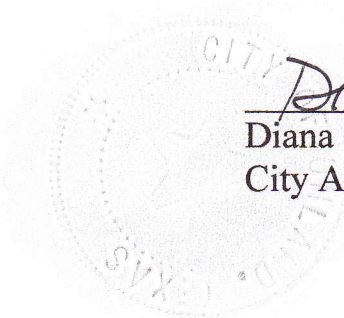


◇ CITY OF UHLAND ◇

**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. 72, 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. 72  
City of Umland  
County of Caldwell  
State of Texas  
July 11, 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 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. Heedman  
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.

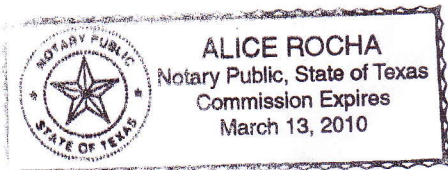
Errol D. Sylvester  
Name

July 5, 2007  
Date

Patricia K. Sylvester  
Name

7-5-2007  
Date

This instrument was sworn to, signed and acknowledged before me by ERROL D. SYLVESTER on this, the 5<sup>th</sup> day of JULY, 2007.



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

**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

VOL. 502 PAGE 530

VOL. 487 PAGE 124

071015

Recorded:

## WARRANTY DEED

Date: February 27, 2007

Grantor: Jack B. Turner

Grantor's Mailing Address: P. O. Box 5  
Kyle, Hays County, Texas 78640

Grantee: Errol D. and Patricia K. Sylvester

Grantee's Mailing Address: 101 Turners Trail  
Uhland, Caldwell County, Texas 78640

Consideration: One Hundred and 00/100 Dollars  
\$100.00

Property: All that certain tract or parcel of land situated in the Thomas Yates League, Abstract Number 313 in Caldwell County, Texas, and being a part of a 13.022 acre tract of land described in a deed of record in Volume 404, Page 277 of the Caldwell County Deed Records (C.C.D.R.) and is more particularly described as follows:

Beginning at a set 5/8" iron rod with cap marked "LEOS SURVEYING RPLS 3959" in the southeast line of a 1.00 acre tract of record in Volume 144, Page 676 of the Caldwell County Official Property Records (C.C.O.P.R.) and in a northwest line of said 13.022 acre tract for the west corner of this tract, from which a found 1/2" iron rod for the west corner of 13.022 acre tract bears S 66° 01' 00" W 302.45' and another found 1/2" iron rod for its interior corner bears N 66° 01' 00" E 486.36', THIS LINE, BETWEEN FOUND MARKS, WAS USED AS THE SOURCE OF BEARINGS FOR THIS SURVEY;

THENCE, S 15° 51' 00" E a distance of 180.00 feet to a set 5/8" iron rod with cap marked "LEOS SURVEYING RPLS 3959" for the south corner of this tract;

THENCE, N 66° 01' 52" E a distance of 244.36 feet to a found 1/2" iron rod for the south corner of a 1.00 acre tract described in a deed of record in Volume 448, Page 308

C.C.D.R. and for the east corner of this tract, from which another found 1/2" iron rod for the east corner of said 1.00 acre tract bears ( S 66°10' W 242.00') N 66° 01' 52" E 242.08;

THENCE, N 15° 52' 56" W with the southwest line of said 1.00 acre tract ( N 15°51' W 180.00") a distance of 180.05 feet to a found 1/2" iron rod for its west corner and the north corner of this tract in the southeast line of a 1.00 acre tract of record in Volume 53, Page 182 C.C.O.P.R. and in the said northwest line of said 13.022 acre tract;

THENCE, S 66°01' 00" W with the southeast line of said 1.00 ace tracts and the northwest line of said 13.022 acre tract a distance of 244.27 feet to the Place of Beginning and containing 1.00 acre of land.

This property is accompanied by a 30 ft. ingress – egress road easement, the centerline is described as follows: Beginning at a point N 62°13' 06" E 15.21 feet from a found 1/2" iron rod in the southeast line of State Highway 21 for the northwest corner of said 13.022 acre tract , and from which point another found 1/2' iron rod for he north corner of said 13.022 acre tract bears N 62°13' 06" E 15.21'; Thence S 30°40' 56" E 1473.72 feet to a point; Thence S 15° 52' 51" E 195.82 feet to a point; Thence S 66°01' 52" W 285.10 feet to the point of termination of said easement.

Reservations from and Exceptions to Conveyance and Warranty:

This deed is subject to all easements, restrictions, conditions, covenants, and other instruments of record.

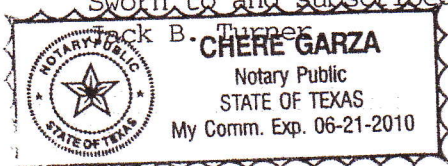
Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors 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 dame or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

*Jack B. Turner*

Jack B. Turner

State of Texas  
County of Hays

Sworn to and subscribed before me on the 26th day of February, 2007, by

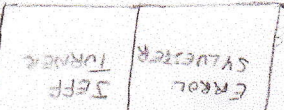


*Chere Garza*  
Notary Public



13.022 A

JACK TURNER



310.99 N 787.24'

N 23° 57' W 877'

DEED  
 TO  
 WILLIAM SACRILEGGIA  
 FEBRUARY 7, 1911  
 73 18 A  
 192 / 49

11.33'  
 S 44° 51' W  
 643.31'  
 S 15° 51' E  
 1000.72'  
 127.33'  
 S 30° 41' E  
 1000.72'  
 N 63° 39' E  
 30.10'  
 N 63° 39' E  
 30.10'

A. H. Bond Found  
 in corner  
 1000.72'

(N 63° 39' E 1420.55')

STATE HIGHWAY NO. 21

Recorded:

## WARRANTY DEED

Date: February 27, 2007

Grantor: Jack B. Turner

Grantor's Mailing Address: P. O. Box 5  
Kyle, Hays County, Texas 78640

Grantee: Errol D. and Patricia K. Sylvester

Grantee's Mailing Address: 101 Turners Trail  
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C.C.D.R. and for the east corner of this tract, from which another found 1/2" iron rod for the east corner of said 1.00 acre tract bears ( S 66°10' W 242.00' ) N 66° 01' 52" E 242.08;

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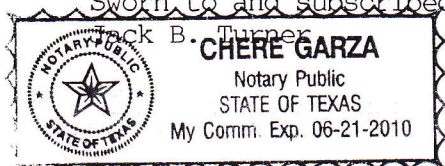
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*Jack B. Turner*

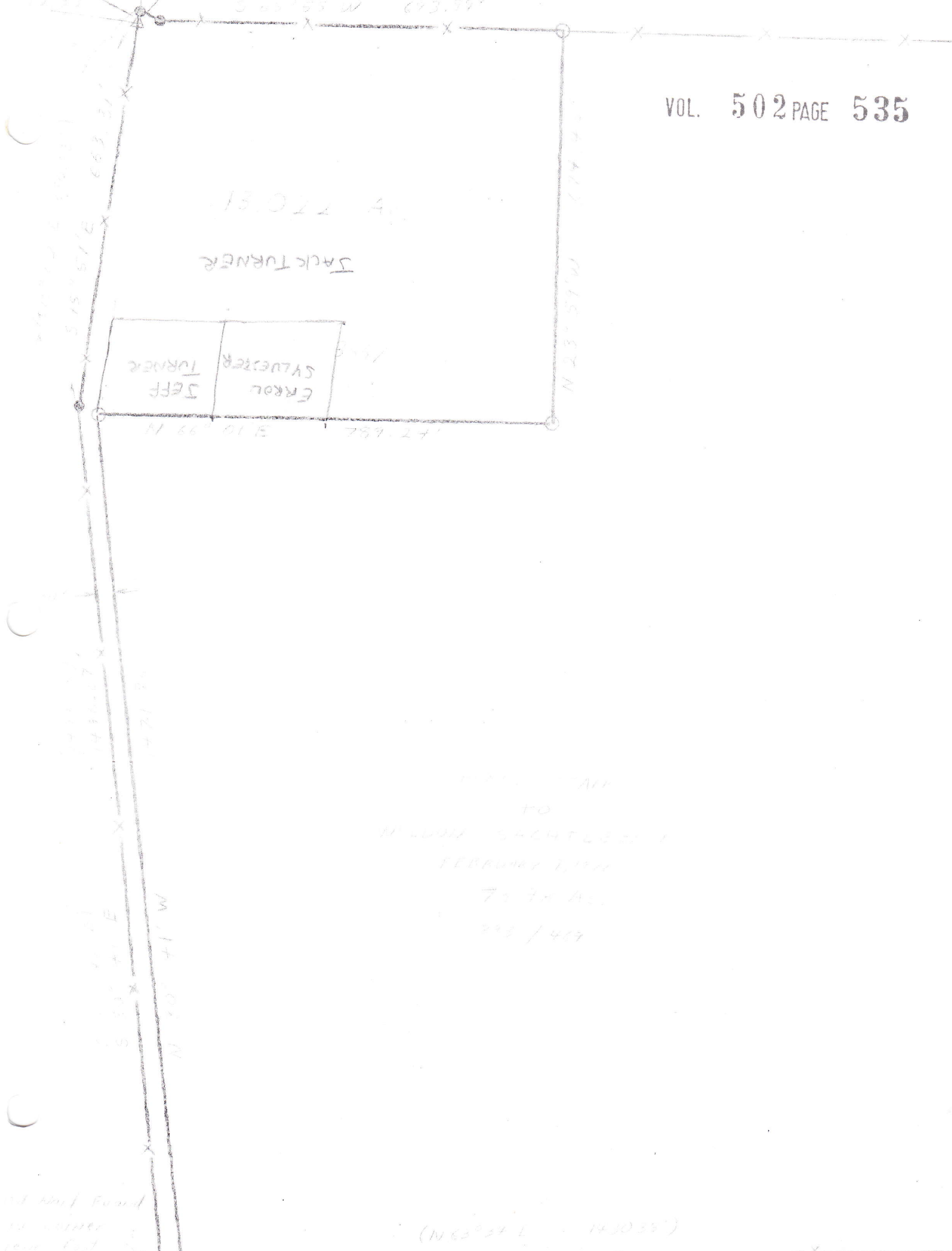
Jack B. Turner

State of Texas  
County of Hays

Sworn to and subscribed before me on the 26th day of February, 2007, by



*Chere Garza*  
Notary Public



13.022 A.  
JACK TURNER

JEFF TURNER  
ERROL SYVESTER

N 66° 01' E 797.27'

N 23° 59' W 114.41'

S 15° 51' E 663.31'

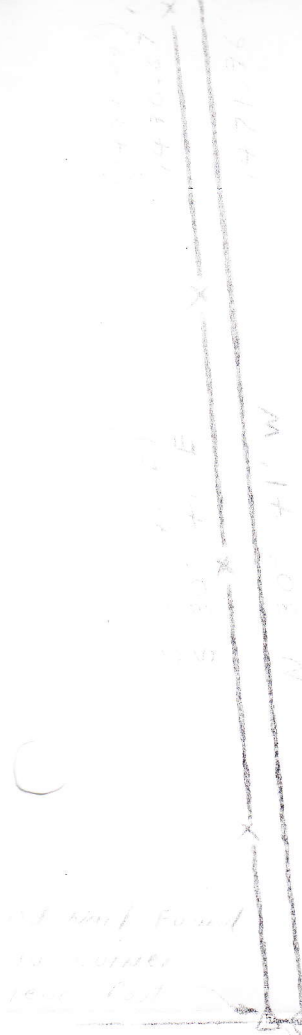
S 15° 51' E 1471.34'

S 15° 51' E  
N 10° 41' W

MAP MADE BY  
TO  
N. EDWIN SACHTLEBEN  
FEBRUARY 7, 1911  
727x AL.  
223 / 417

at Map Room  
to corner  
see last

(N 63° 34' E 1410.35')



TO  
 COUNTY CLERK  
 CALDWELL COUNTY  
 TEXAS  
 JUL 26 2007  
 1471.36

at this point  
 1471.36  
 1471.36

(N 65° 39' E - 1470.35')

N 65° 39' E 30.10' STALL HIGHWAY NO. 21

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 Edmonds Deputy

JUL 26 2007



Nina S. Sells  
 COUNTY CLERK  
 CALDWELL COUNTY, TEXAS