


Certificate

I, Diana T. Woods hereby certify:

1. I am the City Secretary of the City of Umland, Texas and as such am the custodian of the records of the City.
2. Ordinance No. 60, 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 Umland, 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. 60  
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"

(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.**

David R. Heidemann  
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.

Alice R Worley  
Name

5-24-07  
Date

Wilbur J. Worley  
Name

5-24-07  
Date

This instrument was sworn to, signed and acknowledged before me by Alice + Wilbur Worley on this, the 24 day of May, 2007.

Daniel R. Heidemann  
Notary Public, State of Texas  
My commission expires: 5-10-11



**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

WARRANTY DEED

VOL. 497 PAGE 450

3304

THE STATE OF TEXAS §  
§ KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF CALDWELL §

That we, Alice Ruth Worley and Wilburn J. Worley, wife and husband, of the County of Bexar, State of Texas, for and in consideration of the sum of Ten Dollars and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, have GRANTED, SOLD and CONVEYED, and by these presents do GRANT, SELL, AND CONVEY unto

Alice Ruth Worley, TRUSTEE, whose address of record is 922 Melissa Drive, San Antonio, Texas 78213, joined pro forma by WILBURN J. WORLEY, TRUSTEE, whose address of record is 922 Melissa Drive, San Antonio, Texas 78213, either of whom can convey both legal and equitable title without the joinder of the other

all of our ownership interest in the 20.97 acres of Caldwell County, Texas of real property situated in Caldwell County, Texas and further described in Exhibit A attached hereto and incorporated herein for all purposes, 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 grantees, their successors and 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 grantees, their successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Dated and Executed: June 16, 1986

Alice Ruth Worley  
Alice Ruth Worley

Wilburn J. Worley  
Wilburn J. Worley

THE STATE OF TEXAS §  
§  
COUNTY OF BEXAR §

This instrument was acknowledged before me on the date herein set forth by Alice Ruth Worley and Wilburn J. Worley.

Larry J. Cross  
Notary Public, State of Texas

Melissa Drive, San Antonio, Texas 78215; either of whom shall convey both legal and equitable title without the joinder of the other

all of our ownership interest in the 20.97 acres of Caldwell County, Texas of real property situated in Caldwell County, Texas and further described in Exhibit A attached hereto and incorporated herein for all purposes, 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 grantees, their successors and 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 grantees, their successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Dated and Executed: June 16, 1986

Alice Ruth Worley  
Alice Ruth Worley

Wilburn J. Worley  
Wilburn J. Worley

THE STATE OF TEXAS §  
§  
COUNTY OF BEXAR §

This instrument was acknowledged before me on the date herein set forth by Alice Ruth Worley and Wilburn J. Worley.

Larry W. Gross  
Notary Public, State of Texas  
My Commission Expires: 09/30/1988



LARRY W. GROSS  
My Commission Expires: 09/30/1988



Field notes describing 20.97 acres of land situated in the Thomas Yates Survey, Abst. 313, Caldwell County, Texas. Said 20.97 acre tract is part of a tract called 58.3 acres ( hereinafter called the parent tract in conveyance from Katie Mae Hill to Alice Hill Worley, et al. recorded in Volume 379 at page 315 of the deed records of said county and is described by metes and bounds, as follows:

BEGINNING at the east corner of the parent tract;

THENCE with the southeast line of the parent tract, S 48° 37' W 386.1 feet to the southeast corner of the tract herein described;

THENCE into the parent tract, N 41° 23' W 680.0 feet to a re-entrant corner;

THENCE S 48° 37' W 1,196.7 feet to the southwest corner of the tract herein described;

THENCE N 37° 09' W 551.8 feet to the southeast line of State Hwy. No. 21;

THENCE with said southeast line, as follows:

N 57° 12' E 192.6 feet;

thence S 32° 56' E 25.0 feet;

thence N 57° 07' E 1,372.0 feet to the northeast line of the parent tract;

THENCE with fence along said northeast line, as follows:

S 42° 09' E 366.2 feet;

thence S 40° 09' E 158.3 feet;

thence S 40° 59' E 450.0 feet to the place of beginning and containing 20.97 acres of land.

I hereby certify that the foregoing field notes describe the results of an on-the-ground survey ~~made~~ <sup>made</sup> under my supervision in July, 1979.

THENCE N 37° 09' W 551.8 feet to the southeast line of State Hwy. No. 21;

THENCE with said southeast line, as follows:

N 57° 12' E 192.6 feet;

thence S 32° 56' E 25.0 feet;

thence N 57° 07' E 1,372.0 feet to the northeast line of the paren

tract;

THENCE with fence along said northeast line, as follows:

S 42° 09' E 366.2 feet;

thence S 40° 09' E 158.3 feet;

thence S 40° 59' E 450.0 feet to the place of beginning and  
containing 20.97 acres of land.

I hereby certify that the foregoing field notes describe the results of  
an on-the-ground survey ~~made~~ under my supervision in July, 1979.

Filed for record at

9:45 A. M.

July 18, 1986

Recorded at

11:55 A. M.

July 21, 1986

By:

Zorada Ray  
Deputy

Kathleen Royal, Clerk County Court  
Caldwell County, Texas

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