

**CITY OF WILLOW PARK ORDINANCE NO. \_\_\_\_\_**  
**CITY OF FORT WORTH ORDINANCE NO. \_\_\_\_\_**  
**JOINT ORDINANCE AND ETJ RELEASE AGREEMENT**

**WHEREAS**, the City of Fort Worth and the City of Willow Park have received a request by Halff Associates, Inc., representing George Beggs Trust and Boswell Interests, Ltd., for a release of extraterritorial jurisdiction ("etj") to benefit future development potential; and

**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 Willow Park (hereinafter called "WILLOW PARK") is a Type A general law city located in Parker County; and

**WHEREAS**, FORT WORTH and WILLOW PARK share an overlapping etj; and

**WHEREAS**, FORT WORTH and WILLOW PARK now desire to have a mutual release of etj between the two cities to promote orderly development to insure public safety and effective delivery of municipal services; and

**WHEREAS**, Section 42.023 of the Texas Local Government Code allows a municipality to release extraterritorial jurisdiction of the municipality if the municipality gives its written consent by ordinance;

**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 WILLOW PARK:**

**SECTION 1**

Pursuant to Chapter 42.023 of the Texas Local Government Code, WILLOW PARK agrees to release 47.756 acres of extraterritorial jurisdiction as described and shown in Exhibit "A", Tract 1, and to transfer the said extraterritorial jurisdiction to FORT WORTH.

**SECTION 2**

Pursuant to Chapter 42.023 of the Texas Local Government Code, WILLOW PARK agrees to release 27.133 acres of extraterritorial jurisdiction as described and shown in Exhibit "A", Tract 2, and to transfer the said extraterritorial jurisdiction to FORT WORTH.

**SECTION 3**

Pursuant to Chapter 42.023 of the Texas Local Government Code, FORT WORTH agrees to release 74.89 acres of extraterritorial jurisdiction as described and shown in Exhibit "A", Tract 3, and to transfer the said extraterritorial jurisdiction to WILLOW PARK.

#### **SECTION 4**

This ordinance shall be cumulative of all provisions of the ordinances of the City of WILLOW PARK 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 5**

It is hereby declared to be the intention of the City Councils of FORT WORTH and WILLOW PARK 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 6**

The City of WILLOW PARK and the City of FORT WORTH do hereby covenant and agree to protect, preserve and defend the herein described boundary adjustment.

#### **SECTION 7**

The City of WILLOW PARK and the City of FORT WORTH agree and ordain that the adoption by both cities of this Joint Ordinance and ETJ Release Agreement, and the etj 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 8

This joint ordinance and etj release agreement shall become effective and shall become a binding agreement upon the City of FORT WORTH and the City of WILLOW PARK by the adoption of same in regular open city council meetings of the City of Willow Park and the City of Fort Worth.

## SECTION 9

The Mayor of each city shall execute this Joint Ordinance and ETJ Release 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 \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
CITY ATTORNEY

ATTEST

\_\_\_\_\_  
CITY SECRETARY

PASSED AND APPROVED by the City Council of the City of WILLOW PARK on this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
CITY ATTORNEY

ATTEST

\_\_\_\_\_  
CITY SECRETARY

**EXHIBIT A, TRACT 1**

**EXHIBIT A, TRACT 2**

**EXHIBIT A, TRACT 3**