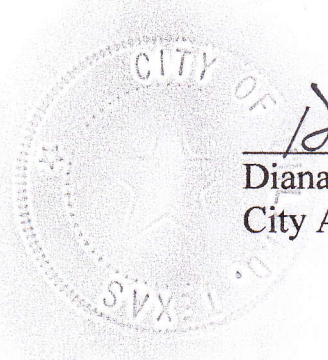


◇ CITY OF UHLAND ◇

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. 71, 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. 71
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 4 ayes, 0 nays, and 0 abstentions of the City Council.

THE CITY OF UHLAND, TEXAS.

Daniel R. Henderson
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.

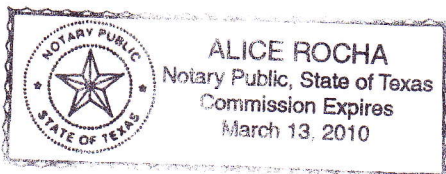
Jack B. Turner
Name

7/5/07
Date

Name

Date

This instrument was sworn to, signed and acknowledged before me by JACK TURNER on this, the 5th day of JULY, 2007.



Alice Rocha
Notary Public, State of Texas
My commission expires: 3/13/2010

FIELD NOTE DESCRIPTION PREPARED FROM A SURVEY MADE ON
THE GROUND AND PUBLIC RECORDS OF 13.022 ACRES, MORE OR LESS,
OUT OF THE THOMAS YATES LEAGUE IN CALDWELL COUNTY, TEXAS,
BEING A PART OF THAT 73.98 ACRE TRACT OF LAND CONVEYED
BY PERRY STAPP TO WELDON SACHTLEBEN BY DEED DATED
FEBRUARY 9, 1978 AND RECORDED IN VOLUME 393 PAGE 469 OF
THE CALDWELL COUNTY DEED RECORDS AND BEING MORE PARTICULARLY
DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

VOL. 502 PAGE 519

BEGINNING at a 60d nail found in a corner fence post for
the most northern corner of this tract and the north cor-
ner of the Sachtleben tract and being on the southeast line
of State Highway Number 21 as found fenced and used
upon the ground as shown on that plat numbered 252-3-b
prepared for W. Sachtleben by James E. Byrn and Associates
of San Marcos, Texas;

THENCE leaving the highway with northeast line of this
tract and the Sachtleben tract as found fenced and used
upon the ground the following three calls:

1. S30°41'E 1490.67 feet to an iron rod found at
an angle point in said fence,
2. S15°51'E 663.31 feet to an angle point in said
fence,
3. S26°04'E 17.33 feet to an iron rod found at a
fence corner for the east corner of this tract
and the Sachtleben tract and on the north line
of that 106.065 acre tract conveyed to Earl
Calkins and Eddie Pape by Robert I. Langford;

THENCE with the common southeast line of this tract and
the Sachtleben tract and the north line of the 106.065
acre tract as found fenced and used upon the ground the
following two calls:

1. N86°18'W 38.75 to an iron rod found at a fence
angle post,
2. S65°55'W 693.99 feet to an iron rod set under
the fence for the south corner of this tract;

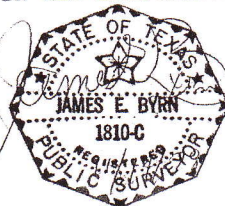
THENCE entering the Sachtleben tract with the southwest
line of this tract N23°59'W 674.45 feet to an iron rod
set for the most southerly west corner of this tract;

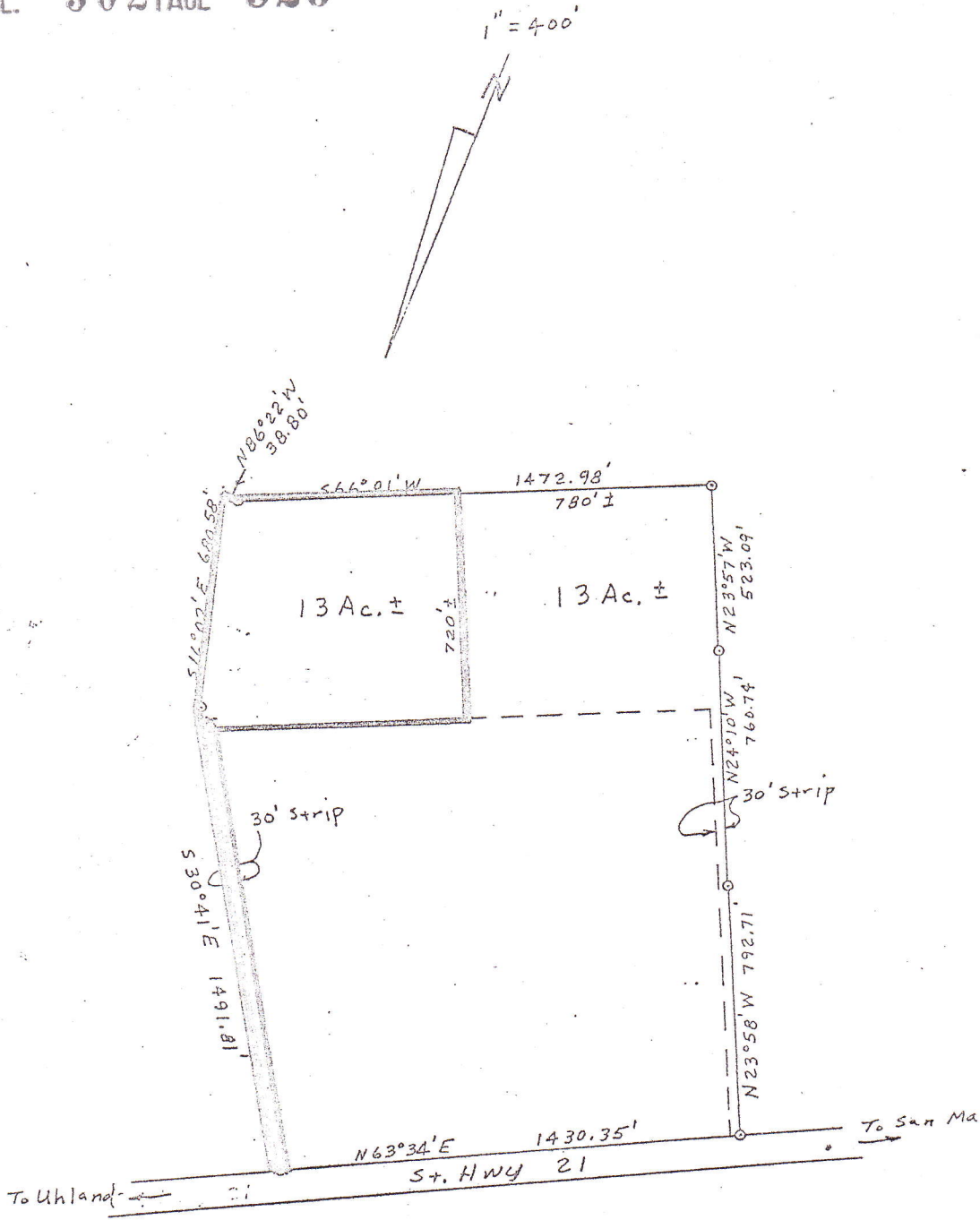
THENCE N66°01'E 789.24 feet to an iron rod set for a
re-entrant corner of this tract;

THENCE N30°41'W 1471.96 feet to an iron rod set under the
fence on the aforementioned southeast line of State
Highway Number 21 for the most northerly west corner
of this tract;

THENCE with the fence and the southeast line of the
highway N63°39'E 30.10 feet to the PLACE OF BEGINNING.
There are contained within these metes and bounds 13.022
acres of land, more or less, as surveyed on the ground
during November 1978 by James E. Byrn and Associates,
San Marcos, Texas.

Client: Sachtleben, Weldon
Date: November 11, 1978
Survey: Yates League, Thomas
County: Caldwell, Texas
Job No.: 252-3-b





Plot of 73.98 Acres

FIELD NOTE DESCRIPTION PREPARED FROM A SURVEY MADE ON
THE GROUND AND PUBLIC RECORDS OF 13.022 ACRES, MORE OR LESS,
OUT OF THE THOMAS YATES LEAGUE IN CALDWELL COUNTY, TEXAS,
BEING A PART OF THAT 73.98 ACRE TRACT OF LAND CONVEYED
BY PERRY STAPP TO WELDON SACTLEBEN BY DEED DATED
FEBRUARY 9, 1978 AND RECORDED IN VOLUME 393 PAGE 469 OF
THE CALDWELL COUNTY DEED RECORDS AND BEING MORE PARTICULARLY
DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

VOL. 502 PAGE 521

BEGINNING at a 60d nail found in a corner fence post for the most northern corner of this tract and the north corner of the Sachtleben tract and being on the southeast line of State Highway Number 21 as found fenced and used upon the ground as shown on that plat numbered 252-3-b prepared for W. Sachtleben by James E. Byrn and Associates of San Marcos, Texas;

THENCE leaving the highway with northeast line of this tract and the Sachtleben tract as found fenced and used upon the ground the following three calls:

1. S30°41'E 1490.67 feet to an iron rod found at an angle point in said fence,
2. S15°51'E 663.31 feet to an angle point in said fence,
3. S26°04'E 17.33 feet to an iron rod found at a fence corner for the east corner of this tract and the Sachtleben tract and on the north line of that 106.065 acre tract conveyed to Earl Calkins and Eddie Pape by Robert I. Langford;

THENCE with the common southeast line of this tract and the Sachtleben tract and the north line of the 106.065 acre tract as found fenced and used upon the ground the following two calls:

1. N86°18'W 38.75 to an iron rod found at a fence angle post,
2. S65°55'W 693.99 feet to an iron rod set under the fence for the south corner of this tract;

THENCE entering the Sachtleben tract with the southwest line of this tract N23°59'W 674.45 feet to an iron rod set for the most southerly west corner of this tract;

THENCE N66°01'E 789.24 feet to an iron rod set for a re-entrant corner of this tract;

THENCE N30°41'W 1471.96 feet to an iron rod set under the fence on the aforementioned southeast line of State Highway Number 21 for the most northerly west corner of this tract;

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2. S15°51'E 663.31 feet to an angle point in said fence,
3. S26°04'E 17.33 feet to an iron rod found at a fence corner for the east corner of this tract and the Sachtleben tract and on the north line of that 106.065 acre tract conveyed to Earl Calkins and Eddie Pape by Robert I. Langford;

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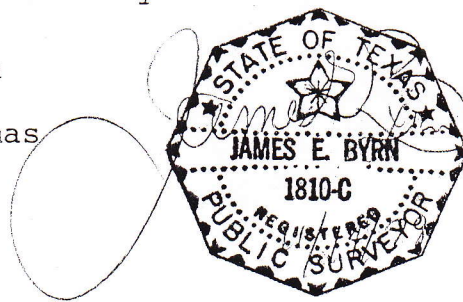
THENCE entering the Sachtleben tract with the southwest line of this tract N23°59'W 674.45 feet to an iron rod set for the most southerly west corner of this tract;

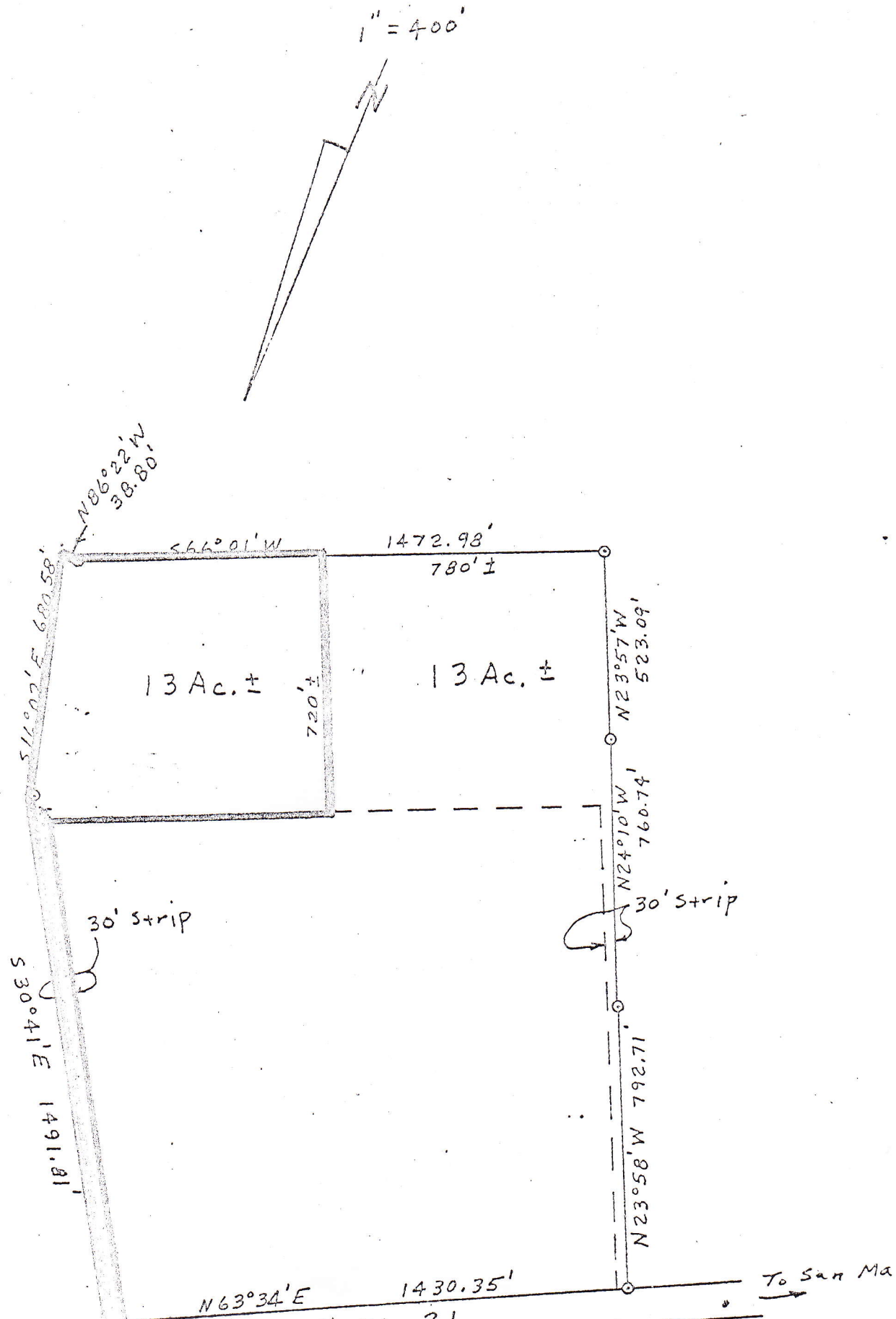
THENCE N66°01'E 789.24 feet to an iron rod set for a re-entrant corner of this tract;

THENCE N30°41'W 1471.96 feet to an iron rod set under the fence on the aforementioned southeast line of State Highway Number 21 for the most northerly west corner of this tract;

THENCE with the fence and the southeast line of the highway N63°39'E 30.10 feet to the PLACE OF BEGINNING. There are contained within these metes and bounds 13.022 acres of land, more or less, as surveyed on the ground during November 1978 by James E. Byrn and Associates, San Marcos, Texas.

Client: Sachtleben, Weldon
Date: November 11, 1978
Survey: Yates League, Thomas
County: Caldwell, Texas
Job No.: 252-3-b

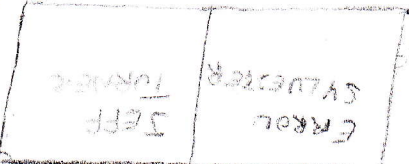






Plot of 73.98 Acres

18.022 A
JACK TURNER



N 26° 01' E 757.27'

N 15° 35' 11\"

TO
18.022 A
7.11.11
18.022 A

N 11° 41' W

S 31° 1' E

(N 12° 11' E 140.15')

N 66° E 757.27'

N 66° E 757.27'
M 110' 00" W

TO
MAYOR
CITY OF
CITY OF

(N 66° E 757.27')

N 66° 34' E 30.10' STATE HIGHWAY NO. 21

Any provisions herein which restricts the use, 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