

**PETITION FOR CONSENT TO THE ADDITION OF LANDS TO
ALPHA RANCH FRESH WATER SUPPLY DISTRICT NO. 1 OF DENTON AND WISE
COUNTIES**

STATE OF TEXAS

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COUNTIES OF DENTON AND WISE

3

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF FORT WORTH,
TEXAS:

The undersigned, (hereinafter referred to as the “Petitioner”), being the holder of title to a majority in value of the land hereinafter described by metes and bounds, acting pursuant to Section 42.0425 of the Texas Local Government Code and the applicable provisions of Chapter 49 of the Texas Water Code, each as amended, hereby respectfully petitions the City Council of the City of Fort Worth, Texas, for its written consent to the addition of lands to Alpha Ranch Fresh Water Supply District No. 1 of Denton and Wise Counties (the “District”) and to the inclusion of such land within the District, and would show the following:

I.

The District is created and organized under the terms and provisions of Article XVI, Section 59 and Article III, Section 52 of the Constitution of the State of Texas, and Chapter 49 and 53, of the Texas Water Code.

II.

The District contains an area of approximately 1,293.736 acres of land, more or less situated in Denton and Wise Counties, Texas. Petitioner seeks to add 12.916 acres of land to the District, as described in Exhibit "A", attached hereto and incorporated herein by reference. No part of the area within the District or proposed to be added to the District is within the limits of any incorporated city, town or village, and no part of the District is within the extraterritorial jurisdiction (as such term is defined in Chapter 42 of the Texas Local Government Code) of any city, town or village except the City of Fort Worth, Texas. All of the land proposed to be added may properly be added to the District.

III.

Petitioner holds title to a majority in value of the land to be added to the District, as indicated by the tax rolls of Denton County, Texas.

IV.

Petitioner agrees and states that the addition of such land to the District is feasible and practicable, and would be a benefit to and to the advantage of the District, the herein described land and all taxable property thereon. The District's present and future water supply, canals, water and

wastewater system, drainage system, roadway system and other improvements will be sufficient to provide an adequate supply to the described land without injury to the lands of the District.

V.

Petitioner shall elect, accept and assume the proportionate part of the outstanding indebtedness which may be owed, contracted or authorized by the District to be chargeable against the described lands and all taxable property thereon on a pro rata basis. Said proportionate part of the indebtedness is ascertained by dividing the taxable value of the described property and all taxable property thereon, as determined and fixed in the tax rolls of the District, by the taxable values of the District as shown by the same tax rolls, and multiplying this resulting percentage by the amount of the outstanding indebtedness of the District.

VI.

Petitioner shall elect, accept, assume and acknowledge the District's right, power, duty and necessity to assess, levy and collect taxes on and against the described land and all taxable property thereon for the payment of any outstanding indebtedness which may be owed, contracted or authorized by the District or any taxes levied for or in anticipation of the payment of such outstanding indebtedness which may be owed, contracted or authorized by the District.

VII.

This Petition is filed acting pursuant to Section 42.0425 of the Texas Local Government Code and the applicable provisions of Chapter 49 of the Texas Water Code, each as amended, and any and all other applicable provisions of law.

* * *

WHEREFORE, Petitioner prays that this petition be heard and the City Council of the City of Fort Worth, Texas, duly pass and approve a resolution or ordinance consenting to the addition of the land described herein to the District.

RESPECTFULLY SUBMITTED this ____ day of _____, 2016.

ALPHA RANCH, LTD., a Texas limited partnership

By: ATZ, Inc., a Texas corporation, its General Partner

By: _____
Jeff Ryan, President

THE STATE OF TEXAS §

COUNTY OF _____ §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Jeff Ryan, President of ATZ, Inc., a Texas corporation, general partner of Alpha Ranch Ltd., a Texas limited partnership, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of such corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this ____ day of _____, 2016.

(Notary Seal)

Notary Public in and for the State of Texas

EXHIBIT A

Legal Description of Property

Part of the JOSHUA KING SURVEY, Abstract No. 712 situated in Denton County, Texas; embracing a portion of the 1302-325/1000 acres tract described in the deed to Alpha Ranch, Ltd. recorded in volume 4645, page 306 of the Real Records of Denton County, Texas and described by metes and bounds as follows:

The basis for bearings is the Texas Coordinate System North Central Zone NAD 83 (1993). The lengths shown hereon are horizontal ground lengths. To convert horizontal ground lengths to grid lengths multiply by 0.999834271. All 5/8" capped irons set called for in this description are marked (BROOKES BAKER SURVEYORS).

Commencing at a 1/2" iron found for the northeast corner of said 1302-325/1000 acres tract and for the northeast corner of the 7-4671/10000 acres tract described in the deed to the State of Texas recorded in Document No. 2009-94264 of the said Real Records and run, along the east line of said 1302-325/1000 acres tract south 00 degrees-00 minutes-47 seconds west 139-64/100 feet to a 5/8" capped iron set for the northeast and beginning corner of the tract being described.

Thence south 00 degrees-00 minutes-47 seconds west, continuing along the east line of said 1302-325/1000 acres tract, 1865-63 /100 feet to a 5/8" capped iron set.

Thence north 89 degrees-28 minutes-19 seconds west 650-00/100 feet to a 5/8" capped iron set.

Thence north 00 degrees-00 minutes-47 seconds east 865-60/100 feet to a 5/8" capped iron set in the south line of said 7-4671/10000 acres tract.

Thence south 89 degrees-28 minutes-27 seconds east, along the south line of said 7-4671/10000 acres tract, 650-00/100 feet to the place of beginning and containing 12-916/1000 acres.