

ORDINANCE NO. 2024-O-xx

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY TO THE CITY OF STEPHENVILLE, ERATH COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING 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 SAID CITY.

WHEREAS, on April 30, 2024, the City of Stephenville received a petition requesting voluntary annexation by the landowner for 92.159 Acres in the Menefee Jarrett Survey, Abstract No. 520 (“Exhibit A”); and

WHEREAS, the City of Stephenville and the property owner negotiated and executed a Municipal Services Agreement (“Exhibit B”) on April 30, 2024; and

WHEREAS, the procedures prescribed by the Charter of the City of Stephenville, Texas, and the laws of this state have been duly followed with respect to the following described territory, recorded in the Official Public Records of Erath County, and that territory’s metes and bounds being attached as part of “Exhibit B.”

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Stephenville, Texas:

SECTION 1.

The above-described property is hereby annexed to the City of Stephenville, Erath County, Texas, and that the boundary limits of the City of Stephenville are hereby extended to include said territory within the city limits of the City of Stephenville. The same shall hereafter be included within the territorial limits of said city, and the inhabitants thereof shall hereafter be entitled to all the rights and privileges of other citizens of the City of Stephenville and they shall be bound by the acts, ordinances, resolutions, and regulations, of said city.

SECTION 2.

The City Secretary is hereby directed to file with the County Clerk of Erath, Texas, a certified copy of this ordinance.

PASSED AND APPROVED this 7th day of May, 2024.

Doug Svien, Mayor

ATTEST:

Sarah Lockenour, City Secretary

Reviewed by Jason King,
City Manager

Randy Thomas, City Attorney
Approved as to form and legality

EXHIBIT A

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

TO THE MAYOR OF THE GOVERNING BODY OF THE CITY OF STEPHENVILLE, TEXAS:

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby petition your honorable Body to extend the present city limits so as to include as part of the City of Stephenville, Texas, the following described territory, to wit:

BEING a 92.159 acre (4,014,427 square foot) tract of land situated in the Jarrett Menefee Survey, Abstract No. 520, Erath County, Texas, and being a portion of the called 94.85 acre tract of land described in the deed to Southwestern Pidgeon Road, LLC recorded in Document No. 2023-00119 of the Official Public Records of Erath County, Texas, said 92.159 acre (4,014,427 square foot) tract of land being more particularly described by metes and bounds as follows;

BEGINNING at a 1/2 inch iron rod with cap stamped "RPLS 1983" found for the east corner of said 94.85 acre tract of land, said 1/2 inch iron rod with cap stamped "RPLS 1983" also being in the southwesterly right-of-way line of State Highway 108 (variable width right-of-way);

THENCE South 59 degrees 39 minutes 09 seconds West, with the southeasterly line of said 94.85 acre tract of land, a distance of 2,252.28 feet to a point for corner in South Fork North Bosque River;

THENCE Northwesterly with the said South Fork North Bosque River and departing the said southeasterly line of 94.85 acre tract of land, the following five (5) calls:

North 69 degrees 15 minutes 03 seconds West, a distance of 144.08 feet to a point for corner;

South 86 degrees 05 minutes 46 seconds West, a distance of 149.46 feet to a point for corner;

South 79 degrees 57 minutes 56 seconds West, a distance of 107.09 feet to a point for corner;

South 71 degrees 15 minutes 18 seconds West, a distance of 144.82 feet to a point for corner;

South 48 degrees 20 minutes 09 seconds West, a distance of 196.29 feet to a point for corner in the southwesterly line of said 94.85 acre tract of land;

THENCE North 33 degrees 58 minutes 15 seconds West, with the said southwesterly line of 94.85 acre tract of land, a distance of 380.50 feet to a 60d Nail found for corner;

THENCE North 29 degrees 48 minutes 43 seconds West, with the southwesterly line of said 94.85 acre tract of land, a distance of 1,652.21 feet to a point for the west corner of said 94.85 acre tract of land;

THENCE North 59 degrees 41 minutes 08 seconds East, with a northwesterly line of said 94.85 acre tract of land, a distance of 751.98 feet to a 3/8 inch iron rod found for the most westerly north corner of said 94.85 acre tract of land;

THENCE South 55 degrees 50 minutes 31 seconds East, with a northeasterly line of said 94.85 acre tract of land, a distance of 1,101.45 feet to a 1/2 inch iron rod found for corner;

THENCE North 59 degrees 16 minutes 31 seconds East, with a northwesterly line of said 94.85 acre tract of land, a distance of 169.68 feet to a 1/2 inch rod found for corner;

THENCE South 30 degrees 17 minutes 13 seconds East, with a northeasterly line of said 94.85 acre tract of land, a distance of 416.73 feet to a 1/2 inch iron rod found for corner;

- THENCE** North 59 degrees 08 minutes 49 seconds East, with a northwesterly line of said 94.85 acre tract of land, a distance of 1,094.79 feet to a point for corner;
- THENCE** North 42 degrees 50 minutes 41 seconds East, with a northwesterly line of said 94.85 acre tract of land, a distance of 254.42 feet to a 3/8 inch iron rod found for the most easterly north corner of said 94.85 acre tract of land, said 3/8 inch iron rod also being in the southwesterly right-of-way line of Farm to Market Road 2303 (variable width right-of-way);
- THENCE** South 54 degrees 46 minutes 01 second East, with the common northeasterly line of said 94.85 acre tract of land and the southwesterly right-of-way line of said Farm to Market Road 2303, a distance of 58.79 feet to a 3/8 inch iron rod found for the beginning of a non-tangent curve to the left having a radius of 528.30 feet, a central angle of 41 degrees 00 minutes 09 seconds, and a chord that bears South 74 degrees 47 minutes 13 seconds East, a chord distance of 370.05 feet;
- THENCE** Southeasterly, with the common northeasterly line of said 94.85 acre tract of land and the southwesterly right-of-way line of said Farm to Market Road 2303, and with said non-tangent curve to the left, an arc length of 378.07 feet to a 1/2 inch iron rod with cap stamped "RPLS 1983" found for corner;
- THENCE** South 68 degrees 53 minutes 07 seconds East, with the common northeasterly line of said 94.85 acre tract of land and the southwesterly right-of-way line of said Farm to Market Road 2303, a distance of 283.01 feet to a 1/2 inch iron rod with cap stamped "RPLS 1983" found for the intersection of the southwesterly right-of-way line of said Farm to Market Road 2303 with the southwesterly right-of-way line of said State Highway 108;
- THENCE** South 29 degrees 48 minutes 32 seconds East, with the common northeasterly line of said 94.85 acre tract of land and southwesterly right-of-way line of said State Highway 108, a distance of 95.04 feet to a point for corner;
- THENCE** South 60 degrees 10 minutes 15 seconds West, with the common northeasterly line of said 94.85 acre tract of land and southwesterly right-of-way line of said State Highway 108, a distance of 50.00 feet to a 1/2 inch iron rod with cap stamped "RPLS 1983" found for corner;
- THENCE** South 40 degrees 03 minutes 42 seconds East, with the common northeasterly line of said 94.85 acre tract of land and southwesterly right-of-way line of said State Highway 108, a distance of 281.67 feet to the **POINT OF BEGINNING** and containing 4,014,427 square feet or 92.159 acres of land.

EXHIBIT B

**MUNICIPAL SERVICES AGREEMENT
BETWEEN
THE CITY OF STEPHENVILLE, TEXAS
AND
SOUTHWESTERN PIGEON ROAD, LLC**

This Municipal Services Agreement ("Agreement") is entered into on the 30th day of April, 2024, by and between the City of Stephenville, Texas, a home-rule municipality of the State of Texas ("City"), and Southwestern Pigeon Road, LLC ("Owner").

WHEREAS Texas Local Government Code Section 43.0671 permits the City to annex an area if each owner of land in an area requests the annexation; and

WHEREAS where the City elects to annex such an area, the City is required to enter into a written agreement with the property owner that sets forth the city services to be provided for the property on or after the effective date of annexation; and

WHEREAS Owner owns certain parcels of land situated in Erath County, Texas, which consists of approximately 92.16 acres in the Menefee Jarrett Survey, Abstract No. A0520 located within the City's extraterritorial jurisdiction, such property being more particularly described and set forth in Exhibit A, attached and incorporated herein by reference ("Property"); and

WHEREAS Owner has filed a written request with the City for full-purpose annexation of the Property; and

WHEREAS City and Owner desire to set out the City services to be provided for the Property on or after the effective date of the annexation; and

WHEREAS the annexation of the Property is subject to approval by the City Council of the City.

NOW, THEREFORE, in exchange for the mutual covenants, conditions, and promises contained herein, City and Owner agree as follows:

1. **PROPERTY.** This agreement is only applicable to the Property, which is the subject of the annexation request as described in Exhibit A.
2. **INTENT.** It is intent of the City that this Agreement provide for the delivery of full, available municipal services to the Property in accordance with state law, which may be accomplished through any means permitted by law.
3. **MUNICIPAL SERVICES.**
 - a. Commencing on the effective date of annexation, the City will provide the municipal services set forth below. As used in this Agreement, "providing services" includes having services provided by any method or means by which the City may extend municipal services to any other area of the City, including the City's infrastructure extension policies and developer or property owner participation shall be in accordance with applicable City ordinances, rules, regulations, and policies.

- i. FIRE AND EMERGENCY MEDICAL SERVICES. The City's Fire Department will provide fire protection and emergency medical services.
 - ii. POLICE. The City's Police Department will provide protection and law enforcement services.
 - iii. PLANNING, ZONING, AND BUILDING. The City's Development Department will provide comprehensive planning, land development, land use, and building review and inspection services in accordance with all applicable laws, rules, and regulations.
 - iv. STREETS. The City's Public Works Department will maintain the public streets over which the City has jurisdiction.
 - v. WATER AND WASTEWATER.
 1. Water services will be extended in accordance with the City's Comprehensive Master Plan and Section 155.6.13 *Water Utility* of the City's Subdivision Ordinance. The City shall be responsible for oversize participation in accordance with Section 155.6.12 *Utility Policy* of the City's Subdivision Ordinance. The oversize participation cost to the City shall be no more than \$0.00.
 2. Wastewater services will be extended in accordance with the City's Comprehensive Master Plan and Section 155.6.14 *Wastewater Utility* of the City's Subdivision Ordinance. The City shall be responsible for oversize participation in accordance with Section 155.6.12 *Utility Policy* of the City's Subdivision Ordinance. The oversize participation cost to the City shall be no more than \$0.00.
 - vi. SOLID WASTE SERVICES. The City will provide solid waste collection services in accordance with existing City contracts.
 - vii. CODE COMPLIANCE. The City's Code Compliance Department will provide education, enforcement, and abatement relating to code violations within the Property.
- b. It is understood and agreed that the City is not required to provide a service that is not included in this Agreement.
 - c. Owner understands and acknowledges that the City departments listed may change names or be reorganized by the City Manager or City Council. Any reference to a specific department also includes any subsequent City department that will provide the same or similar services.
4. AUTHORITY. City and Owner represent that they have full power, authority, and legal right to execute, deliver, and perform their obligations pursuant to this Agreement. Owner acknowledges that approval of the annexation is within the sole jurisdiction and subject to the approval of the City Council.

5. SEVERABILITY. If any part, term, or provision of this Agreement is held by the courts to be illegal, invalid, or otherwise unenforceable, such illegality, invalidity, or unenforceability will not affect the validity of any other part, term, or provision, and the rights of the parties will be construed as if the part, term, or provision was never part of the Agreement.

6. AGREEMENT BINDS SUCCESSORS AND RUNS WITH THE LAND. This Agreement is binding on and inures to the benefit of the parties, their successors, and assigns. The term of this Agreement constitutes covenants running with the land comprising the Property and is binding on Owner and Owner's successors and assigns.

Executed this ____ of _____, 2024, to become effective on the date of annexation of the Property.

 Jason M. King, City Manager
 City of Stephenville, Texas

[Signature]
 Property Owner
 Southwestern Pigeon Road, LLC

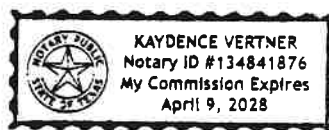
STATE OF TEXAS §
 COUNTY OF ERATH §

Sworn to and subscribed before me by Jason M. King, City Manager for the City of Stephenville, Texas this the ____ day of _____, 2024.

 Notary Public, State of Texas

STATE OF TEXAS §
 COUNTY OF ERATH §

Sworn to and subscribed before me by Cole Gilliam Parks, Property owner this the 30 day of April, 2024. (PRINTED NAME AND TITLE)



[Signature]
 Notary Public, State of Texas

EXHIBIT "A"
LEGAL DESCRIPTION

LEGAL DESCRIPTION

BEING a 92.159 acre (4,014,427 square foot) tract of land situated in the Jarrett Menefee Survey, Abstract No. 520, Erath County, Texas, and being a portion of the called 94.85 acre tract of land described in the deed to Southwestern Pidgeon Road, LLC recorded in Document No. 2023-00119 of the Official Public Records of Erath County, Texas, said 92.159 acre (4,014,427 square foot) tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod with cap stamped "RPLS 1983" found for the east corner of said 94.85 acre tract of land, said 1/2 inch iron rod with cap stamped "RPLS 1983" also being in the southwesterly right-of-way line of State Highway 108 (variable width right-of-way);

THENCE South 59 degrees 39 minutes 09 seconds West, with the southeasterly line of said 94.85 acre tract of land, a distance of 2,252.28 feet to a point for corner in South Fork North Bosque River;

THENCE Northwesterly with the said South Fork North Bosque River and departing the said southeasterly line of 94.85 acre tract of land, the following five (5) calls:

North 69 degrees 15 minutes 03 seconds West, a distance of 144.08 feet to a point for corner;

South 86 degrees 05 minutes 48 seconds West, a distance of 149.48 feet to a point for corner;

South 79 degrees 57 minutes 58 seconds West, a distance of 107.09 feet to a point for corner;

South 71 degrees 15 minutes 18 seconds West, a distance of 144.82 feet to a point for corner;

South 48 degrees 20 minutes 09 seconds West, a distance of 198.29 feet to a point for corner in the southwesterly line of said 94.85 acre tract of land;

THENCE North 33 degrees 58 minutes 15 seconds West, with the said southwesterly line of 94.85 acre tract of land, a distance of 380.50 feet to a 60d Nail found for corner;

THENCE North 29 degrees 48 minutes 43 seconds West, with the southwesterly line of said 94.85 acre tract of land, a distance of 1,852.21 feet to a point for the west corner of said 94.85 acre tract of land;

THENCE North 59 degrees 41 minutes 08 seconds East, with a northwesterly line of said 94.85 acre tract of land, a distance of 751.98 feet to a 3/8 inch iron rod found for the most westerly north corner of said 94.85 acre tract of land;

THENCE South 55 degrees 50 minutes 31 seconds East, with a northeasterly line of said 94.85 acre tract of land, a distance of 1,101.45 feet to a 1/2 inch iron rod found for corner;

THENCE North 59 degrees 16 minutes 31 seconds East, with a northwesterly line of said 94.85 acre tract of land, a distance of 169.88 feet to a 1/2 inch rod found for corner;

THENCE South 30 degrees 17 minutes 13 seconds East, with a northeasterly line of said 94.85 acre tract of land, a distance of 416.73 feet to a 1/2 inch iron rod found for corner;

NOTES

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202).

A survey plat of even survey date herewith accompanies this metes and bounds description.

The undersigned, Registered Professional Land Surveyor, hereby attests that this survey was completed under my direct supervision and represents an actual survey performed on the ground.



SHAUN MARVIN PIEPKORN
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 6432
801 CHERRY STREET,
UNIT 11 SUITE 1300
FORT WORTH, TEXAS 76102
PH. 817-335-6511
shaun.piepkorn@kimley-horn.com



EXHIBIT "A"
92.159 ACRES
JARRETT MENEFEES SURVEY
ABSTRACT NO. 520
CITY OF STEPHENVILLE ETJ
ERATH COUNTY, TEXAS

Kimley»Horn

801 Cherry Street, Unit 11, # 1300
Fort Worth, Texas 76102 FIRM # 10134040

Tel. No. (817) 335-6511
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	GRTW	SMP	4/26/2024	061348000	1 OF 4

LEGAL DESCRIPTION (CONTINUED)

- THENCE** North 59 degrees 08 minutes 49 seconds East, with a northwesterly line of said 94.85 acre tract of land, a distance of 1,094.79 feet to a point for corner;
- THENCE** North 42 degrees 50 minutes 41 seconds East, with a northwesterly line of said 94.85 acre tract of land, a distance of 254.42 feet to a 3/8 inch iron rod found for the most easterly north corner of said 94.85 acre tract of land, said 3/8 inch iron rod also being in the southwesterly right-of-way line of Farm to Market Road 2303 (variable width right-of-way);
- THENCE** South 54 degrees 46 minutes 01 second East, with the common northeasterly line of said 94.85 acre tract of land and the southwesterly right-of-way line of said Farm to Market Road 2303, a distance of 58.79 feet to a 3/8 inch iron rod found for the beginning of a non-tangent curve to the left having a radius of 528.30 feet, a central angle of 41 degrees 00 minutes 09 seconds, and a chord that bears South 74 degrees 47 minutes 13 seconds East, a chord distance of 370.05 feet;
- THENCE** Southeasterly, with the common northeasterly line of said 94.85 acre tract of land and the southwesterly right-of-way line of said Farm to Market Road 2303, and with said non-tangent curve to the left, an arc length of 378.07 feet to a 1/2 inch iron rod with cap stamped "RPLS 1983" found for corner;
- THENCE** South 88 degrees 53 minutes 07 seconds East, with the common northeasterly line of said 94.85 acre tract of land and the southwesterly right-of-way line of said Farm to Market Road 2303, a distance of 283.01 feet to a 1/2 inch iron rod with cap stamped "RPLS 1983" found for the intersection of the southwesterly right-of-way line of said Farm to Market Road 2303 with the southwesterly right-of-way line of said State Highway 108;
- THENCE** South 29 degrees 48 minutes 32 seconds East, with the common northeasterly line of said 94.85 acre tract of land and southwesterly right-of-way line of said State Highway 108, a distance of 95.04 feet to a point for corner;
- THENCE** South 60 degrees 10 minutes 15 seconds West, with the common northeasterly line of said 94.85 acre tract of land and southwesterly right-of-way line of said State Highway 108, a distance of 50.00 feet to a 1/2 inch iron rod with cap stamped "RPLS 1983" found for corner;
- THENCE** South 40 degrees 03 minutes 42 seconds East, with the common northeasterly line of said 94.85 acre tract of land and southwesterly right-of-way line of said State Highway 108, a distance of 281.87 feet to the **POINT OF BEGINNING** and containing 4,014,427 square feet or 92.159 acres of land.

NOTES

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202).

A survey plat of even survey date herewith accompanies this metes and bounds description.

The undersigned, Registered Professional Land Surveyor, hereby attests that this survey was completed under my direct supervision and represents an actual survey performed on the ground.



SHAUN MARVIN PIEPKORN
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 6432
 801 CHERRY STREET,
 UNIT 11 SUITE 1300
 FORT WORTH, TEXAS 76102
 PH. 817-335-6511
 shaun.piepkorn@kimley-horn.com

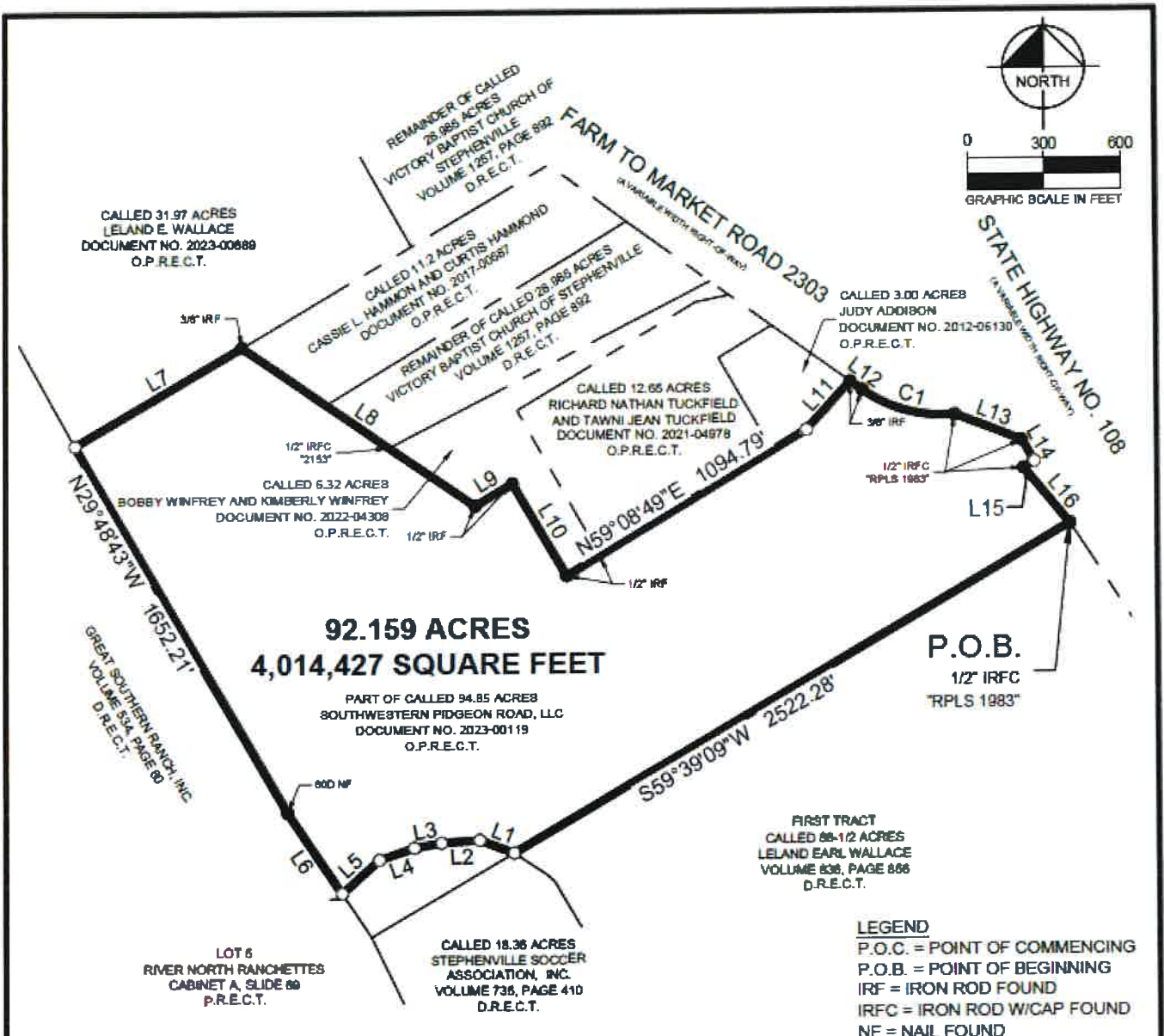


EXHIBIT "A"
 92.159 ACRES
 JARRETT MENELEE SURVEY
 ABSTRACT NO. 520
 CITY OF STEPHENVILLE ETJ
 ERATH COUNTY, TEXAS

Kimley»Horn

801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FIRM # 10194040 Tel. No. (817) 335-6511 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	GRW	SMP	4/26/2024	061340000	2 OF 4



NOTES

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202).

A metes and bounds description of even survey date herewith accompanies this survey plat.

The undersigned, Registered Professional Land Surveyor, hereby attests that this survey was completed under my direct supervision and represents an actual survey performed on the ground.

Shaun Piepkorn
 SHAUN MARVIN PIEPKORN
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 6432
 801 CHERRY STREET,
 UNIT 11 SUITE 1300
 FORT WORTH, TEXAS 76102
 PH. 817-335-6511
 shaun.piepkorn@kimley-horn.com



EXHIBIT "A"
 92.159 ACRES
 JARRETT MENELEE SURVEY
 ABSTRACT NO. 520
 CITY OF STEPHENVILLE ETJ
 ERATH COUNTY, TEXAS

Kimley»Horn

801 Cherry Street, Unit 11, # 1300 Fort Worth, Texas 76102 FRM # 10134040 Tel. No. (817) 335-6511 www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 600'	GRW	SMP	4/25/2024	051340000	3 OF 4

LINE TABLE		
NO.	BEARING	LENGTH
L1	N69°15'03"W	144.08'
L2	S86°05'46"W	149.46'
L3	S79°57'56"W	107.09'
L4	S71°15'18"W	144.82'
L5	S48°20'09"W	196.29'
L6	N33°58'15"W	380.50'
L7	N59°41'08"E	751.98'
L8	S55°50'31"E	1101.45'

LINE TABLE		
NO.	BEARING	LENGTH
L9	N59°16'31"E	189.68'
L10	S30°17'13"E	416.73'
L11	N42°50'41"E	254.42'
L12	S54°46'01"E	58.79'
L13	S68°53'07"E	283.01'
L14	S29°48'32"E	95.04'
L15	S60°10'15"W	50.00'
L16	S40°03'42"E	281.67'

CURVE TABLE					
NO.	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	528.30'	41°00'09"	S74°47'13"E	370.05'	378.07'

NOTES

Bearing system based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone (4202).

A metes and bounds description of even survey date herewith accompanies this survey plat.

The undersigned, Registered Professional Land Surveyor, hereby attests that this survey was completed under my direct supervision and represents an actual survey performed on the ground.



SHAUN MARVIN PIEPKORN
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 6432
 801 CHERRY STREET,
 UNIT 11 SUITE 1300
 FORT WORTH, TEXAS 76102
 PH. 817-335-6511
shaun.piepkorn@kimley-horn.com



EXHIBIT "A"
 92.159 ACRES
 JARRETT MENELEE SURVEY
 ABSTRACT NO. 520
 CITY OF STEPHENVILLE ETJ
 ERATH COUNTY, TEXAS

Kimley»Horn

801 Cherry Street, Unit 11, # 1300
 Fort Worth, Texas 76102 FIRM # 10194040

Tel. No. (817) 335-6511
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	GRW	SMP	4/26/2024	051340000	4 OF 4