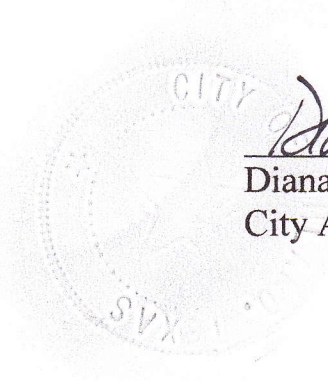


◇ CITY OF UHLAND ◇

Certificate

I, Diana Woods, hereby certify:

1. I am the City Administrator/City Secretary of the City of Uhlend, Texas and as such am the custodian of the records of the City.
2. Ordinance No. 70, expanding the city's extraterritorial jurisdiction (ETJ) was adopted on July 11, 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, has not been amended, and is recorded in the minute books of the City.
4. The attached document is the original, including attachments, of the said Ordinance.



Diana T. Woods
Diana T. Woods
City Administrator/City Secretary

15 N. OLD SPANISH TRAIL • UHLAND, TEXAS • 78640
PHONE: 512 398-7399 • FAX: 512 398-7359

**Ordinance No. 70
City of Umland
County of Caldwell
State of Texas
July 11, 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 Uhland 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 granted by the releasing municipality. Any portion of the Area that is within 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 Hays 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 11 day of July, 2007 by a vote of 7 ayes, 0 nays, and 0 abstentions of the City Council.

THE CITY OF UHLAND, TEXAS

Daniel R. Heedeman
Mayor

ATTEST:

Diana Woods
City Secretary

STATE OF TEXAS

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§
§

COUNTY OF HAYS

PETITION FOR VOLUNTARY ETJ EXPANSION

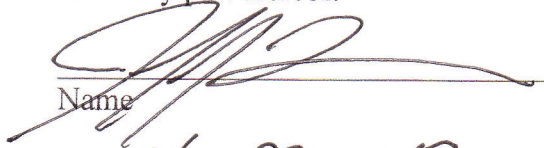
To the Mayor and City Council of the City of Uhland:

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.

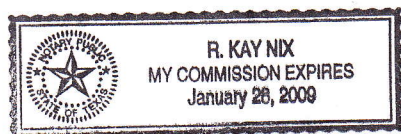

Name

06-29-07
Date

Name

Date

This instrument was sworn to, signed and acknowledged before me by R. KAY NIX on this, the 29 day of JUNE, 2007.



R. Kay Nix
Notary Public, State of Texas
My commission expires: 01/28/09

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

EXHIBIT "A"

Being a 1.00 acre tract of land situated in the Thomas Yates League and being part of a 13.022 acre tract as described in a deed to the TVLB recorded in vol. 404 pg. 277 of the deed records of Caldwell County, Texas. Beginning at an I.P. found for the NE corner of this tract and a re-entrant corner of said 13.022 acres, said point being S. 30 deg. 41 min. E. 1471.96 ft. from the most Northerly W. corner of said 13.022 acres. Thence S. 15 deg. 51 min. E. 180 ft. to an I.P. set for the SE corner of this; Thence S. 66 deg. 10 min. W. 242 ft. to an I.P. set for the SW corner of this, Thence N. 15 deg. 51 min. W. 180 ft. to an I.P. set in the N. line of said 13.022 acres for the NW corner of this; thence N. 66 deg. 10 min. E. 242 ft. with said N. line to the place of beginning. Together with a 30 ft. access easement for the purpose of ingress and egress for the grantees herein, their heirs and assigns forever, the centerline of which is described as follows: Beginning at a point in the SE line of State Hwy. 21, said point being S. 63 deg. 39 min. W., 15.05 ft. from the most Northerly W. corner of said 13.022 acres; thence S. 30 deg. 41 min. E., 1481.31 ft. to a point; thence S. 15 deg. 51 min. E. 180 ft. to the point of ending, said easement being 15.05 ft. on each side of centerline.

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 26th day of July 2007
3:00 P M

NINA S. SELLS

COUNTY CLERK CALDWELL COUNTY, TEXAS

By Gloria Edleton Deputy

JUL 26 2007



Nina S. Sells
COUNTY CLERK
CALDWELL COUNTY, TEXAS