

**MEMORANDUM OF UNDERSTANDING  
BETWEEN DALLAS COUNTY AND THE  
CITIES OF GRAND PRAIRIE AND IRVING  
RELATED TO THE ACCEPTANCE OF THE  
HUNTER-FERREL AND MACARTHUR  
"DALLAS COUNTY ORPHAN" ROADS AND  
ESTABLISHMENT OF A MUTUAL BOUNDARY LINE**

THIS **MEMORANDUM OF UNDERSTANDING ("MOU")** is entered into as of the 1<sup>st</sup> day of September, 2015, by and between Dallas County, Texas and the City of Grand Prairie, Texas, a municipal corporation situated in Dallas, Tarrant, Ellis, and Johnson Counties, Texas ("Grand Prairie"), and the City of Irving, Texas, a municipal corporation situated in Dallas County, Texas ("Irving").

**RECITALS**

- A. Grand Prairie and Irving are home rule cities.
- B. Dallas County seeks to relinquish Hunter-Ferrell and MacArthur "orphan roads" that lie between the existing municipal boundaries of Grand Prairie and Irving.
- C. Grand Prairie and Irving now desire to accept the "orphan roads" and adjust the boundary between the two cities to promote orderly development and to ensure public safety and effective delivery of municipal services.
- D. Section 43.021 of the Texas Local Government Code authorizes a home-rule municipality to fix the boundaries of municipality, extend boundaries the boundary of a municipality, annex area adjacent to a municipality, and exchange area with other municipalities according to the rules as may be provided by the charter of the municipality that are not inconsistent with the procedural rules prescribed by the Texas Local Government Code.
- E. Section 43.031 of the Texas Local Government Code authorizes adjacent municipalities to make mutually agreeable changes to their boundaries that are less than 1,000 feet in width.

Section 1. Purpose. The purpose of this MOU to establish the terms and conditions between the Parties necessary to facilitate the acceptance of the Hunter-Ferrell and MacArthur "Dallas County orphan roads" and boundary line adjustment by and between Grand Prairie and Irving. This MOU is expressly conditioned upon and subject to the Parties entering into a mutually satisfactory understanding as to all aspects of the proposed transaction. Accordingly, this MOU shall not be binding upon the Parties in any way except to the extent it reflects the intent of the Parties to proceed with the

acceptance of the "Dallas County orphan roads" and the establishment of a mutual boundary line between the Parties.

Section 2. Legal Description of Property. The property in question is located as graphically depicted and identified in Exhibit A and more particularly described in Exhibit B attached to and part of this MOU ("Legal Description").

Section 3. Aspects of the Proposed Boundary Line Adjustment. The Parties agree to take timely action to initiate and complete the acceptance of the Hunter-Ferrell and MacArthur "Dallas County orphan roads" and thus establish by boundary line adjustment the mutual municipal corporate boundary of Grand Prairie and Irving as follows:

1. Beginning at the easterly line of Beltline Road, at its intersection with Hunter-Ferrell Road, and running in a primarily easterly direction, the shared municipal corporate city limit line between Grand Prairie and Irving shall be on the north side of Hunter-Ferrell road to a line just past the Hunter-Ferrell Bridge at which point the shared municipal corporate city limit line between Grand Prairie and Irving shall shift to the south side of Hunter-Ferrell and continue easterly to the westerly line of MacArthur Boulevard.
  - a. Any portion of Hunter-Ferrell Road classified as a Dallas County "orphan road" located between Beltline Road and the easterly most extent of the Hunter-Ferrell Bridge shall be annexed to Grand Prairie in accordance with timeline depicted in Exhibit C.
  - b. All of the newly completed Hunter-Ferrell Bridge shall be within the municipal corporate limits of Grand Prairie.
  - c. Any portion of Hunter-Ferrell Road classified as a Dallas County "orphan road" located between the easterly most line of the Hunter-Ferrell Bridge to the westerly line of MacArthur Boulevard shall be annexed to Irving in accordance with the timeline depicted in Exhibit D.
2. Beginning at the southerly line of Hunter-Ferrell Road, at its intersection with MacArthur Boulevard, and continuing in a primarily southerly direction, the shared municipal corporate city limit line between Grand Prairie and Irving shall be on the west side of MacArthur Boulevard to a line just past the MacArthur Boulevard Bridge currently under construction at which point the shared municipal corporate city limit line between Grand Prairie and Irving shall shift to the east side of MacArthur Boulevard and continue southerly to the northerly line of Interstate 30.
  - a. Any portion of MacArthur Boulevard classified as a Dallas County "orphan road" located between Hunter-Ferrell Road and the southerly most extent

of the MacArthur Bridge shall be annexed to Irving in accordance with the timeline depicted in Exhibit D.

- b. All of the yet to be completed MacArthur Boulevard Bridge shall be within the municipal corporate limits of Irving.
  - c. Any portion of MacArthur Boulevard Road classified as a Dallas County "orphan road" located between the southerly most line of the MacArthur Boulevard Bridge to the northerly line of Interstate 30 shall be annexed to Grand Prairie in accordance with the timeline depicted in Exhibit C.
3. Annexation of the Dallas County "orphan road", along the MacArthur Boulevard alignment, between the northerly extent of the yet to be constructed MacArthur Boulevard Bridge and the southerly extent of the MacArthur Boulevard Bridge shall commence within 90-days of completion of the bridge.

Section 4. Legal Effect of MOU. Grand Prairie and Irving understand and agree that this MOU constitutes only an expression of intent and shall have no legal or binding effect on the parties.

Section 5. Term. The term of this MOU will commence on the execution date hereof and shall terminate upon the completion of: 1) boundary line adjustment between Grand Prairie and Irving, and 2) annexation of the aforementioned Dallas County "orphan roads".

Section 6. Relationship of Parties. The parties shall not be deemed in a relationship of partners or joint ventures by virtue of this MOU, nor shall either party be an agent, representative, trustee or fiduciary of the other. Neither party shall have any authority to bind the other to any agreement. This MOU is not assignable or transferable by either party without the other party's written consent.

Section 7. Amendments. The parties reserve the right to amend this MOU. Any amendment of this MOU must be in writing and signed by both parties.

Executed by the parties as of the date first above written.

**Grand Prairie:**

By: 

Tom Hart, Grand Prairie City Manager

ATTEST:

  
Cathy Dimaggio, Grand Prairie City Secretary

APPROVED AS TO FORM:

  
Donald Postell, Grand Prairie City Attorney

Irving:

By: Beth Van Duyne  
Honorable Mayor Beth Van Duyne

ATTEST:

Shanae Jennings  
Shanae Jennings, Irving City Secretary

APPROVED AS TO FORM:

Charles R. Anderson  
Charles R. Anderson, Irving City Attorney

Approved	<u>9/17/15</u>
Resolution #	<u>2015-322</u>







## Exhibit B - Legal Description

Page 1 of 8

### EXHIBIT "A"

#### PARCEL 6A

#### DALLAS COUNTY TO THE CITY OF IRVING FIELD NOTES DESCRIBING A PORTION OF HUNTER FERRELL ROAD AND A PORTION OF MACARTHUR BOULEVARD

BEING a tract of land situated in the Israel Jennings Survey, Abstract No. 679, the Newton Aldridge Survey, Abstract No. 24, and the Rowland Hult Survey, Abstract No. 617, in the City of Grand Prairie, Dallas County, Texas, and being part of MacArthur Boulevard, and being more particularly described by as follows:

BEGINNING at an ell corner in the current city limit line of the City of Irving as described in City of Irving Ordinance No. 931, being the intersection of the north right-of-way line of Hunter Ferrell road and the old east right-of-way line of MacArthur Boulevard (formerly known as Meyers Road);

THENCE South 00 degrees 11 minutes 21 seconds East, along said existing City of Irving city limit line and said old east right of way line, a distance of 2,658 feet more or less, to a point for corner;

THENCE South 80 degrees 50 minutes 04 seconds, departing said existing City of Irving City Limit line and across said MacArthur Boulevard, a distance of 67.99 feet to a point for corner in the present City of Grand Prairie city limit line as described in City of Grand Prairie Ordinance No. 1912; . . . . .

THENCE North 00 degrees 35 minutes 58 seconds West, along said City of Grand Prairie city limit line, a distance of 1,306 feet more or less to a point;

THENCE North 00 degrees 30 minutes 16 seconds East, continuing along said City of Grand Prairie city limit line, a distance of 1,308.91 feet to a point for corner;

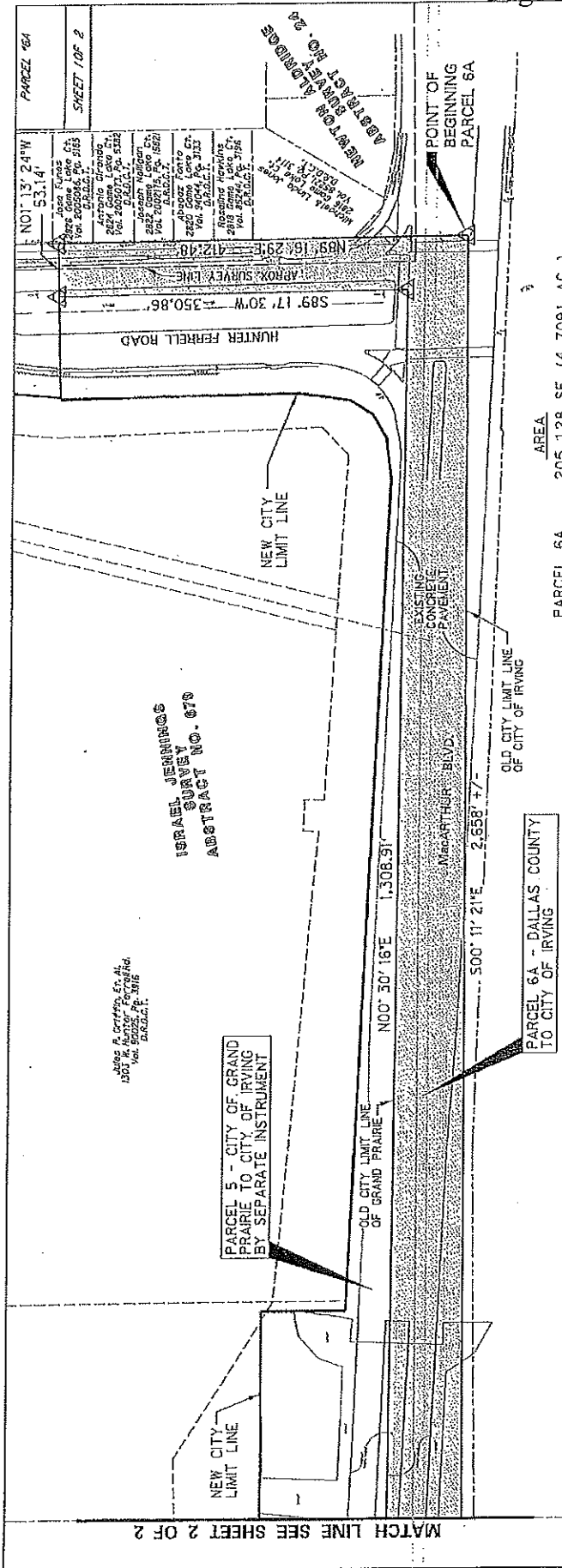
THENCE South 89 degrees 17 minutes 30 seconds West, continuing along said City of Grand Prairie city limit line, a distance of 350.86 feet to a point for corner;

THENCE North 01 degree 13 minutes 24 seconds West, a distance of 53.14 feet to a point for corner in the existing City of Irving city limit line as described in said Ordinance No. 931 and being in the north right-of-way line of said Hunter Ferrell Road;

THENCE North 89 degrees 16 minutes 29 seconds East, along said City of Irving city limit line and along said north right-of-way line, a distance of 412.48 feet to the POINT OF BEGINNING AND CONTAINING 4.7091 acres of land, more or less.

"This document was prepared under 22TAC 663.21, does not reflect the results of an on the ground survey, 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."





**NOTES:**

Basis of bearing is NAD 83 (1993) Texas Coordinate System, Texas North Zone, North of 30° 00' 00\"/>

NO.	REVISED	BY	DATE
1			

**COUNTY OF DALLAS PUBLIC WORKS DEPARTMENT**

PARCEL 6A - DALLAS COUNTY TO CITY OF IRVING

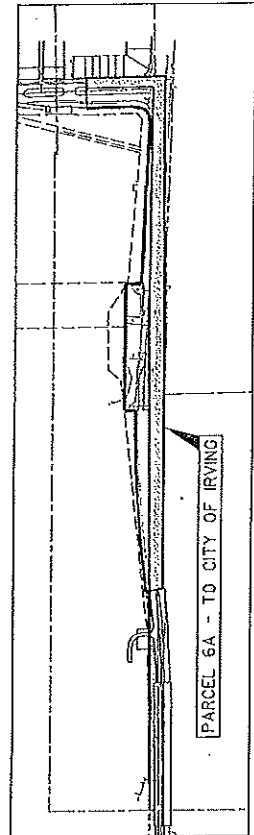
NEW CITY LIMIT LINE

CITY OF IRVING THE CITY OF GRAND PRAIRIE AND DALLAS COUNTY

DATE: 07/26/2015 12:41:21 PM

**HALFF**

TRPLS FIRM NO. 10029605  
4000 FOSSIL CREEK BLVD.  
FORT WORTH, TEXAS 76137  
TEL (817) 847-1422  
FAX (817) 282-8784

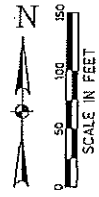
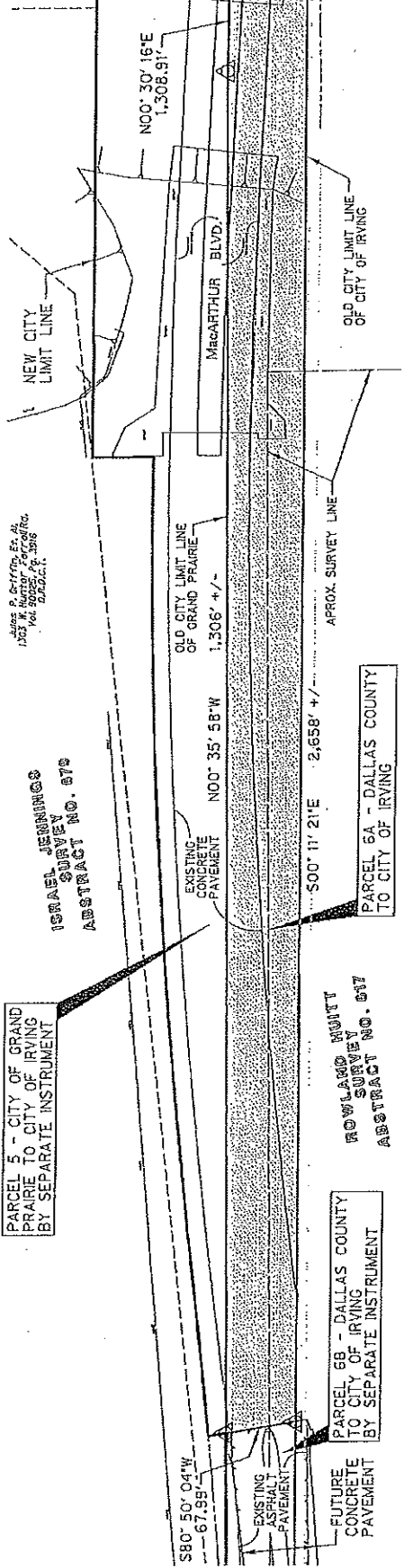


PARCEL INSET  
N.T.S.

PARCEL 5A

SHEET 2 OF 2

MATCH LINE SEE SHEET 1 OF 2



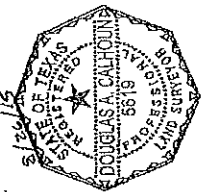
LEGEND

- PROPERTY SWAP
- NEW CITY LIMIT LINE
- RIGHT-OF-WAY / PROPERTY LINE
- EASEMENT LINE
- SURVEY LINE
- PROPOSED BACK OF CURB
- EXISTING BACK OF CURB
- FOUND IRON ROD / MONUMENT
- 1/2 SET IRON ROD
- W/ YELLOW PLASTIC CAP STAMPED "HALFF ASSOC. INC."
- POINT FOR CORNER

NO.	REVISION	BY	DATE
COUNTY OF DALLAS PUBLIC WORKS DEPARTMENT			
PARCEL 5A - DALLAS COUNTY TO CITY OF IRVING			
NEW CITY LIMIT LINE			
AND LAND SWAP BETWEEN THE			
CITY OF IRVING, THE CITY OF GRAND PRAIRIE			
AND DALLAS COUNTY			
DRWN BY	CHKD BY	DATE	PROJECT

# HALFF

TBPLS FIRM NO. 10028605  
4000 FOSSIL CREEK BLVD.  
FORT WORTH, TEXAS 76137  
TEL (817) 847-1422  
FAX (817) 232-9784



*Douglas A. Calhoun*  
Professional Land Surveyor  
Texas: 110,559

ISRAEL JENNINGS  
SURVEY NO. 879  
ABSTRACT NO. 879

PARCEL 5 - CITY OF GRAND PRAIRIE TO CITY OF IRVING BY SEPARATE INSTRUMENT

HOWLAND MUIR  
SURVEY NO. 817  
ABSTRACT NO. 817

PARCEL 5B - DALLAS COUNTY TO CITY OF IRVING BY SEPARATE INSTRUMENT

PARCEL 5A - DALLAS COUNTY TO CITY OF IRVING

EXHIBIT "A"  
PARCEL 6B  
DALLAS COUNTY TO THE CITY OF IRVING  
FIELD NOTES DESCRIBING A  
PORTION OF MACARTHUR BOULEVARD

BEING a tract of land situated in the Israel Jennings Survey, Abstract No. 679 and the Rowland Hult Survey, Abstract No. 617, in the City of Grand Prairie, Dallas County, Texas, and being part of MacArthur Boulevard, and being more particularly described by as follows:

COMMENCING at an ell corner in the current city limit line of the City of Irving as described in City of Irving Ordinance No. 931, being the intersection of the north right-of-way line of Hunter Ferrell Road and the old east right-of-way line of MacArthur Boulevard (formerly known as Meyers Road);

THENCE South 00 degrees 11 minutes 21 seconds East, along said existing City of Irving city limit line and said old east right of way line, a distance of 2,658 feet more or less, to the POINT OF BEGINNING;

THENCE South 00 degrees 11 minutes 21 seconds East, along said existing City of Irving city limit line and said old east right of way line, a distance of 1,010 feet more or less, to a point for corner in the south bank of the West Fork of the Trinity River;

THENCE Westerly, departing said existing City of Irving city limit line and along said south bank a distance of 60 feet more or less to an ell corner in the present City of Grand Prairie city limit line as described in City of Grand Prairie Ordinance No. 1912;

THENCE North 00 degrees 35 minutes 58 seconds West, along said City of Grand Prairie city limit line, a distance of 1,000 feet more or less to a point;

THENCE North 80 degrees 50 minutes 04 seconds, departing said existing City of Grand Prairie City Limit line and across said MacArthur Boulevard, a distance of 67.99 feet to the POINT OF BEGINNING AND CONTAINING 1.467 acres of land, more or less.

"This document was prepared under 22TAC 663.21, does not reflect the results of an on the ground survey, 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."



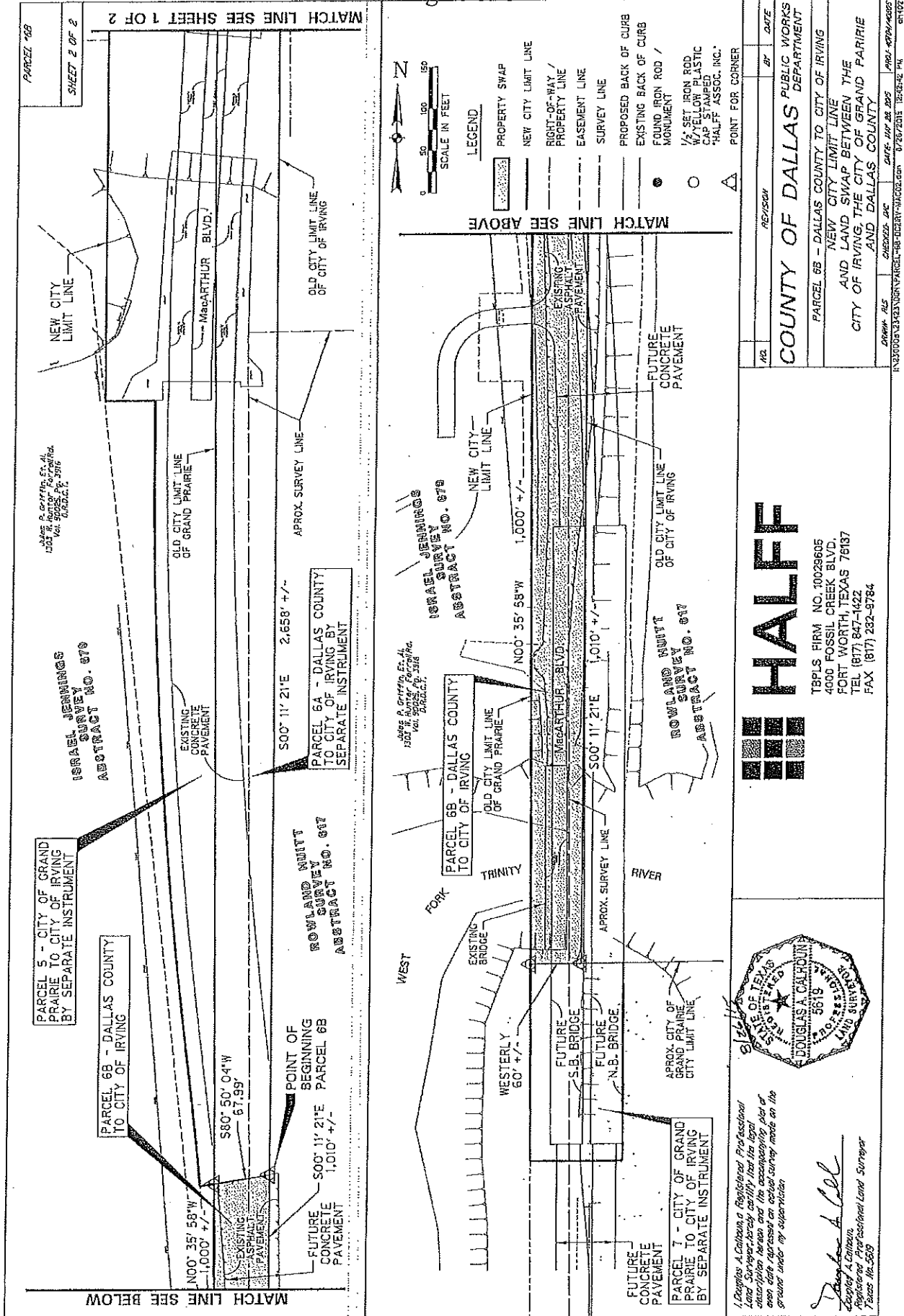


EXHIBIT "A"  
PARCEL 7  
CITY OF GRAND PRAIRIE TO THE CITY OF IRVING  
FIELD NOTES DESCRIBING A PORTION OF MACARTHUR BOULEVARD

BEING a tract of land situated in the Israel Jennings Survey, Abstract No. 679 and the Rowland Huitt Survey, Abstract No. 617, in the City of Grand Prairie, Dallas County, Texas, and being part of MacArthur Boulevard, and being more particularly described by as follows:

COMMENCING at an ell corner in the current city limit line of the City of Irving as described in City of Irving Ordinance No. 931, being the intersection of the north right-of-way line of Hunter Ferrell Road and the old east right-of-way line of MacArthur Boulevard (formerly known as Meyers Road);

THENCE South 00 degrees 11 minutes 21 seconds East, along said existing City of Irving city limit line and said old east right of way line, a distance of 3,668 feet more or less, to the POINT OF BEGINNING being in the south bank of the West Fork of the Trinity River;

THENCE Easterly, departing said old east right-of-way line, continuing along said existing City of Irving city limit line and along said south bank a distance of 51 feet more or less to a point for corner in the south bank of the West Fork of the Trinity River;

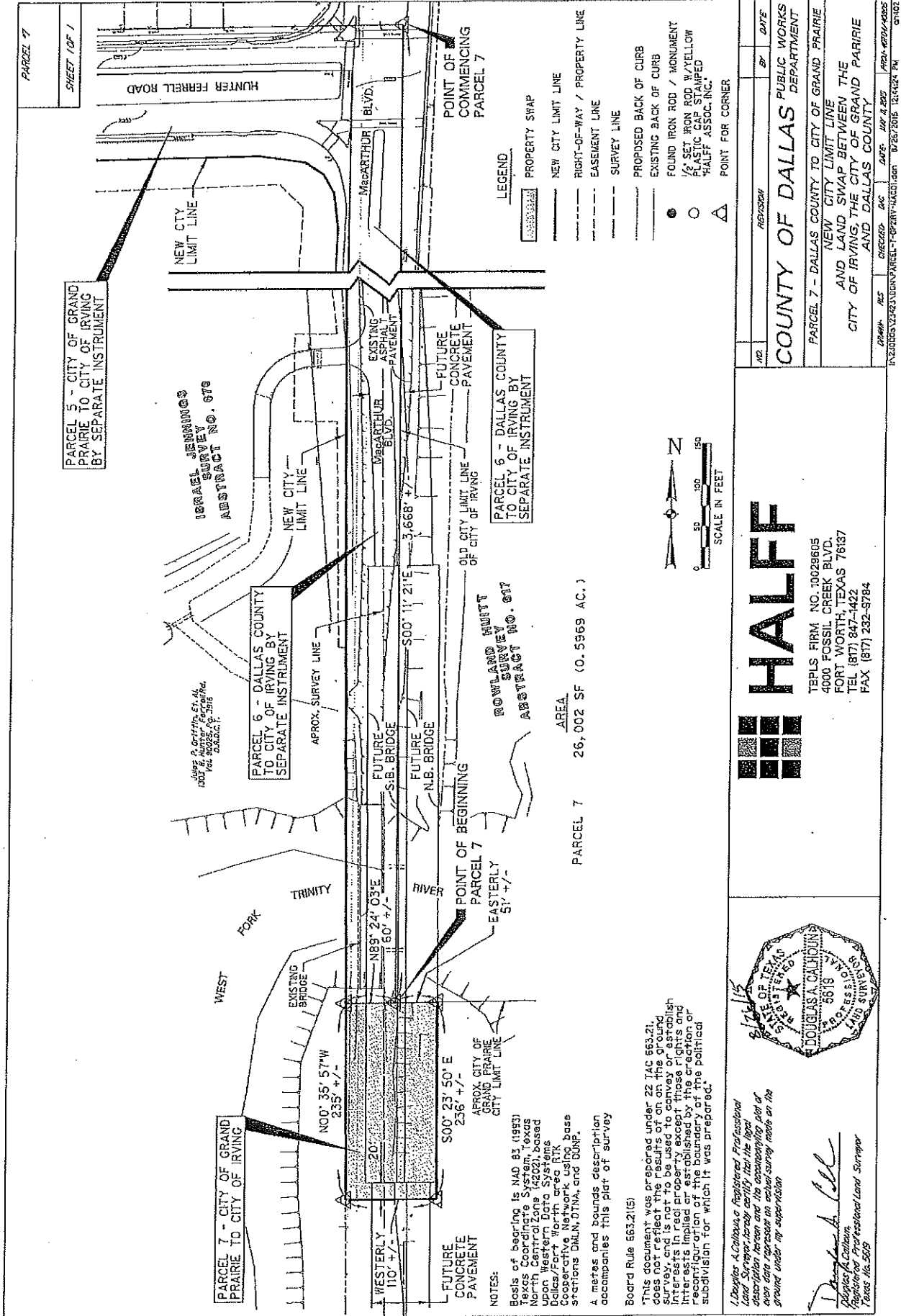
THENCE South 00 degrees 23 minutes 50 seconds East, departing said existing City of Irving city limit line and said south bank, a distance of 236 feet more or less to a point for corner;

THENCE Westerly, 20 feet south and parallel to the south bridge abutment, a distance of 110 feet more or less to a point for corner;

THENCE North 00 degrees 35 minutes 57 seconds West, a distance of 235 feet more or less to an ell corner in the present City of Grand Prairie city limit line as described in City of Grand Prairie Ordinance No. 1912;

THENCE North 89 degrees 24 minutes 03 seconds East, across said MacArthur Boulevard, a distance of 60 feet more or less to the POINT OF BEGINNING AND CONTAINING 0.5969 acres of land, more or less.

"This document was prepared under 22TAC 663.21, does not reflect the results of an on the ground survey, 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."





# Exhibit C

## Grand Prairie Annexation Schedule

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<u>WEEK</u>	<u>DATE</u>	<u>ACTION STEP</u>
<u>First Week</u>	August 31, 2015	Council adopts resolution on September 1, 2015 establishing the annexation timetable and setting the first public hearing in the <u>Seventh Week</u> and a second public hearing on the <u>Tenth Week</u> to consider contemplated annexation and orders publication of Notice of Public Hearing for first hearing on the <u>Fifth Week</u> , and publication for the second hearing on the <u>Eighth Week</u> . Council directs staff to develop a draft service plan for the extension of city services and infrastructure to the annexation area.
<u>Second Week</u>	September 7, 2015	Annexation petition and draft service plan is circulated for staff review.
<u>Third Week</u>	September 14, 2015	No Council action
<u>Fourth Week</u>	September 21, 2015	No Council action.
<u>Fifth Week</u>	September 28, 2015	Newspaper notice for first public hearing is published on <b>October 1, 2015</b> . (12 days prior to hearing) Notices are also posted on the City's internet web site and delivered to public school districts located within the area proposed for annexation in accordance with State statute.
<u>Sixth Week</u>	October 5, 2015	No Council action.
<u>Seventh Week</u>	October 12, 2015	Council holds first public hearing at its regularly scheduled meeting of <b>October 13, 2015</b> .
<u>Eighth Week</u>	October 19, 2015	Newspaper notice for second public hearing is published on <b>October 22, 2015</b> . (12 days prior to hearing) Notices are also posted on the City's internet web site and delivered to public school districts located within the area proposed for annexation in accordance with State statute.
<u>Ninth Week</u>	October 26, 2015	No Council action.
<u>Tenth Week</u>	November 02, 2015	Council holds second public hearing at its regularly scheduled meeting of <b>November 03, 2015</b> . Council institutes annexation proceedings by adoption of annexation ordinance on <b>October 13, 2015</b> .

# Exhibit D

## Irving Annexation Schedule

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<u>WEEK</u>	<u>DATE</u>	<u>ACTION STEP</u>
<u>First Week</u>	September 14, 2015	<b>Council adopts resolution on September 17, 2015</b> establishing the annexation timetable and setting the first public hearing in the <u>Sixth Week</u> and a second public hearing on the <u>Ninth Week</u> to consider contemplated annexation and orders publication of Notice of Public Hearing for first hearing on the <u>Fourth Week</u> , and publication for the second hearing on the <u>Seventh Week</u> . Council directs staff to develop a draft service plan for the extension of city services and infrastructure to the annexation area.
<u>Second Week</u>	September 21, 2015	Annexation petition and draft service plan is circulated for staff review.
<u>Third Week</u>	September 28, 2015	<b>No council action.</b>
<u>Fourth Week</u>	October 5, 2015	<b>Newspaper notice</b> for first public hearing is published on <b>October 9, 2015</b> . (12 days prior to hearing) Notices are also posted on the City's internet web site and delivered to public school districts located within the area proposed for annexation in accordance with State statute.
<u>Fifth Week</u>	October 12, 2015	<b>No council action.</b>
<u>Sixth Week</u>	October 19, 2015	<b>Council holds first public hearing</b> at its regularly scheduled meeting of <b>October 22, 2015</b> .
<u>Seventh Week</u>	October 26, 2015	<b>Newspaper notice</b> for second public hearing is published on <b>October 31, 2015</b> . (12 days prior to hearing) Notices are also posted on the City's internet web site and delivered to public school districts located within the area proposed for annexation in accordance with State statute.
<u>Eighth Week</u>	November 2, 2015	<b>No council action.</b>
<u>Ninth Week</u>	November 9, 2015	<b>Council holds second public hearing</b> at its regularly scheduled meeting of <b>November 12, 2015</b> . Council institutes annexation proceedings by adoption of annexation ordinance on <b>November 12, 2015</b> .