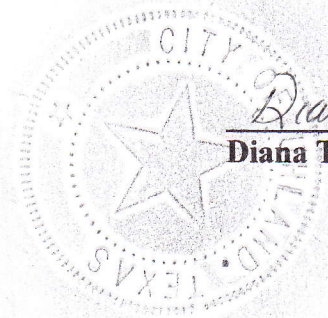


Certificate

I, Diana T. Woods hereby certify:

1. I am the City Secretary of the City of Uhland, Texas and as such am the custodian of the records of the City.
2. Ordinance No. 52, Expanding the City's Extraterritorial Jurisdiction (ETJ) was adopted on June 6<sup>th</sup>, 2007 by the Board of Aldermen of the City of Uhland, Texas at a regularly scheduled meeting, held after due and legal notice.
3. Said Ordinance is filed in the City Records and has not been amended.
4. The attached document is the original, including attachments of the said Ordinance.



*Diana T. Woods*

**Diana T. Woods, City Secretary**

STATE OF TEXAS  
COUNTY OF HAYS

§  
§  
§

**PETITION FOR VOLUNTARY ETJ EXPANSION**

**To the Mayor and City Council of the City of Umland:**

The undersigned owner(s) of the tract of land described below (the "tract") hereby petition the City of Umland to extend the present extraterritorial jurisdiction ("ETJ") so as to include the property described on Exhibit "A" (hereafter, the "tract"), which is attached and incorporated herein for all purposes.

I/We certify and swear that:

- 1. I/We are the sole owners of the tract;
- 2. The tract is contiguous (i.e., adjacent) to the City's ETJ as it exists upon the date of the execution of this petition;
- 3. The tract is not located within the ETJ of any other municipality; and
- 4. This request for inclusion in Umland's ETJ is made voluntarily.

I/We certify and swear that this petition is signed and acknowledged by each and every person and legal entity owning said tract, or having an interest in any part thereof.

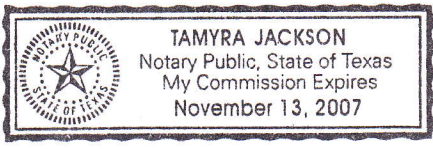
[Signature]  
Caldwell 405 L.P. Managing Partner  
Gerald Kokoszka

5/21/07  
Date

Notary → Tamara Jackson  
Name

5-21-07  
Date

This instrument was sworn to, signed and acknowledged before me by Gerald Kokoszka on this, the 21<sup>st</sup> day of May, 2007.



Tamara Jackson  
Notary Public, State of Texas

**Ordinance No. 52  
City of Umland  
County of Hays  
State of Texas  
June 6, 2007**

**ETJ EXPANSION ORDINANCE**

**AN ORDINANCE OF THE CITY OF UHLAND, TEXAS,  
EXPANDING THE CITY'S EXTRATERRITORIAL JURISDICTION  
(ETJ) SO TO INCLUDE ADJACENT AND CONTIGUOUS  
TERRITORY UPON PETITION OF THE PROPERTY OWNER,  
INCLUDING THE FOLLOWING: FINDINGS OF FACT;  
INCLUSION OF AREA IN ETJ; FILING & DISPLAY; EFFECTIVE  
DATE; SEVERABILITY; AND PROPER NOTICE AND MEETING**

---

**WHEREAS,** Chapter 42 of the Texas Local Government Code authorizes municipalities to expand their extraterritorial jurisdictions (ETJs) upon request of the property owner if that territory is adjacent and contiguous to the present ETJ; and

**WHEREAS,** the property owner requested that the City of Umland include within the City's ETJ the territory that is more particularly described in Exhibit "A" (hereafter referred to as the "territory"); and

**WHEREAS,** the territory is contiguous to the City's ETJ; and

**WHEREAS,** at the conclusion of the hearing the Umland City Council determined that the territory and the petitioner satisfy all requirements for inclusion within the ETJ, and that granting the petition is in the public interest of the citizens of the area and Umland; and

**NOW THEREFORE, be it ordained by the City Council of the City of Umland:**

**1. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Umland, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**2. INCLUSION OF AREA IN ETJ**

**A.** The petition attached as Exhibit "A" is hereby approved and granted.

**B.** The ETJ of Umland is hereby expanded so to include the area described in Exhibit "A"

**Exhibit "A"**

**Property Description**

Attached is a metes and bounds description of the tract of land to be included in the City's ETJ and a map or drawing, and when possible a survey, plat number, and street address



(hereafter, the "Area"), which is attached hereto and incorporated herein for all purposes. The Area is hereby included and for all purposes brought within the boundaries of the City of Uhland's ETJ, and is made an integral part, thereof.

- C. This Ordinance does not apply to any portion of the Area that is currently within the ETJ of another municipality and for which consent has not been or will not be granted by the releasing municipality. Any portion of the Area that is within another municipality's ETJ and that is not released from another municipality's ETJ is expressly excluded from this Ordinance. This Ordinance shall not be construed to in any way alter, modify or revise the ETJ of any municipality other than the City of Uhland.
- D. The official map and boundaries of the City are hereby amended and revised so as to include the Area.
- E. The owners and inhabitants of the Area are entitled to all of the rights and privileges of other citizens of the City's ETJ, and are hereby bound by all acts, ordinances and other legal actions now in full force and effect, and those that may be hereafter adopted or enacted, regarding the ETJ.

### 3. FILING & DISPLAY

- A. The City Secretary is hereby instructed to include this Ordinance in the records of the City.
- B. The Mayor is hereby instructed to file a certified copy of this Ordinance and attachments with the Caldwell County Clerk and other appropriate entities.
- C. The City Engineer is hereby instructed to have maps depicting the new municipal boundaries prepared.

### 4. EFFECTIVE DATE

This Ordinance is effective and the expansion of the ETJ achieved herein shall be final and complete upon adoption of this Ordinance.

### 5. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable. If any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or *ultra vires* by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or illegality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written. The voiding by a court of any ETJ expansion previously approved by the City of Uhland shall not be construed in any way to affect any other ETJ expansion by the City.

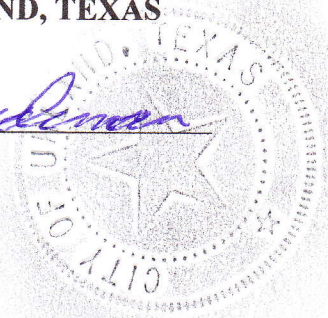
**6. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

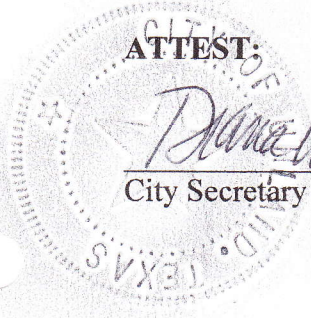
**PASSED AND APPROVED** on this the 6th day of June, 2007, by a vote of 5 ayes,  
0 nays, and 0 abstentions of the City Council.

**THE CITY OF UHLAND, TEXAS**

*Daniel R. Heiderman*  
Mayor



**ATTEST:**  
*Diana Woods*  
City Secretary





That certain tract containing 405.19 acres of land out of the Thomas Yates League, Caldwell County, Texas, being a part of that certain 640 acre tract conveyed to Robert I. Langford by deed recorded in Volume 329, Page 1 of the Deed Records of Caldwell County, Texas, said 405.19 acres of land being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at an iron stake at fence corner post in the Southwest R.O.W. line of State Highway #2720 (FM) at the most Easterly or Northeast corner of that certain tract described as First Tract in deed from Harry G. Ellis to Robert I. Langford recorded in Volume 329, Page 1 of the Deed Records of Caldwell County, Texas, for the most Easterly or Southeast corner of the tract herein described;

THENCE, with the fence along the Southeast line of the said Langford First Tract, South  $50^{\circ} 50'$  West 2482.38 feet to an iron stake set at fence corner post at an occupied corner of the said Langford First Tract, for a corner of this tract;

THENCE, with the fence along a Northeast boundary of the said Langford tract, South  $39^{\circ} 02'$  East 619.56 feet to a fence corner post at an occupied corner of the said Langford First Tract, for a corner of this tract;

THENCE, with the fence along the Southeast line of the said Langford First Tract and Second Tract as described in the said deed recorded in Volume 329, Page 1 of the Caldwell County Deed Records, South  $50^{\circ} 53'$  West 3822.6 feet to a fence corner post on the Southeast side of a small draw, at the most Easterly corner of that certain 106.065 acre tract conveyed to Eddie Pape by Robert I. Langford by deed recorded in the Deed Records of Caldwell County, Texas, for the most Southerly corner of this tract;

THENCE, with the fence along the East or Northeast line of the said Pape 106.065 acre tract, North  $26^{\circ} 10'$  West 1952.4 feet to an iron stake at fence corner post at the most Northerly corner of the said Pape 106.065 acre tract and the most Easterly corner of a 20.53 acre tract, for an angle point in this tract;

THENCE, with the fence along the East line of the said 20.53 acre tract, North  $16^{\circ} 02'$  West 680.50 feet to an iron stake set at angle point in East line of the said 20.53 acres, for an angle point in this tract;

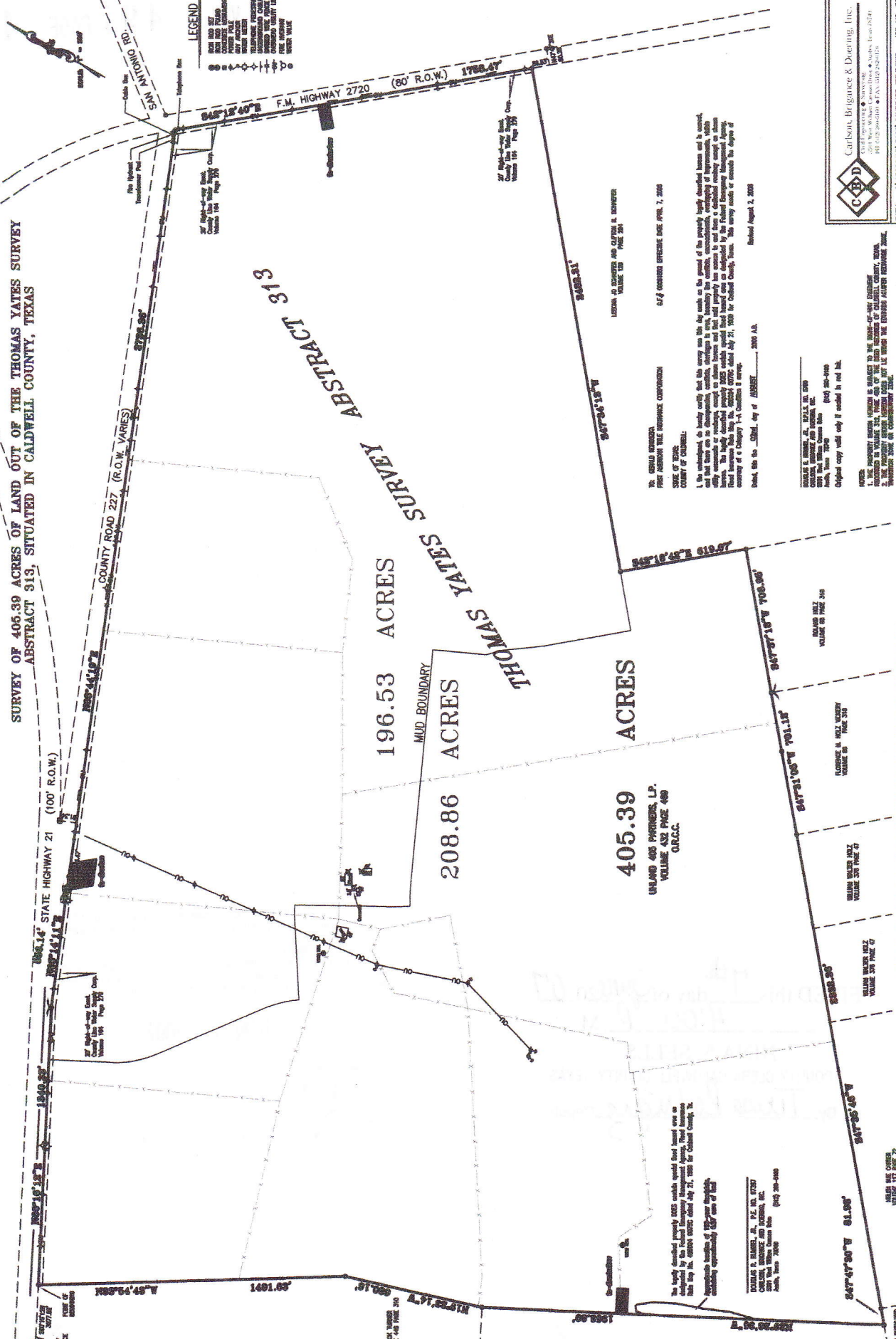
THENCE, with the East line of the said 20.53 acre tract and the East line of a 16.46 acres tract, North  $30^{\circ} 41'$  West 1491.81 feet to an iron stake set in the South line of State Highway #21 on the West side of a drain at the most Northerly corner of the said 16.46 acres, or the most Westerly or Northwest corner of this tract;

HENCE, with the fence along the South or Southeast line of the said Highway with the courses and distances as follows: North  $63^{\circ} 47'$  East 1413.38 feet, North  $68^{\circ} 32'$  East, 483.68 feet, North  $69^{\circ} 01'$  East leaving the said State Highway #21 and following a fence along the South or Southeast line of a county road, 3735.02 feet to an iron stake at fence corner post at the intersection of the said county road and the South or Southwest line of FM Highway 2720, being the occupied most Northerly corner of the said Langford First Tract, for the most Northerly or Northeast corner of this tract;

HENCE, with the fence along the South or Southwest line of the said Highway #2720 and the occupied Northeast line of the said Langford First Tract, South  $38^{\circ} 56'$  East 1758.55 feet to the PLACE OF BEGINNING, containing 405.19 acres of land.

SURVEY OF 405.39 ACRES OF LAND OUT OF THE THOMAS YATES SURVEY ABSTRACT 313, SITUATED IN CALDWELL COUNTY, TEXAS

- LEGEND**
- IRON ROD SET
  - CORNER AND BOUNDARY POINT
  - PIVOT POINT
  - WATER CURE
  - TELEPHONE POLE
  - SEWER MAIN
  - WATER MAIN
  - POWER LINE
  - RAILROAD RIGHT OF WAY
  - STREET
  - ROAD
  - UNIMPROVED ROAD
  - RIVER
  - WATER



**TO: DONALD REEDER**  
 FROM: CARLSON BRIGANCE & DREYER, INC.  
 COUNTY OF CALDWELL

1. The undersigned do hereby certify that this survey was made in compliance with the provisions of the laws of the State of Texas and that there are no objections, claims, or interests in this survey or any part thereof, and that the same is correct and true in all particulars. The survey was made and completed by the undersigned on the 25th day of August, 2010. The survey was made and completed by the undersigned on the 25th day of August, 2010. This survey was made in compliance with the provisions of the laws of the State of Texas and that there are no objections, claims, or interests in this survey or any part thereof, and that the same is correct and true in all particulars.

WITNESSED my hand and the seal of this office on the 25th day of August, 2010.

\_\_\_\_\_ DONALD REEDER  
 COUNTY CLERK OF CALDWELL COUNTY, TEXAS

Carlson, Brigrance & Dreyer, Inc.  
 2010 West Walnut Lane • Austin, Texas 78742  
 512.412.8800 • FAX 512.412.8810

**PLAT NO. - A. NATIONAL SURVEYING COMPANIES - TITLE NO. - 3802**

1. THE SURVEYOR'S SERVICE IN THIS SURVEY IS LIMITED TO THE SURVEY OF THE LAND AND THE BOUNDARIES THEREOF. IT DOES NOT INCLUDE THE SURVEY OF ANY OTHER INTERESTS, RIGHTS, OR CLAIMS IN THE LAND OR IN ANY OTHER MANNER. THE SURVEYOR'S SERVICE IS LIMITED TO THE SURVEY OF THE LAND AND THE BOUNDARIES THEREOF.



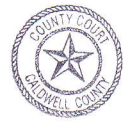
Ord 52

FILED this 7<sup>th</sup> day of June 20 07  
4:00 P M

NINA S. SELLS  
COUNTY CLERK CALDWELL COUNTY, TEXAS  
By Teresa Rodriguez Deputy

Any provisions herein which restricts the sale, rental or use of the described property because of color or race is invalid and unenforceable under Federal Law. STATE OF TEXAS COUNTY OF CALDWELL I hereby certify that this instrument was FILED in File Number Sequence on the date and time stamped hereon by me and was duly RECORDED in Official Public records of Real Property of Caldwell County Texas on

JUN 07 2007



Nina S. Sells  
COUNTY CLERK  
CALDWELL COUNTY, TEXAS