING OF THE OFFICIAL CITY MAP, AND ACKNOWLEDGING A SERVICE PLAN; REQUIRING THE FILING OF THIS ORDINANCE WITH THE COUNTY CLERK; PRESCRIBING FOR EFFECT ON TERRITORY, GRANTING AS APPROPRIATE TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY OF GRAND PRAIRIE, TEXAS; PROVIDING CUMULATIVE REPEALER, SEVERABILITY AND SAVINGS CLAUSES; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Grand Prairie is a Home Rule Municipality located in Dallas, Tarrant, and Ellis County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas and the Grand Prairie City Charter (the (“City”)); and

WHEREAS, on April 16, 2024, the Board of Directors for the Tarrant Regional Water District (“Owner”) took action to request annexation into the City of Grand Prairie by voting to approve a municipal services agreement with Grand Prairie and consenting to the voluntary annexation into the City of Grand Prairie; and

WHEREAS, the notice of the public hearing was published in a newspaper of general circulation within the City of Grand Prairie, Texas and the area to be annexed, on the 24th day of April, 2024, such date being not more than twenty (20) days nor less than ten (10) days prior to the public hearing; and

WHEREAS, all City of Grand Prairie charter requirements and required statutory notices pursuant to Chapter 43 of the Texas Local Government Code have been accomplished, including posting on the City’s internet website; and

WHEREAS, any and all required written notices and offers were timely sent to the property owner and others entitled to same; and

WHEREAS, the Ordinance was first published in a newspaper of general circulation in the City on April 24, 2024;

WHEREAS, after providing notice as required by applicable law, a public hearing was conducted in accordance with applicable law, on the 7th day of May, 2024, in the City of Grand Prairie Council Chambers, to consider the annexation of the property being more particularly described and depicted in Exhibit “A”, attached hereto and incorporated as if fully set forth herein (the “Property”), and all adjacent rights-of-way; and

WHEREAS, the City Council of the City of Grand Prairie, Texas has determined that the Property is located in the extraterritorial jurisdiction of the City of Grand Prairie, Texas; and

WHEREAS, the City Council of the City of Grand Prairie, Texas has investigated into, has determined and officially finds that no part of the Property is within the extraterritorial jurisdiction of any other incorporated city or town; and

WHEREAS, to the extent that this Ordinance would cause an unincorporated area to be entirely

surrounded by the City of Grand Prairie's limits, the City Council has found - and incorporates herein its finding - that surrounding the area is in the public interest; and

WHEREAS, the Owners and the City have entered into a written agreement regarding services to be provided for the Property prior to the effective date of annexation of the Property, the substantive body of which is attached hereto as Exhibit "B" and incorporated as if fully set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THAT:

SECTION 1. INCORPORATION OF PREMISES

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2. OFFICIAL CITY MAP AMENDED

1. The official map and boundaries of the City are hereby amended so as to include the Property and any and all adjacent rights-of-way, and that such territory shall be and is hereby annexed into the corporate limits of the City.
2. The City Manager is hereby directed and authorized to perform or cause to be performed all acts necessary to correct the official map of the City to add the territory hereby annexed as required by law.

SECTION 3. ANNEXATION OF AREA

The Property, and any and all adjacent rights-of-way, is hereby annexed into the City, and that the boundary limits of the City be and the same are hereby extended to include the Property and any and all adjacent rights-of-way within the city limits of the City, and the same shall hereafter be included within the territorial limits of the City, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the City and they shall be bound by the acts, ordinances, resolutions, and regulations of the City.

SECTION 4. FILING OF ORDINANCE REQUIRED

The City Secretary shall file or cause to be filed a certified copy of this Ordinance in the office of the County Clerk of each county in which all or a portion of the Property and any and all adjacent rights-of-way is located, and any other necessary agencies, including the United States Department of Justice.

SECTION 5. EFFECT ON TERRITORY

From and after the passage of this Ordinance, the Property and any and all adjacent rights-of-way shall be a part of the City of Grand Prairie, Texas, and subject to the service agreement referenced in the above Premises incorporated by Section 1 of this Ordinance. The inhabitants thereof shall be entitled to all of the rights, privileges and immunities as all other citizens of the City of Grand Prairie, Texas, and shall be bound by all of the Ordinances and regulations enacted pursuant to and in conformity with the general laws of the State of Texas.

SECTION 6. CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

SECTION 7. SEVERABILITY

If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect. The City Council hereby declares that if there is an error in any call

or description in Exhibit “A” preventing any portion of the Property and any and all adjacent rights-of-way from being annexed, the City Council would have annexed all remaining area having correct calls or descriptions and or would have corrected the call or description to include the entire intended area in this annexation.

SECTION 8. ENGROSSMENT AND ENROLLMENT

The City Secretary of the City of Grand Prairie is hereby directed to engross and enroll this Ordinance by copying the Caption in the minutes of the City Council of the City of Grand Prairie and by filing this Ordinance in the Ordinance records of the City.

SECTION 9. EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its date of passage.

FIRST READING PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS ON THE ____ DAY OF _____, 2024. SECOND AND FINAL READING PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS ON THIS THE ____ DAY OF _____, 2024.

APPROVED:

Ron Jensen, Mayor

ATTEST:

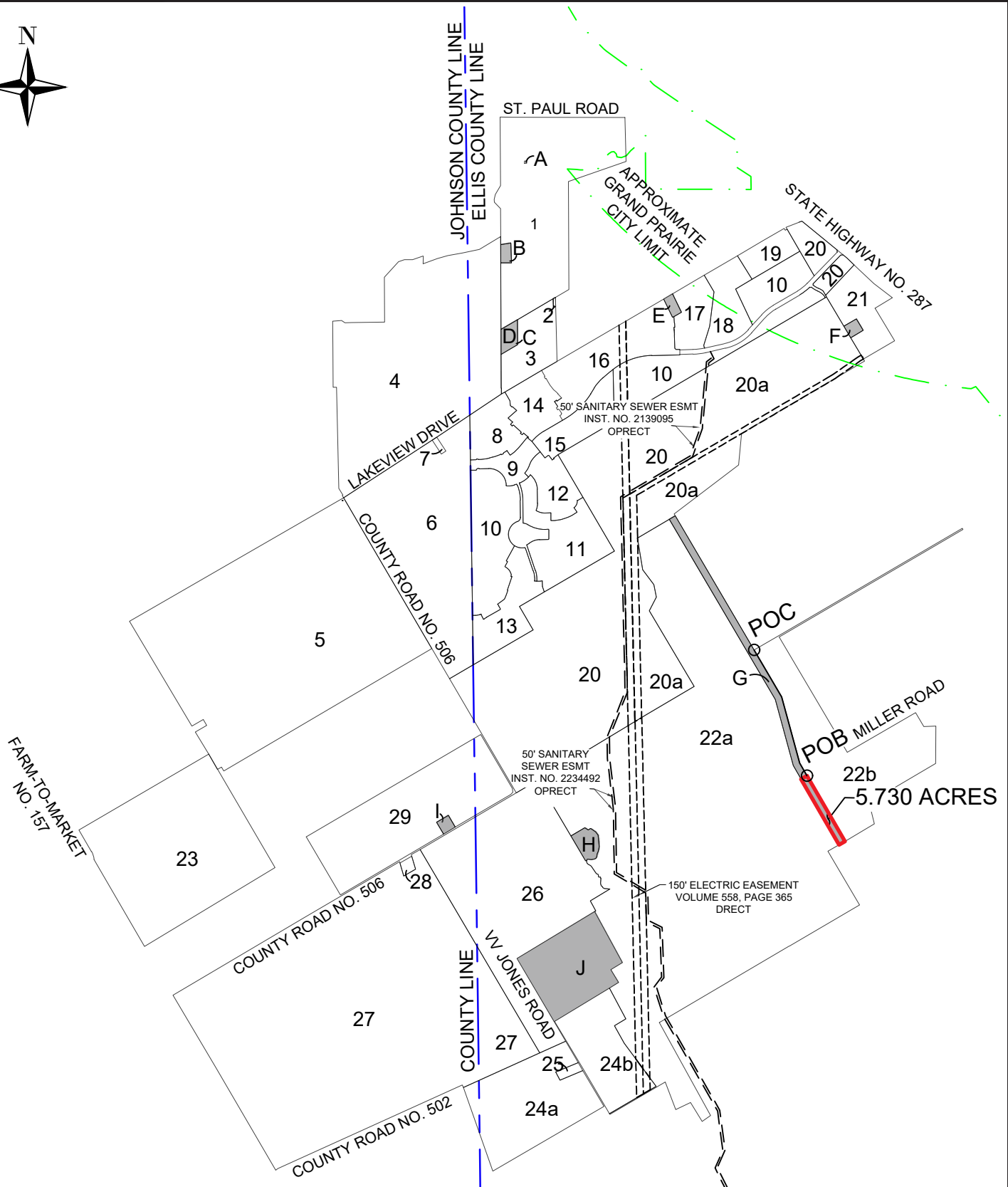
APPROVED AS TO FORM:

City Secretary

City Attorney

Exhibit "A"
Property Legal Description and Depiction

BEING the land described by the attached metes and bounds and depiction of the area and including any and all adjacent rights-of-way.



YAZEL PEEBLES & ASSOCIATES LLC

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Bedford, TX 76095

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info@ypassociates.com

2021-140-000

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ANNEXATION EXHIBIT

5.730 ACRES
Ellis County, Texas

This document was prepared under 22 TAC §663.21, 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.

METES AND BOUNDS DESCRIPTION:

BEING a 5.730 acre tract of land situated in the Cuadrilla Irrigation Co. Survey, Abstract No. 262 and the R. Wyatt Survey, Abstract No. 1280, Ellis County, Texas and being part of a tract of land described in Special Warranty Deed to Tarrant Regional Water District recorded in Instrument No. 1406456 (Volume 2757, Page 953) of the of the Deed Records, Ellis County, Texas (DRECT);

COMMENCING in the East line of said Tarrant Regional Water District tract at the Northwest corner of a tract of land described as Parcel B in a deed to Prairie Ridge Investors LP recorded in Instrument Number 2220050 of the of the Official Public Records, Ellis County, Texas and at the Southwest corner of Buffalo Hills 1 & 2 Additions, recorded in Cabinet B, Slide 40 of said PRECT;

THENCE with said East line and the West line of said Parcel B the following three (3) courses and distances:

1. South 30°27'56" East, a distance of 1,192.41 feet to point;
2. South 15°09'36" East, a distance of 1,502.74 feet to a point;
3. South 30°08'40" East, a distance of 324.63 feet to a point in the approximate centerline of Miller Road and at the POINT OF BEGINNING;

THENCE South 30°08'40" East, continuing with said East line of Tarrant Regional Water District tract and said West line of Parcel B, a distance of 1,663.94 feet to a point at the Southeast corner of said Tarrant Regional Water District tract;

THENCE South 59°51'49" West, a distance of 150.00 feet to a point at the Southwest corner of said Tarrant Regional Water District tract;

THENCE North 30°08'40" West, a distance of 1,663.93 feet to a point in the approximate centerline of said Miller Road;

THENCE North 59°51'43" East, with said approximate centerline, a distance of 150.00 feet to the **POINT OF BEGINNING** and containing 5.730 acres of land, more or less.

EXHIBIT

YAZEL PEEBLES & ASSOCIATES LLC

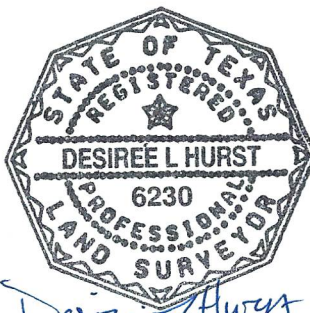
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APRIL 18, 2024

5.730 ACRES
Survey, Abstract No. 262 and
R. Wyatt Survey, Abstract No. 1280
Ellis County, Texas

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Exhibit "B"

Substance from body of executed Service Agreement the Property

Upon annexation, the City of Grand Prairie is agreeing to provide all municipal services to the Land at a level which is comparable to those provided throughout the City. However, due to state law limitations, the City cannot provide solid waste services during the first two years unless a privately owned solid waste management service provider is unavailable. Additionally, to the extent the Land is located within the Certificate of Convenience and Necessity (CCN) of another entity, the services governed by such CCN will be provided by the entity holding the CCN as opposed to the City.