


072852

Certificate

I, Diana T. Woods hereby certify:

1. I am the City Secretary of the City of Uhlend, Texas and as such am the custodian of the records of the City.
2. Ordinance No. 59, 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 Uhlend, 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

**Ordinance No. 59  
City of Umland  
County of Hays  
State of Texas  
June 6, 2007**

**ETJ EXPANSION ORDINANCE**

**AN ORDINANCE OF THE CITY OF UMLAND, 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"

(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 6 ayes, 0 nays, and 0 abstentions of the City Council.

**THE CITY OF UHLAND, TEXAS**

*Daniel R. Heidemier*  
Mayor

**ATTEST:**

*Diana Woods*  
City Secretary

STATE OF TEXAS

§  
§  
§

COUNTY OF HAYS

**PETITION FOR VOLUNTARY ETJ EXPANSION**

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

The undersigned owner(s) of the tract of land described below (the "tract") hereby petition the City of Uhland 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 Uhland'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.

\_\_\_\_\_  
Name

*Rose Dodson*

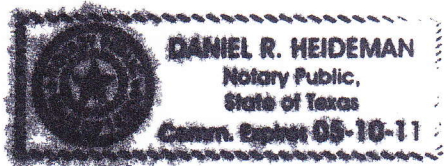
\_\_\_\_\_  
Date

*5/30/07*

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

This instrument was sworn to, signed and acknowledged before me by Rose Dodson on this, the 30 day of May, 2007.



*Daniel R. Heideman*

Notary Public, State of Texas

My commission expires: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF Hays

BEFORE ME, the undersigned authority, on this day personally appeared Felix P. Garcia and wife, Lucy C. Garcia, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.



GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 25<sup>th</sup> day of August, 1972.

Alice Saucedo  
Notary Public in and for  
Hays County, Texas

Filed for record at 9:15 A. M. September 6, 1972

Recorded at 9:00 A. M. September 12, 1972

By: Kathleen Royal Deputy  
Willie B Banister, Clerk County Court  
Caldwell County, Texas

THE STATE OF TEXAS )  
(  
COUNTY OF CALDWELL )

KNOW ALL MEN BY THESE PRESENTS:

1993

THAT I, B. REAGAN McLEMORE, INDEPENDENT EXECUTOR OF THE ESTATE OF MARY L. GEORGE, DECEASED, of the County of Gregg, State of Texas, for and in consideration of the fact that all debts due by the Estate of Mary L. George, Deceased, have been paid and the estate has been fully administered in accordance with the terms of said will, and the decision on my part as Executor of said Estate, based on the size of the estate and the ages of those entitled to said estate that further control of said assets by me as Trustee would not be justified, have RELEASED, GRANTED and

THE STATE OF TEXAS )  
(  
COUNTY OF CALDWELL )

KNOW ALL MEN BY THESE PRESENTS:

1993

THAT I, B. REAGAN McLEMORE, INDEPENDENT EXECUTOR OF THE ESTATE OF MARY L. GEORGE, DECEASED, of the County of Gregg, State of Texas, for and in consideration of the fact that all debts due by the Estate of Mary L. George, Deceased, have been paid and the estate has been fully administered in accordance with the terms of said will, and the decision on my part as Executor of said Estate, based on the size of the estate and the ages of those entitled to said estate that further control of said assets by me as Trustee would not be justified, have RELEASED, GRANTED and CONVEYED, and by these presents do RELEASE, GRANT and CONVEY unto RENN LAWRENCE, whose address is 450 Arenas Street, La Jolla, California 92037, and RANDLETT T. LAWRENCE, whose present mailing address is College of Naval Warfare, Naval War College, Newport, Rhode Island 02840, as their separate property and estate, in equal shares, all interest held by me as Independent Executor and/or Trustee under the will of Mary L. George, Deceased, in the following described:

**CLAUDE HINKLE SURVEYORS**  
REGISTERED PUBLIC SURVEYORS  
LOCKHART, TEXAS 78644

P. O. BOX 1027  
TELEPHONE 398-2000

All of a certain tract or parcel of land situated in Caldwell County, Texas and being a part of the Thomas Yates Survey and being also a part of a 12.00 acre tract of land conveyed to Felix P. Garcia by deed recorded in Volume 345, Page 242 of the Deed Records of Caldwell County, Texas and being more particularly described as follows:

BEGINNING at an iron pin set in the South corner of a 0.57 acre tract of land conveyed to Rose G. Dodson by deed recorded in Volume 350, Page 698 of the above said Deed Records and from which iron pin the most westerly corner of the above mentioned 12.00 acre tract bears N 39 degrees 26 minutes W 250.00 feet.

THENCE N 59 degrees 23 minutes E 100.00 feet to an iron pin set in the East corner of the said 0.57 acre tract for the North this tract.

THENCE S 39 degrees 26 minutes E 336.49 feet to an iron pin set in the SE line of the above mentioned 12.00 acre tract for the east corner this tract.

THENCE S 59 degrees 23 minutes W 100.00 feet to an iron pin set for the South corner this tract.

THENCE N 39 degrees 26 minutes W 336.49 feet to the place of beginning containing 0.763 acres of land.

I hereby certify that the foregoing field notes are a true and correct description of a survey made on the ground by me on September 8, 1988.

  
Claude F. Hinkle, R.P.S. #1612





FILED this 31<sup>st</sup> day of Mar 1997  
3:30 P M

NINA S. SELLS  
COUNTY CLERK, CALDWELL COUNTY, TEXAS  
By Stacy Rouse 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 the time stamped hereon by me and was duly RECORDED in Official Public records of Real Property of Caldwell County Texas on

APR 07 1997



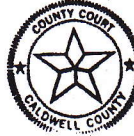
*Nina S. Sells*  
COUNTY CLERK  
CALDWELL COUNTY, TEXAS

FILED this 31<sup>st</sup> day of Mar 1997  
3:30 P M

NINA S. SELLS  
COUNTY CLERK, CALDWELL COUNTY, TEXAS  
By Stacy Rouse 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 the time stamped hereon by me and was duly RECORDED in Official Public records of Real Property of Caldwell County Texas on

APR 07 1997



*Nina S. Sells*  
COUNTY CLERK  
CALDWELL COUNTY, TEXAS

FILED this 7<sup>th</sup> day of June 2007  
4:00 P M

NINA S. SELLS  
COUNTY CLERK CALDWELL COUNTY, TEXAS  
By Terresa 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

**SPECIAL WARRANTY DEED**

Date: February 25, 2002

Grantor: ATANACIO S. GARCIA and spouse, BERTA P. GARCIA

Grantors' Mailing Address: 271 Briarstone Drive, Buda, Hays County, Texas 78610

Grantee: ROSE DODSON

Grantee's Mailing Address: 7782 Camino Real, Maxwell, Caldwell County, Texas 78656

Consideration and Property Being Conveyed: For and in consideration of the love and affection that we feel unto ROSE DODSON, we grant to ROSE DODSON as a gift, the real property (including improvements), located in Caldwell County, Texas, legally described as follows:

All of a certain 2.0 acre tract of land situated in Caldwell County, Texas and being a part of the Thomas Yates Survey and being also a part of a 12.00 acre tract of land conveyed to Felix P. Garcia by deed recorded in Volume 345, page 242 of the Deed Records of Caldwell County, Texas, and being more particularly described in Exhibit "A" attached hereto.

Reservations from and Exceptions to Conveyance and Warranty: Subject to all easements, restrictions, conditions, covenants, and other instruments of record.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantees and Grantee's heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty, by and through me but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

  
ATANACIO S. GARCIA, Grantor

VOL. 497 PAGE 512

Berta P. Garcia  
BERTA P. GARCIA, Grantor

(Acknowledgement)

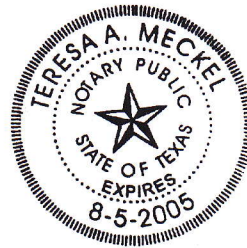
STATE OF TEXAS  
COUNTY OF CALDWELL

ATANACIO S. GARCIA and BERTA P. GARCIA acknowledged this instrument before me on February 25, 2002.

Teresa A. Meckel  
Notary Public, State of Texas  
Notary's commission expires: 8/5/2005

AFTER RECORDING RETURN TO:

ROSE DODSON  
7782 Camino Real  
Maxwell, Texas 78656



All of a certain tract or parcel of land situated in Caldwell County, Texas and being a part of the Thomas Yates Survey and being also a part of a 12.00 acre tract of land conveyed to Felix P. Garcia by deed recorded in Volume 345, Page 242 of the Deed Records of Caldwell County, Texas and being more particularly described as follows:

BEGINNING at an iron pin found in the SE line of State Highway #21 for the West corner this tract also being the North corner of a 0.57 acre tract of land conveyed to Rose G. Dodson by deed recorded in Volume 350, Page 698 of the said Deed Records and from which iron pin the West corner of the said 12.00 acre tract of land bears S 59 degrees 23 minutes W 100 feet.

THENCE N 59 degrees 23 minutes E with the SE line of the said highway 176.82 feet to an iron pin set for the North corner this tract.

THENCE S 39 degrees 26 minutes E 265.5 feet to an iron pin set for a reentrant corner.

THENCE S 50 degrees 34 minutes W 48.29 feet to an iron pin set for an ell corner.

THENCE S 39 degrees 26 minutes E 313.50 feet to an iron pin found in an ell corner of the above mentioned 12.00 acre tract for the East corner this tract.

THENCE S 59 degrees 23 minutes W 127.95 feet to an iron pin set for the South corner this tract.

THENCE N 39 degrees 26 minutes E 586.49 feet to the place of beginning containing 2.000 acres of land.

I hereby certify that the foregoing field notes are a true and correct description of a survey made on the ground by me on September 8, 1988.

*Claude Hinkle*  
Claude Hinkle, R.P.S. #1612



FILED this 25<sup>th</sup> day of Feb 2002  
1:15 P M  
NINA S. SELLS  
COUNTY CLERK, CALDWELL COUNTY, TEXAS  
By Carel E. Sotelo Deputy

EXHIBIT A

FEB 25 2002



*Nina S. Sells*  
COUNTY CLERK  
CALDWELL COUNTY, TEXAS

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

**GIFT DEED**

**Date:**

**971087**

**Grantor:** FELIX P. GARCIA

**Grantor's Mailing Address (including county):**

Route 1, Box 130A  
Maxwell, TX 78656  
Caldwell County

**Grantee:** ROSE G. DODSON

**Grantee's Mailing Address (including County):**

Route 1, Box 130E  
Maxwell, TX 78656  
Caldwell County

**Consideration:** As a gift.

**Property (including any improvements):** All of my undivided interest in and to the following:

All of a certain 0.763 acre tract of land situated in Caldwell County, Texas and being a part of the Thomas Yates Survey and being also a part of a 12.00 acre tract of land conveyed to Felix P. Garcia by deed recorded in Volume 345, page 242 of the Deed Records of Caldwell County, Texas, and being more particularly described in Exhibit "A" attached hereto.

**Reservations From and Exceptions to Conveyance and Warranty:** Any and all restrictions, covenants, conditions and easement relating to the Property, but only to the extent that they are still in effect and shown of record in Caldwell County, Texas.

Grantor, for the consideration, receipt of which is acknowledged, and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee all of Grantor's undivided interest in and to the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executor, administrators, successors or assigns forever. Grantor's heirs, executors, administrators and successors are hereby bound to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

STATE OF TEXAS  
COUNTY OF CALDWELL

Y  
Y  
Y

KNOW ALL MEN BY THESE PRESENTS:

1992

That we, Felix P. Garcia and wife, Lucy C. Garcia, of the County of Caldwell and State of Texas, for and in consideration of the love and affection which we have for our son-in-law, Earnie Dodson, Jr., and daughter, Rose G. Dodson, have given, granted and confirmed, and by these presents do give, grant and confirm, unto the said Earnie Dodson, Jr., and Rose G. Dodson, husband and wife, of the County of Caldwell and State of Texas, all that certain parcel of land situated in Caldwell County, Texas, to-wit:

A part of the Thomas Yates Survey, and also being a part of that 12.00 acre tract of land as conveyed by and described in deed from Alton C. Hill, et ux, to Felix P. Garcia, et ux, such instrument being dated October 4, 1971, and recorded in Volume 345, page 242, Caldwell County Deed Records, the exact parcel of land hereby conveyed being described by metes and bounds as follows:

BEGINNING at the most Western corner of said 12.00 acre tract of land, at a point in the Southeast line of State Highway #21;

THENCE N. 59 deg. 23' E. along said Southeast line of State Highway #21, which is also the most northern northwest line of said 12.00 acre tract, 100 feet to a point for the north corner of the parcel of land hereby granted;

THENCE in a Southeasterly direction and parallel with the most westerly Southwest line of said 12.00 acre tract, 250 feet to a point for the east corner of the parcel of land hereby granted;

THENCE in a Southwesterly direction and parallel with said most northern northwest line of said 12.00 acre tract, 100 feet, more or less, to a point in said most westerly Southwest line of said 12.00 acre tract, for the south corner of the parcel of land hereby granted;

THENCE N. 39 deg. 26' W. with said most westerly Southwest line of said 12.00 acre tract, 250 feet, more or less, to the place of beginning, such being the west corner of the parcel of land hereby granted.

To have and to hold the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Earnie Dodson, Jr., and Rose G. Dodson, and to their heirs or assigns forever, and we do hereby bind ourselves, our heirs, executors and administrators to warrant and forever defend all and singular the said premises unto the said Earnie Dodson, Jr., and Rose G. Dodson, their heirs and assigns, against every person whomsoever

to have and to hold the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Earnie Dodson, Jr., and Rose G. Dodson, and to their heirs or assigns forever, and we do hereby bind ourselves, our heirs, executors and administrators to warrant and forever defend all and singular the said premises unto the said Earnie Dodson, Jr., and Rose G. Dodson, their heirs and assigns, against every person whomsoever claiming or to claim the same, or any part thereof.

Witness our hands, this the 25<sup>th</sup> day of August, 1972.

Felix P. Garcia  
Felix P. Garcia

Lucy C. Garcia  
Lucy C. Garcia