

**ORDINANCE NO. 04-2024-111**

**AN ORDINANCE PROVIDING FOR THE ANNEXATION INTO THE CITY OF GODLEY OF PROPERTY GENERALLY DESCRIBED BELOW AND FULLY DEPICTED ON EXHIBIT "A," LOCATED WITHIN THE CURRENT ETJ OF THE CITY OF GODLEY, TEXAS, FOR ALL MUNICIPAL PURPOSES; DIRECTING AMENDMENT OF THE OFFICIAL MAPS; PROVIDING FOR FILING NOTICE OF THIS ANNEXATION IN DEED RECORDS OF JOHNSON COUNTY AND WITH THE JOHNSON COUNTY APPRAISAL DISTRICT; APPROVING AN ANNEXATION SERVICES AGREEMENT FOR SUCH TERRITORY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE;; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Godley, Texas, (the "City") is a Type A general-law municipality located in Johnson County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, Subchapter C-3 of Chapter 43 of the Texas Local Government Code authorizes a Type A General Law City to annex an area if the owner of the land requests the annexation; and

**WHEREAS**, the property owner has submitted a proper petition requesting the annexation of the hereinafter described property; and

**WHEREAS**, all of the property described herein is adjacent to and within the exclusive extraterritorial jurisdiction of the City of Godley; and

**WHEREAS**, an Annexation Services Agreement has been negotiated and entered into with the owner of the property for the provision of services in the area; and

**WHEREAS**, after proper notice was provided in accordance with Chapter 43 of the Texas Local Government Code, a public hearing on the proposed annexation was held before the Godley City Council on April 16, 2024; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GODLEY, TEXAS, THAT:**

**SECTION 1.  
ANNEXATION**

All portions of the following parcel (the "Territory"), located in Johnson County, Texas, are hereby annexed to the City of Godley as a part of the City for all municipal purposes, and the city limits are extended to include such Territory: being approximately 1.645 acres of land situated in the Johnson County School Land Survey No. 3, Abstract Number 443, Johnson County, Texas, and being the tract of land described in the deed to Versailles Estates, LP, recorded in Document Number 2018-11594, Deed Records, Johnson County, Texas, as more particularly described and depicted in Exhibit "A," attached to and incorporated in this Ordinance for all purposes. In the event of a discrepancy between the description and the depiction, the depiction shall control.

**SECTION 2.  
RIGHTS AND DUTIES OF OWNERS AND  
INHABITANTS IN NEWLY ANNEXED AREA**

The owners and inhabitants of the Territory are entitled to all of the rights and privileges of all other citizens and property owners of the City, and are bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be subsequently adopted.

**SECTION 3.  
OFFICIAL MAP**

The official map and boundaries of the City, previously adopted, are amended to include the Territory as a part of the City. The City Secretary is 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 annexed as required by law. A copy of the revised map shall be filed with the Johnson County Appraisal District.

**SECTION 4.  
FILING CERTIFIED COPY**

The City Secretary is directed to file or cause to be filed a certified copy of this Ordinance in the office of the county clerk of Johnson County, Texas and with the Johnson County Appraisal District.

**SECTION 5.  
SERVICE AGREEMENT**

The City has negotiated and agreed to an Annexation Services Agreement with the owner of the Territory concerning the services to be provided in the Territory upon annexation, attached to this Ordinance as Exhibit "B" and incorporated herein. The City Council hereby approves the Annexation Services Agreement and authorizes and directs the Mayor to execute the agreement.

**SECTION 6.  
CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all provisions of ordinances of the City of Godley, Texas, 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 7.  
SEVERABILITY CLAUSE**

It is hereby declared to be the intention of the City Council 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 by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 8.  
AREAS EXCEPTED FROM ANNEXATION**

Should this Ordinance for any reason be ineffective as to any part of the area hereby annexed to the City, such ineffectiveness of this Ordinance as to any such part or parts of any such area shall not affect the effectiveness of this Ordinance as to the remainder of such area. The City Council hereby declares it to be its purpose to annex to the City every part of the area described in Section 1 of this Ordinance, regardless of whether any part of such described area is hereby not effectively annexed to the City. Provided, further, that if there is included within the general description of territory set out in Section 1 of this Ordinance to be hereby annexed to the City any lands or area which are presently part of and included within the limits of any other city, town, or village, for which permission is not granted for the City to annex the same is hereby excluded and excepted from the territory to be annexed hereby as fully as if such excluded and excepted area were expressly described herein, if permission has not been granted.

**SECTION 9.  
PUBLICATION CLAUSE**

The City Secretary of the City of Godley is directed to publish in the official newspaper of the City of Godley, the caption, publication clause and effective date of this ordinance as prescribed by Section 52.012 of the Local Government Code.


**SECTION 10.  
EFFECTIVE CLAUSE**

This Ordinance shall be in full force and effect from and after its passage, and it is so ordained.

**PASSED AND APPROVED** on this 16th day of April, 2024.

  
\_\_\_\_\_  
Christopher Lenker, Mayor

ATTEST:

  
\_\_\_\_\_  
Brittany Gross, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney



**EXHIBIT "A"  
DESCRIPTION**

EXHIBIT A

Being 1,645 acres of land located in the Johnson County School Land Survey No. 3, Abstract No. 443, Johnson County, Texas, being the tract of land described in the deed to Versailles Estates, LP, recorded in Document Number 2018-11564, Deed Records, Johnson County, Texas. Said 1,645 acres of land being more particularly described as follows:

BEGINNING at a 5/8" iron rod found at the southwest corner of said Versailles Estates, LP tract, being the southeast corner of a tract of land described in the deed to Albert C. Martinez and Magdalena M. Martinez, recorded in Document Number 2016-7467, Deed Records, Johnson County, Texas;

THENCE N00°31'30"W, along the west line of said Versailles Estates, LP tract and the east line of said Versailles Estates, LP tract, a distance of 1,645 feet to a 3/8" iron rod found at the northeast corner of said Versailles Estates, LP tract, being the northeast corner of a tract of land described in the deed to Arnel E. Rodriguez and Andrea Rodriguez, recorded in Document Number 2015-833, Deed Records, Johnson County, Texas;

THENCE N89°23'36"E, along the north line of said Versailles Estates, LP tract and the south line of said Versailles Estates, LP tract, a distance of 189.02 feet to a 1/2" iron rod found at the northeast corner of said Versailles Estates, LP tract, being the southeast corner of said Rodriguez tract;

THENCE S00°22'21"E, along the east line of said Versailles Estates, LP tract, a distance of 378.38 feet to a 3/8" iron rod found at the most easterly southeast corner of said Versailles Estates, LP tract;

THENCE S35°35'28"W, along the southeast line of said Versailles Estates, LP tract, a distance of 70.28 feet to a 3/8" iron rod found at the most southerly southeast corner of said Versailles Estates, LP tract;

THENCE S89°20'21"W, along the south line of said Versailles Estates, LP tract, a distance of 174.23 feet to the point of beginning, containing 1,645 acres of land.

The bearings recited herein are oriented to N4083 Texas North Central Zone.

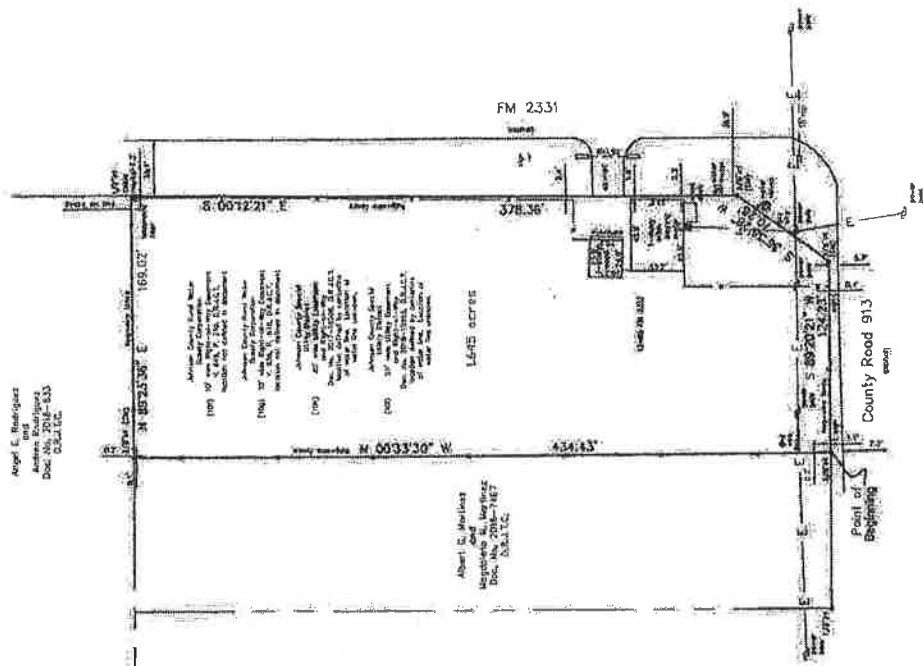
- 1. All existing 1/2" County Survey monuments in this survey are to remain in place and are to be used as evidence of the location of the corners of the land described herein.
- 2. All existing 1/2" County Survey monuments in this survey are to remain in place and are to be used as evidence of the location of the corners of the land described herein.
- 3. All existing 1/2" County Survey monuments in this survey are to remain in place and are to be used as evidence of the location of the corners of the land described herein.
- 4. All existing 1/2" County Survey monuments in this survey are to remain in place and are to be used as evidence of the location of the corners of the land described herein.
- 5. All existing 1/2" County Survey monuments in this survey are to remain in place and are to be used as evidence of the location of the corners of the land described herein.
- 6. All existing 1/2" County Survey monuments in this survey are to remain in place and are to be used as evidence of the location of the corners of the land described herein.
- 7. All existing 1/2" County Survey monuments in this survey are to remain in place and are to be used as evidence of the location of the corners of the land described herein.
- 8. All existing 1/2" County Survey monuments in this survey are to remain in place and are to be used as evidence of the location of the corners of the land described herein.
- 9. All existing 1/2" County Survey monuments in this survey are to remain in place and are to be used as evidence of the location of the corners of the land described herein.
- 10. All existing 1/2" County Survey monuments in this survey are to remain in place and are to be used as evidence of the location of the corners of the land described herein.

**HERBERT S. BEASLEY**  
 REGISTERED PROFESSIONAL SURVEYORS  
 LAND SURVEYORS, L.P.  
 • LAND • TOPOGRAPHIC  
 • CONSTRUCTION SURVEYING  
 FIRM NO. 10394500  
 METRO 817-428-0194  
 FAX 817-446-5488  
 hsb@beasleylps.com

P. O. BOX 61573  
 PORT WORTH, TEXAS 76124



Kenneth R. Rogers  
 Registered Professional  
 Land Surveyor No. 6556  
 Surveyed on the Ground  
 June 9, 2022



Survey Map  
 of  
 1,645 Acres of Land  
 Located in the  
 Johnson County School Land Survey No. 3  
 Abstract No. 443  
 Johnson County, Texas



Book of Records, Vol. 83, Page 2015-2018-2020-2021-2022  
 Deed Records, Johnson County, Texas  
 Deed Number 2018-11564

**EXHIBIT "B"**  
**ANNEXATION SERVICES AGREEMENT**

## EXHIBIT B

### ANNEXATION SERVICE AGREEMENT BETWEEN THE CITY OF GODLEY AND QUICKWAY STORES, INC.

As required by Section 43.0672 of the Texas Local Government Code, this shall serve as a written agreement between the City of Godley (the "City") and Quickway Stores, Inc. concerning the provision of services to the territory described in the attached and incorporated Exhibit "A" and depicted in the attached and incorporated Exhibit "B" (the "Annexed Property"). The City and Quickway Stores, Inc. may sometimes hereafter be referred to collectively as the "Parties."

The Parties agree as follows concerning the services that are to be provided on the effective date of the annexation and the schedule of the period within which the City will provide each service that is not provided on the effective date of the annexation:

1. POLICE PROTECTION,

The City will provide police protection to the Annexed Property on the effective date of annexation at the same level that it provides police protection to the remainder of the City.

2. FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

The City will provide fire protection or EMS services to the Annexed Property on the effective date of annexation at the same level that it provides fire protection and EMS services to the remainder of the City. Fire protection or EMS services may be provided through Johnson County, as is provided to the remainder of the City.

3. SOLID WASTE COLLECTION

At the present time the City is using a designated, specified contractor for collection of solid waste and refuse within the city limits of the City. Upon payment of any required deposits and the agreement to pay lawful service fees and charges, solid waste collection will be provided to citizens in the newly Annexed Property to the extent that the City's contractor has access to the area to be serviced.

The City may not prohibit the collection of solid waste in the Annexed Property by a privately-owned solid waste management service provider or offer solid waste management services in the Annexed Property unless a privately-owned solid waste management service provider is unavailable. The City is not required to provide solid waste collection services to a person who continues to use the services of a privately-



owned solid waste management service provider that continues in operation in the Annexed Property.

4. MAINTENANCE OF WATER AND SEPTIC SERVICES

The Annexed Property on the effective date of annexation is within the Johnson County Special Utility District (JSUD). Water and septic services will be provided by that entity. Any and all water or wastewater facilities owned or maintained by the City at the time of the proposed annexation, if any, shall continue to be maintained by the City. Any and all water or wastewater facilities which may be acquired subsequent to the annexation of the proposed area shall be maintained by the City to the extent of its ownership.

5. MAINTENANCE OF ROADS AND STREETS

Any and all public roads, streets or alleyways which have been dedicated to the City, or which are owned by the City, shall be maintained to the same degree and extent that other roads, streets and alleyways are maintained in areas with similar topography, land use, and population density. Any and all lighting of roads, streets and alleyways which may be positioned in a right-of-way, roadway or utility company easement shall be maintained by the applicable utility company servicing the City pursuant to the rules, regulations and fees of such utility.

6. MAINTENANCE OF PARKS, PLAYGROUNDS AND SWIMMING POOLS

The City Council of the City is not aware of the existence of any parks, playgrounds or swimming pools now located in the Annexed Property. In the event any such parks, playgrounds or swimming pools do exist and are public facilities, the City will maintain such areas to the same extent and degree that it maintains parks, playgrounds, swimming pools and other similar areas of the City now incorporated in the City of Godley, Texas.

7. MAINTENANCE OF MUNICIPALLY OWNED FACILITY, BUILDING OR MUNICIPAL SERVICE

The City Council is not aware of the existence of any municipally owned facility, building or other municipal service now located in the Annexed Property. In the event any such municipally owned facility, building or municipal service does exist and are public facilities, the City will maintain such areas to the same extent and degree that it maintains publicly owned facilities, buildings or municipal services of the City now incorporated in the City.

## CAPITAL IMPROVEMENTS

### 1. GENERAL

a. The City policy for extending water and wastewater service is to extend service on an as required basis when development applications or subdivision plats are submitted to the City in accordance with the City's subdivision, development ordinances, and utility connection policies.

b. Landowners may be required to fund capital improvements necessary to provide service in a manner consistent with law. Nothing in this plan shall be interpreted to require a landowner within the newly annexed area to fund capital improvements necessary to provide municipal services in a manner inconsistent with Chapter 395 of the Texas Local Government Code, unless otherwise agreed to by the landowner.

### 2. POLICE PROTECTION, FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

The City Council of the City finds and determines it to be unnecessary to acquire or construct any capital improvement for the purposes of providing police protection, fire protection, or emergency medical services. The City Council finds and determines that it has at the present time adequate facilities to provide the same type, kind and level of protection and service which is presently being administered to other areas already incorporated in the City of Godley, Texas, with the same or similar topography, land use, and population density, without reducing by more than a negligible amount the level of fire, police and emergency services provided within the corporate limits of the City.

### 3. WATER AND SEPTIC SERVICES

The City Council of the City of Godley, Texas, has determined that the area to be annexed is within the sewer CCN of JSUD. Water and septic services will be provided by that entity. Therefore, capital improvements are not necessary to provide full municipal services for sewer. If further development occurs that warrants extension or expansion of the sewer main, such extension or expansion will be in accordance with the City's utility policies. Upon connection to existing mains, sewer will be provided at rates established by the City.

### 4. ROADS AND STREETS

The City Council of the City finds and determines it to be unnecessary to acquire or construct road or street lighting in the area to be annexed to provide the same degree of road and street lighting as is provided in areas

of similar topography, land use and population density within the present corporate limits of the City. Maintenance of properly dedicated roads and streets will be consistent with the maintenance provided by the City to other roads and streets in areas of similar topography, land use and sub-development of the annexed property. Developers will be required pursuant to the ordinances of the City of Godley, Texas, to provide internal and peripheral streets and to construct those streets in accordance with the specifications required by the City of Godley, Texas, for the properly dedicated street. City participation in capital expenditures will be in accordance with city policies.

\*\*\*\*\*

**SPECIFIC FINDINGS**

The Parties agree that the terms of this Annexation Services Agreement will not provide any fewer services, and it will not provide a lower level of service in the Annexed Property than were in existence in the proposed area at the time immediately preceding the annexation process.

The Parties also agree that because of the differing characteristics of topography, land utilization and population density, the service levels which may ultimately be provided in the Annexed Property may differ somewhat from services provided other areas of the City. These differences are specifically dictated because of differing characteristics of the property, and the City will undertake to perform consistent with this Annexation Services Agreement so as to provide the Annexed Property with the services anticipated by this Annexation Services Agreement.

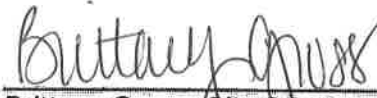
The Parties agree that the City is not required to provide a service in the Annexed Property that is not included in this agreement.

EXECUTED ON THIS 16 DAY OF April, 2024.

**City of Godley, Texas**

  
\_\_\_\_\_  
Christopher Lenker, Mayor

ATTEST:

  
\_\_\_\_\_  
Brittany Gross, City Secretary



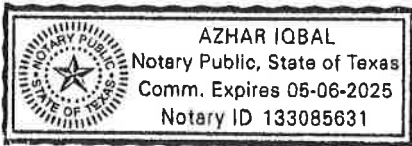
Quickway Stores, Inc.

By: *Hussain*  
*Ghalib Hussain*  
Ghalib Hussain, Director

STATE OF TEXAS §

COUNTY OF Tarrant §

This instrument was acknowledged before me on 29th March, 2024, by Ghalib Hussain, the Director of Quickway Stores, Inc. for the purposes stated therein.



*Azhar Iqbal*  
Notary Public, State of Texas