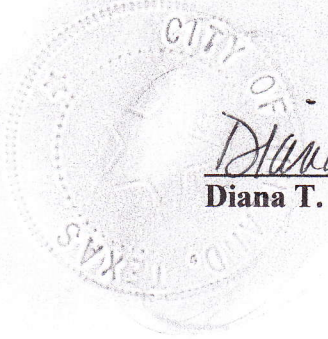


072849

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. 65, 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. 65**  
**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**

David R. Heidenman  
Mayor

**ATTEST:**

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 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.

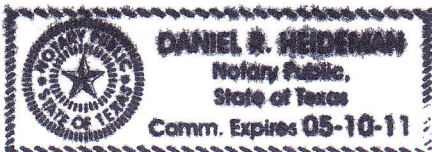
Krislyn Schneetz  
Name

6-1-07  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

This instrument was sworn to, signed and acknowledged before me by Krislyn Schneetz on this, the 1 day of June, 2007.



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

All that certain tract or parcel of land lying and being situated in the County of Caldwell and State of Texas, and being 1.27 acres, more or less, out of the Thomas Yates League, and being more particularly described as follows, to wit:

BEGINNING at a point 231 feet North 50° East from the most Western corner of that 80 acre tract described in deed of trust of record in Volume 52, page 397 of the Official Public Records of Caldwell County, said point being in the Southeast line of State Highway No. 21;

THENCE North 50° East 251.5 feet with the Southeast line of State Highway 21;

THENCE South 40° East 220 feet;

THENCE South 50° West 251.5 feet;

THENCE North 40° West 220 feet to the PLACE OF BEGINNING.

EXHIBIT A

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

FILED this 23rd day of July, 2001  
11:25 AM

NINA S. SELLS  
COUNTY CLERK, CALDWELL COUNTY, TEXAS  
By Gloria Edallato Deputy

JUL 23 2001



Nina S. Sells  
COUNTY CLERK  
CALDWELL COUNTY, TEXAS

FILED this 7th day of June 20 07  
4:00 P M

NINA S. SELLS  
COUNTY CLERK CALDWELL COUNTY, TEXAS

# EXHIBIT A

FILED this 23rd day of July, 2001  
11:25 AM  
**NINA S. SELLS**  
 COUNTY CLERK, CALDWELL COUNTY, TEXAS  
 By Glenn Edgerton 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

JUL 23 2001



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

FILED this 17th day of June, 2007  
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

Krislyn's HOME