

ORDINANCE NO. 2017-06-12. 3

AN ORDINANCE OF THE TOWN OF BROCK, TEXAS, ESTABLISHING A COMMON BOUNDARY LINE SEPARATING THE TERRITORY OF THE TOWN OF BROCK FROM THE TERRITORY OF THE CITY OF WEATHERFORD, TEXAS, AS HEREINAFTER DESCRIBED AND DEPICTED; DISCONTINUING TERRITORY AND REDUCING EXTRATERRITORIAL JURISDICTION CONSISTENT WITH SUCH COMMON BOUNDARY LINE, AS HEREINAFTER DESCRIBED AND DEPICTED; PROVIDING FOR AMENDING AND CORRECTING THE OFFICIAL CORPORATE AND EXTRATERRITORIAL BOUNDARIES OF THE TOWN AS HERETOFORE ADOPTED AND CORRECTING THE OFFICIAL TOWN MAPS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Brock, Texas (the "**Town**" or "**Brock**") is a general law municipal corporation organized and existing by virtue of the laws of the State of Texas and located within Parker County, Texas; and

WHEREAS, Tex. Loc. Gov't Code chapter 43, section 43.144, provides for the discontinuance of corporate territory by ordinance; and

WHEREAS, Tex. Loc. Gov't Code chapter 42, section 42.023, provides for the reduction of extraterritorial jurisdiction by ordinance; and

WHEREAS, Brock has entered into a Settlement Agreement and a Boundary Agreement with the City of Weatherford ("**Weatherford**"), Parker County, Texas, that demarcate a Common Boundary Line separating the territories of each, which is described and depicted in **Exhibit A** attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to the Settlement Agreement and Boundary Agreement with the City of Weatherford, Texas, which were approved by the Town on May 15, 2017 and executed on June 5, 2017, Brock is to discontinue territory and reduce its extraterritorial jurisdiction to exclude certain adjacent areas, which territory will be thereafter within the territory of Weatherford; and

WHEREAS, no taxes have been collected within the area to be discontinued; and

WHEREAS, Parker County has approved the Settlement Agreement and the Boundary Agreement, thereby consenting to the discontinuance of corporate territory pursuant to Tex. Loc. Gov't Code section 43.147; and

WHEREAS, the land to be discontinued qualifies as a sparsely populated area pursuant to the criteria in Tex. Loc. Gov't Code section 43.144; and

WHEREAS, the Town Commission finds that the territory to be reduced is neither suitable nor necessary for Town purposes; and

WHEREAS, the land to be discontinued and reduced is contiguous and adjacent to the corporate limits or extraterritorial limits of Weatherford; and

WHEREAS, the discontinuance and release of territory to be effected by this Ordinance is dependent on reciprocal actions to be taken by Weatherford, as specified in the Settlement Agreement and Boundary Agreement with such City; and

WHEREAS, the Town has met all legal conditions required for the discontinuance, reduction and the exclusion of such territory from its corporate boundaries and extraterritorial jurisdiction; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF BROCK, 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. ESTABLISHMENT OF COMMON BOUNDARY LINE. In satisfaction of its obligations under the Settlement Agreement and the Boundary Agreement with the City of Weatherford, the Town of Brock hereby establishes a Common Boundary Line separating the existing and future corporate territory and extraterritorial jurisdiction of Brock from the existing and future corporate territory and extraterritorial jurisdiction of Weatherford, as described and depicted in **Exhibit A**, attached hereto and made a part hereof by reference.

SECTION 3. DISCONTINUANCE OF CORPORATE TERRITORY. In satisfaction of its obligations under the Settlement Agreement and the Boundary Agreement with City of Weatherford, the Town of Brock hereby discontinues its corporate territory lying generally north of the Common Boundary Line, as particularly described in **Exhibit B** and as depicted on **Exhibit C**, which exhibits are attached hereto and made a part hereof by reference.

SECTION 4. REDUCTION OF EXTRATERRITORIAL JURISDICTION. In satisfaction of its obligations under the Settlement Agreement and the Boundary Agreement with the City of Weatherford, the Town of Brock hereby reduces its extraterritorial jurisdiction over that certain territory which is coincident with and extending a distance of one-half mile from the corporate territory discontinued under Section 3, together with all extraterritorial jurisdiction extending one-half mile from its corporate boundaries, all of which extraterritorial jurisdiction lies generally north or east of the Common Boundary Line, as depicted on **Exhibit C**.

SECTION 5. FILING, NOTIFICATION, AND CORRECTION OF CITY MAPS. The Town Mayor is hereby directed and authorized to file a certified copy of this Ordinance with the necessary governmental agencies, and to update the official map of the Town's corporate and extraterritorial jurisdictional boundaries.

SECTION 6. SAVINGS. This Ordinance shall be cumulative of all other ordinances of the City, and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance.

SECTION 7. SEVERABILITY. The sections, paragraphs, sentences, phrases, and words of this Ordinance are severable, and if any section or provision of this Ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason adjudged by a trial court of competent jurisdiction to be illegal or unconstitutional, the adjudication shall not affect any other section or provision of this Ordinance or the application of any other section or provision to any person, firm, corporation, situation or circumstance, except as may otherwise be provided in the Settlement Agreement and the Boundary Agreement with the City of Weatherford, and the Town Commission hereby declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the valid provisions of this ordinance shall remain in full force and effect.

SECTION 8. REPEALER. All ordinances of the Town of Brock in conflict with the provisions of this Ordinance be and the same are hereby repealed to the extent of that conflict.

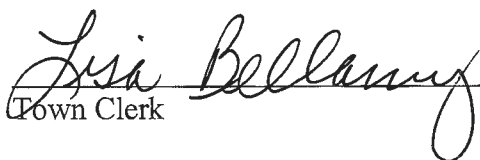
SECTION 9. EFFECTIVE DATE. This Ordinance shall take effect on June 16, 2017 at 11:59 p.m. In the event that the City of Weatherford has failed to take the reciprocal actions specified in the Settlement Agreement and the Boundary Agreement with such City on or before such date and time, this Ordinance shall not take effect and further shall be deemed to be a nullity and void from its inception unless (i) the Town of Brock West or the Town of Dennis has failed to perform under its Settlement Agreement and Boundary Agreement with Weatherford, (ii) Weatherford has notified such Town(s) in writing of the defect(s) in performance, and (ii) such Town(s) have performed within fourteen (14) days of such notice, in which case the effective date shall be 11:59 p.m. of the fourteenth day following such notice.

PASSED AND APPROVED by the Town Commission of the Town of Brock, Texas on the 12 day of June, 2017.



Bill Cooper, Mayor

ATTEST:



Town Clerk

Exhibits A through C

EXHIBIT A
to Brock Ordinance

Brock Ordinance

EXHIBIT A

Common Boundary Line Description

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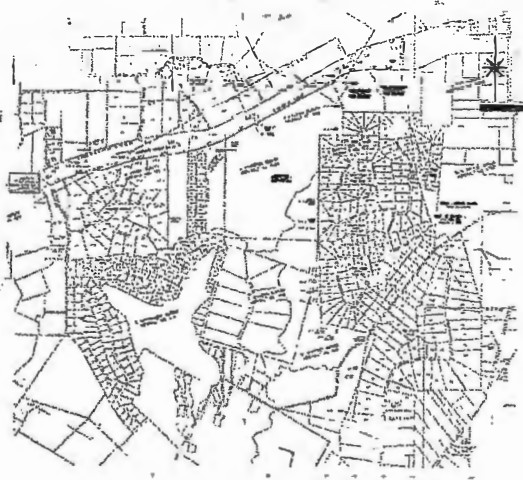
Beginning at a point, said point being the intersection of east bank of the Brazos River and the south right-of-way line of Interstate Highway 20; thence proceeding generally in a northeasterly direction along the south right-of-way line of Interstate Highway 20 to the intersection of the west boundary line of Dennis Road; and thence proceeding generally in a southwesterly direction following such west boundary line of Dennis Road to the intersection of the west boundary line of FM 1189; and thence proceeding generally in a southerly direction following the west boundary line of FM 1189 to the intersection of the north boundary line of Old Dennis Road; and thence proceeding generally in a northeasterly direction following the north boundary line of Old Dennis Road to the intersection of the east boundary line of Hiner Road; and thence proceeding generally in a southwesterly direction following the east boundary line of Hiner Road to the north bank of the Brazos River; and thence proceeding generally in an easterly direction following the north bank of the Brazos River to a point in the west boundary line of Tin Top Road, said point being an ending point.

EXHIBIT A



EXHIBIT B
to Brock Ordinance
Brock Territory to be Discontinued

BROCK DISANNEXATION AREA



STATE OF TEXAS

PARKER COUNTY

Field notes of a survey of 2 square miles for the municipal incorporation of the Town of Brock, situated in Parker County, Texas, same being all of or a part of the A.C. Glover Su89.52465549rvey, Abstract 1753; the A.C. Glover Survey, Abstract 2215; the E.W. Long Survey, Abstract 2787; the D.B. Koen Survey, Abstract 773; the J.R. Witt Survey, Abstract 2270, the I. & G. N. R. R. CO. Sur-

vey No. 1, Block 1, Abstract 1789; the I. & G. N. R. R. CO. Survey No. 1, Block 1, Abstract 1790; the J. Mullenix Survey, Abstract 965, the H. Minkel Survey, Abstract 858; the C. Mackelhoff, Abstract 916; and the H. Westbrook Survey, Abstract 2474, all in Parker County, Texas, and being more particularly described as follows:

Beginning at the intersection of the south right of way of U.S. Interstate Highway No. 20 with the west right of way of Canyon West Drive ($x = 2,147,747.68$, $y = 6,943,769.23$, Convergence Angle = $00^{\circ}19'04''$, Combined Scale Factor = 0.9998484768);

Thence crossing U.S. Interstate Highway No. 20, N $22^{\circ}44'$ W a distance of 474.4 feet to the north right of way, a found 1/2-inch rebar bears S $67^{\circ}16'$ W, 170 feet, S $22^{\circ}44'$ E, 25 feet, and S $67^{\circ}16'$ W, 227 feet for reference;

Thence with the north right of way of U.S. Interstate Highway No. 20, N $67^{\circ}16'$ E, a distance of 113.0 feet to the southwest corner of Riley Business Park, an addition to Parker County according to the plat thereof recorded in Cabinet C, Page 741, same being on the east right of way of Bennett Hill Road;

Thence in a northerly direction, with the east right of way of Bennett Hill Road, same being the west line of Riley Business Park, the following five (5) courses:

- 1) N $22^{\circ}43'$ W a distance of 41.8 feet to the beginning of a curve to the right, with a radius of 270.0 feet, through a delta angle of $21^{\circ}57'$, and a chord bearing and distance of N $11^{\circ}45'$ W, 102.8 feet;
- 2) along the arc of the curve to the right a distance of 103.4 feet to the end of the curve;

Field Notes – Town of Brock, Parker County, Texas

- 3) N 00°47' W a distance of 892.1 feet to the beginning of a curve to the left, with a radius of 330.0 feet, through a delta angle of 12°07', and a chord bearing and distance of N 07°01' W, 69.7 feet;
- 4) along the arc of the curve to the left a distance of 69.8 feet to the end of the curve;
- 5) N 13°04' W a distance of 13.0 feet to the northwest corner of the Riley Business Park;

Thence with the north line of the Riley Business Park, N 89°13' E a distance of 430.1 feet to the northeast corner;

Thence with the east line of the Riley Business Park, S 00°47' E a distance of 958.8 feet to a 1/2-inch rebar found on the north right of way of U.S. Interstate Highway No. 20;

Thence with the north right of way the following four (4) courses:

- 1) N 67°16' E a distance of 41.4 feet to the beginning of a curve to the right, with a radius of 11,535.0 feet, through a delta angle of 01°08', and a chord bearing and distance of N 67°50' E, 227.7 feet;
- 2) along the arc of the curve to the right, a distance of 227.7 feet to the end of the curve;
- 3) S 21°36' E a distance of 25.0 feet to the beginning of a non-tangent curve to the right, with a radius of 11,510 feet, through a delta angle of 09°48', and a chord bearing and distance of N 73°18' E, 1,967 feet;
- 4) along the arc of the curve to the right, at 737.3 pass a found Type II Texas Department of Transportation Concrete Right of Way Marker, at 1062.4 pass a 1/2-inch rebar found marking the southwest corner of Weatherford Mini Ranch Estates, an addition to Parker County, according to the plat thereof recorded in the Plat Records, Parker County, Texas, continuing in all a distance of 1,969.2 to the intersection of the north right of way of U.S. Interstate Highway No. 20 with the west right of way of Scenic Trail, a Type I Texas Department of Transportation right of way marker bears N 78°55' E, 275 feet;

Thence in a northerly direction, with the west right of way of Scenic Trail the following five (5) courses:

- 1) N 05°00' W a distance of 8.1 feet to the beginning of a curve to the right, with a radius of 696.2 feet, through a delta angle of 17°52', and a chord bearing and distance of N 03°56' E, 216.2 feet;
- 2) along the arc of the curve to the right, a distance of 217.1 feet to the end of the curve;
- 3) N 12°52' E a distance of 200.0 feet to the beginning of a curve to the left, with a radius of 806.5 feet, through a delta angle of 13°10', and a chord bearing and distance of N 06°17' E, 184.9 feet;

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- 4) along the arc of the curve to the left, a distance of 185.3 feet, to the end of the curve;
- 5) N 00°18' W a distance of 458.8 feet to the intersection of the west right of way of Scenic Trail with the projected south line of Tract 22, Weatherford Mini Ranch Estates;

Thence crossing said Scenic Trail and with the south line of Tract 22, N 89°39' E a distance of 590.4 feet to the southeast corner of Tract 22;

Thence with the east line of Tract 22, N 00°21' W a distance of 874.0 feet to the north right of way of Mini Ranch Drive, same being in a non-tangent curve to the left, with a radius of 240.1 feet, through a delta angle of 17°01', and a chord bearing and distance of N 57°47' E, 71.0 feet;

Thence with the northwest, north, northeast and east right of way of Mini Ranch Drive the following eighteen (18) courses:

- 1) along the arc of the curve to the left, a distance of 71.3 feet;
- 2) N 49°16' E a distance of 80.6 feet to the beginning of a curve to the left, with a radius of 1,253.9 feet, through a delta angle of 06°50', and a chord bearing and distance of N 45°51' E, 149.5 feet;
- 3) along the arc of the curve to the left, a distance of 149.6 feet to the end of the curve;
- 4) N 42°26' E a distance of 300.0 feet to the beginning of a curve to the right, with a radius of 129.9 feet, through a delta angle of 60°00', and a chord bearing and distance of N 72°26' E, 129.9 feet;
- 5) along the arc of the curve to the right, a distance of 136.0 feet to the end of the curve to the right;
- 6) S 77°34' E a distance of 100.0 feet, with a radius of 677.2 feet, through a delta angle of 16°48', and a chord bearing and distance of S 85°58' E, 197.9 feet;
- 7) along the arc of the curve to the left, a distance of 198.6 feet to the end of the curve;
- 8) N 85°38' E a distance of 300.0 feet to the beginning of a curve to the right, with a radius of 262.2 feet, through a delta angle of 52°45', and a chord bearing and distance of S 67°59' E, 232.9 feet;
- 9) along the arc of the curve to the right, a distance of 241.4 feet to the end of the curve;
- 10) Thence S 41°37' E a distance of 50.0 feet to the beginning of a curve to the left, with a radius of 273.1 feet, through a delta angle of 57°33', and a chord bearing and distance of S 70°23' E, 263.0 feet;

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- 11) Along the arc of the curve to the left, a distance of 274.3 feet to the end of the curve;
- 12) Thence N 80°50' E a distance of 307.0 feet to the beginning of a curve to the right, with a radius of 262.6 feet, through a delta angle of 34°33', and a chord bearing and distance of S 81°53' E, 156.0 feet;
- 13) Along the arc of the curve to the right, a distance of 158.4 feet to the end of the curve;
- 14) Thence S 64°37' E a distance of 100.3 feet to the beginning of a curve to the right, with a radius of 206.7 feet, through a delta angle of 38°16', and a chord bearing and distance of S 45°51' E, 135.5 feet;
- 15) along the arc of the curve to the right, a distance of 138.1 feet to the end of the curve;
- 16) S 27°06' E a distance of 234.2 feet to the beginning of a curve to the right, with a radius of 449.4 feet, through a delta angle of 34°03', and a chord bearing and distance of S 26°04' E, 263.1 feet;
- 17) along the arc of the curve to the right, at 147 feet pass the intersection of the east right of way of Mini Ranch Drive with the projected north line of Tract 12R, Weatherford Mini Ranch Estates, a 5/8-inch rebar found marking the northwest corner of Tract 12R bears S 72°54' W, 505 feet, for reference, continuing in all a distance of 267.1 feet to the end of the curve;
- 18) Thence S 26°06' E a distance of 68.6 feet to a point that is 1,000 feet northwest, measured at right angle, from the south right of way of U.S. Interstate Highway No. 20, same being 777 feet left of centerline station 1956+45;

Thence crossing Tract 11, Weatherford Mini Ranch Estates, and that certain called 399.302-acre tract described in deed to Charles R. Frost, and recorded in Book 1525, Page 309, Deed Records, Parker County, Texas; and along a line that is parallel with and 1,000 feet northwest of the south right of way of U.S. Interstate Highway No. 20, N 61°43' E a distance of 2,942.3;

Thence S 28°05' E a distance of 591.5 feet to the north right of way of U.S. Interstate Highway No. 20, a 1/2-inch rebar with aluminum cap stamped "TXDOT CONTROL" found at 186 feet left of centerline station 1983+61 bears S 61°46' W, 222 feet;

Thence with the north right of way of U.S. Interstate Highway No. 20 the following five (5) courses:

- 1) N 61°46' E a distance of 79.2 feet to the beginning of a curve to the right, with a radius of 2,915.0 feet, through a delta angle of 04°47', and a chord bearing and distance of N 64°09' E, 242.9 feet;
- 2) along the arc of the curve to the right, a distance of 243.0 feet to the end of the curve;

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- 3) N 22°30' W a distance of 25.0 feet to the beginning of a non-tangent curve to the right, with a radius of 2,940.0 feet, through a delta angle of 13°37', and a chord bearing and distance of N 73°22' E, 696.9 feet;
- 4) along the arc of the curve to the right, a distance of 698.5 feet to the end of the curve;
- 5) Thence N 74°01' E a distance of 692.8 feet to the western edge of the 2-mile Weatherford, Texas, extra-territorial jurisdiction as defined by the GIS location of the Weatherford corporate limits, same being the beginning of a non-tangent curve to the left, with a radius of 10,518.4 feet, through a delta angle of 01°10', and a chord bearing and distance of S 04°11' E, 212.7 feet, same being 242 feet right of centerline station 2002+25, a 1/2-inch rebar found marking the southeast corner of the Frost tract bears N 74°04' E, 1,287 feet;

Thence with the westerly limits of the Weatherford, Texas extra-territorial jurisdiction the following four (4) courses:

- 1) along the arc of the curve to the left, a distance of 212.7 feet to the beginning of a reverse curve, with a radius of 100.0 feet, through a delta angle of 11°31', and a chord bearing and distance of S 01°00' W, 20.1 feet;
- 2) along the arc of the reverse curve, a distance of 20.1 feet to the beginning of a reverse curve, with a radius of 10,560 feet, through a delta angle of 03°45', and a chord bearing and distance of S 04°53' W, 689.5 feet;
- 3) along the arc of the reverse curve, a distance of 689.6 feet to the south right of way of U.S. Interstate Highway No. 20, 655 feet right of centerline station 2000+12, a Type I Texas Department of Transportation concrete right of way marker bears N 83°44' E, 35 feet, N 89°27' E, 66 feet, and along the arc of a curve to the left with a radius of 1,607 feet, 259 feet;

Thence in a southwesterly direction, with the south right of way of U.S. Interstate Highway No. 20 the following twenty-two (22) courses:

- 1) S 83°44' W a distance of 65.2;
- 2) S 89°27' W a distance of 600.0 feet;
- 3) S 88°41' E a distance of 306.0 feet to the beginning of a curve to the left, with a radius of 1,734.7 feet, through a delta angle of 27°44', and a chord bearing and distance of S 75°35' W, 831.8 feet;
- 4) along the arc of the curve to the left, a distance of 840.0 feet to the end of the curve;
- 5) S 61°43' W a distance of 30.0 feet to a found Type II right of way marker;
- 6) S 45°48' W a distance of 208.8 feet to a found Type II right of way marker;
- 7) S 61°43' W a distance of 200.0 feet to a found Type II right of way marker;

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- 8) S 69°49' W a distance of 404.0 feet to a found Type II right of way marker;
- 9) S 61°43' W a distance of 1,950.0 feet to a found 1/2-inch rebar;
- 10) S 33°23' W a distance of 125.0 feet;
- 11) N 58°17' W a distance of 80.0 feet to a found Type II right of way marker;
- 12) S 61°43' W a distance of 806.2 feet to the beginning of a curve to the right, with a radius of 4,008.7 feet, through a delta angle of 16°39', and a chord bearing and distance of S 70°03' W, 1, 161.3 feet;
- 13) along the arc of the curve to the left, at 107.7 pass a found 60d nail, at 712.7 feet pass a found 1/2-inch rebar stamped "Harlan 2074", continuing in all a distance of 1,165.4;
- 14) S 68°02' W a distance of 106.8;
- 15) N 88°10' W a distance of 102.0 feet;
- 16) S 80°32' W a distance of 1,022.2 feet to the beginning of a curve to the left, with a radius of 5,689.6 feet, through a delta angle of 03°08', and a chord bearing and distance of S 78°54' W, 311.0 feet;
- 17) along the arc of the curve to the right a distance of 311.0 feet to the end of the curve;
- 18) N 77°24' E a distance of 213.6 feet to a found Type II right of way marker;
- 19) N 72°24' E a distance of 803.0 feet to and the beginning of a curve to the left, with a radius of 5,689.6 feet, through a delta angle of 08°38', and a chord bearing and distance of S 71°35' W, 857.3 feet;
- 20) along the arc of the curve to the right a distance of 858.1 feet to the end of the curve;
- 21) S 83°43' E a distance of 210.3 feet a found Type II right of way marker;
- 22) S 67°16' W a distance of 450.8 feet to the point of beginning and containing 2 Square Miles, more or less.

I hereby certify that this Field Note Description and the Plat on which it is are a true and correct representation of a ground survey made under my direct supervision, under 22 TAC §663.21, 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.


Michael M. Ivey
Registered Professional Land Surveyor
Texas Registration No. 4156



EXHIBIT C
to Brock Ordinance

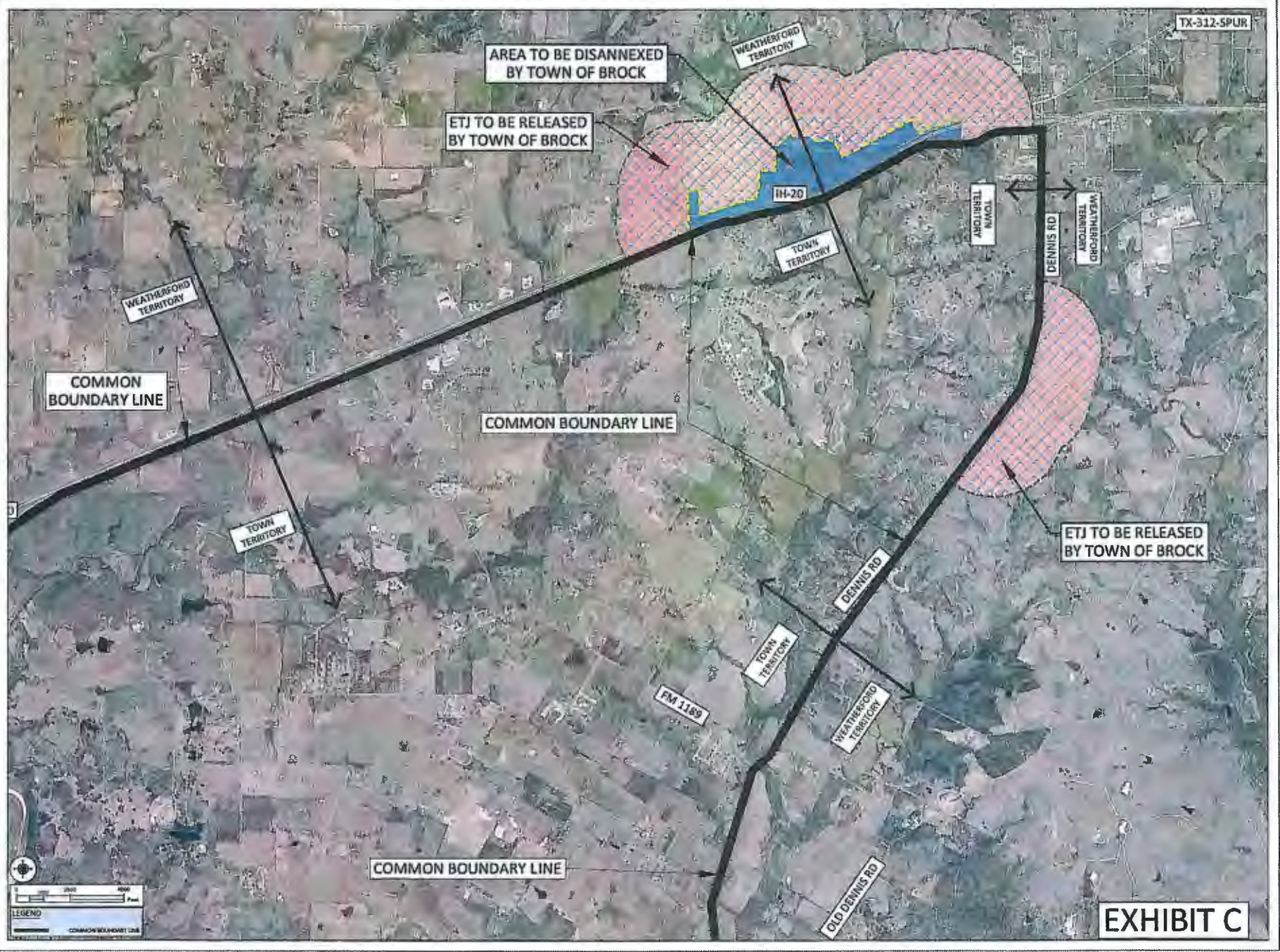


EXHIBIT C