

Hays TX
Liz Q. Gonzalez
County Clerk
San Marcos, Texas 78666



70 2016 16011586

Instrument Number: 2016-16011586

Recorded On: April 14, 2016

As
OPR RECORDINGS

Parties: UHLAND CITY OF

To

Billable Pages: 8

Number of Pages: 9

Comment:

(Parties listed above are for Clerks reference only)

**** THIS IS NOT A BILL ****

OPR RECORDINGS	54.00
Total Recording:	54.00

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2016-16011586
Receipt Number: 426252
Recorded Date/Time: April 14, 2016 02:35:46P

Record and Return To:

DANIEL HEIDEMAN
ORIGINAL TO CUSTOMER
SAN MARCOS TX 78666

User / Station: B Rodriguez - Cashiering #4



State of Texas |
County of Hays

I hereby certify that this instrument was filed for record in my office on the date and time stamped hereon and was recorded on the volume and page of the named records of Hays County, Texas

Liz Q. Gonzalez
Liz Q. Gonzalez, County Clerk



ORDINANCE NO. 172

AN ORDINANCE FOR VOLUNTARY ANNEXATION OF LAND ADJACENT AND CONTIGUOUS TO THE CITY OF UHLAND, TEXAS FOR ALL PURPOSES. PROPOSED COTTON GIN ESTATE 223.942 ACRES TO BE VOLUNTARILY ANNEXED INTO THE CITY, WITH EXISTING 23.617 IN THE CITY LIMITS, TOTALING 247.559 ACRES. BEING MORE PARTICULARLY DESCRIBED BY MEETS AND BOUNDS AS FOLLOWS AS “EXHIBIT A”

WHEREAS, a petition has been presented to the Board of Aldermen of the City of Umland, Texas, asking for annexation of a tract of land adjacent and contiguous to the City Limits of the City of Umland, Texas’ and;

WHEREAS, no voters reside on said land; no person reside on said land and

WHEREAS, the petition was signed by all persons owning an interest in said land;

WHEREAS, two public hearings were held, 1st one on March 16, and 2nd April 6, 2016;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UHLAND, TEXAS:

Section 1. That the tract of land described in said petition which is attached as “Exhibit A”, and which is hereby incorporated by reference, shall be and it is hereby, annexed to the City of Umland, Texas, for all purposes.

Section 2. That the City Council finds that all prerequisites have been satisfied, and that no legal impediment exists to prevent said annexation.

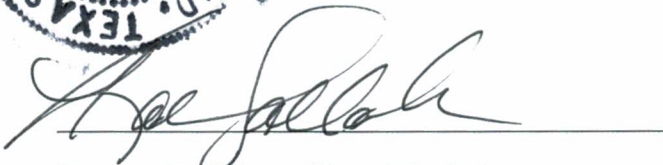
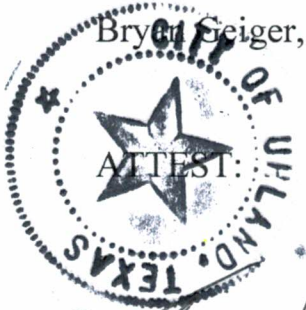
Section 3. That the legal description of all annexed property shall be filed with this Ordinance, as a part hereof, and that the map of the City limits shall be amended to show the property annexed as a part of the City.

PASSED AND APPROVED THIS 7TH DAY OF APRIL, 2016

Ayes 4 Nays 0 Abstain 0



Bryon Feiger, Mayor



Karen Gallaher, City Administrator

EXHIBIT "D"

PETITION FOR ANNEXATION

STATE OF TEXAS §
 §
COUNTY OF HAYS §

**REQUEST AND PETITION TO THE CITY COUNCIL
OF THE CITY OF UHLAND FOR ANNEXATION**

WHEREAS, the undersigned is the owner of a certain tract of land located within Hays County, Texas, such property being more particularly described hereinafter by true and correct legal description (referred to herein as the "Subject Property");

WHEREAS, the undersigned has sought the annexation of the Subject Property by the City of Umland, Texas, (the "City") in order to obtain the benefits of City services to the Subject Property by the City;

WHEREAS, the Subject Property is contiguous and adjacent to the corporate limits of the City; and,

WHEREAS, the undersigned agrees and consents to the annexation of the Subject Property by the City in accordance with the terms hereof and further agrees to be bound upon annexation by all lawful acts, ordinances, and all other legal action now in force and effect within the corporate limits of the City and all those which may be hereafter adopted, subject to that certain Development Agreement between the undersigned and the City;

NOW THEREFORE, the undersigned by this Petition and Request:

SECTION ONE: Requests the City Council of the City to commence annexation proceedings and to annex into the corporate limits of the City of Umland, Texas, the Subject Property being described as follows:

All that certain 273.994 acre tract or parcel of land, more or less, situated in Hays County, Texas, being more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes, to the extent not already a part of the City of Umland.

SECTION TWO: Requests that after annexation the City provide such services as are legally permissible and provided by the City, including general governmental services.

SECTION THREE: Acknowledges and represents having received, read and understood the "draft" Service Plan (proposed to be applicable to and adopted for the subject property) that such "draft" Service Plan is wholly adequate and acceptable to the undersigned who hereby requests the City Council to proceed with the annexation, the preparation of a final

Service Plan, and the that it has authorized the zoning of the subject property to a PD –Planned Development District classification and to publish notice and hold the requisite public hearings thereon, in accordance with the applicable laws of the State of Texas.

SECTION FOUR: Acknowledges that the undersigned understands and agrees that all City services to the Subject Property will be provided by the City on the same terms and conditions as provided to other areas of the City and as provided in the Service Plan.

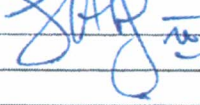
SECTION FIVE: Agrees that a copy of this Petition and Request may be filed of record in the offices of the City of Umland and in the real property records of Hays County, Texas, and shall be notice to and binding upon all persons or entities now or hereafter having any interest in the Subject Property, but subject to the right of the undersigned to withdraw this Petition and Request in the event that (i) the final Service Plan is materially different from the attached draft Service Plan, or (ii) in the event it is determined that the requested PD –Planned Development District zoning classification is not likely to be granted, or (iii) it is determined that the portion of Cotton Gin Road adjacent to the Subject Property is not within the corporate limits of the City, or is not to be simultaneously annexed into the City, or otherwise not within the City’s control for the purposes of driveway permitting .

FILED, this 6th day of March 2016 with the City of Umland, Hays County, Texas.

Petitioner:

BCG UHLAND, LP,
a Texas limited liability company

BCG Umland GP, LLC,
a Texas limited liability company.
its General Partner

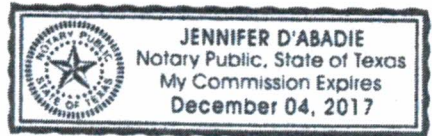
By: 
Name: _____
Title: _____
Date: _____, 20____

THE STATE OF TEXAS §
 §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared George Kromantzi III, authorized representative of the Petitioner herein, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 6th day of March, 2016.

Janet D'Abadie
Notary Public-State of Texas



COTTON GIN ESTATES ACREAGE EXHIBIT

**BCG UHLAND LP.
VOL. 5395 PG. 36
26.385 ACRES
TO BE ANNEXED**

DANNY R. WILSON
BEATE S. M. WILSON
(34,893 AC.)
VOL. 1831 PG. 497

HEDWIG NICKEL
PROBATE 9215
(50 AC.) VOL. 154 PG. 551

EXISTING CITY LIMITS

**223.942 ACRES TO
BE ANNEXED
BCG UHLAND LP.
247.559 AC.
VOL. 5395 PG. 36**

ALBERT BUSSE, JR.
(101 AC.) VOL. 214 PG. 285

SAMUEL KIMBERLIN, JR.
(78.85 AC.) VOL. 833 PG. 847

DEBORAH SIEMERING FETICH
(125.57 AC.) VOL. 2678 PG. 151

C.R. 156 PLUM CREEK
ROAD (R.O.W VARIES)

C.R. 129 COTTON GIN ROAD (R.O.W VARIES)

HAYS COUNTY
(100 AC.) PROBATE 98

SCALE 1" = 200'



Carlson, Brigance & Doering, Inc.

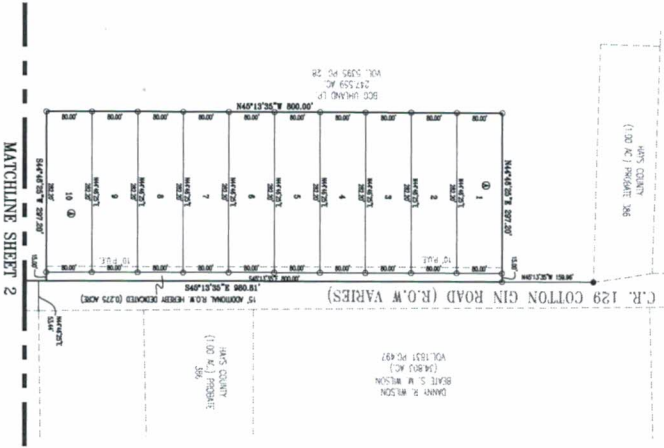
Professional Surveyors
1501 West 10th Street
Lawton, Oklahoma 73505
Phone: (581) 228-1111
Fax: (581) 228-1112

PA7H-2-14807 SURVEY/ANNEXATION ACREAGE EXHIBIT.dwg

COTTON GIN ESTATES PHASE 1A



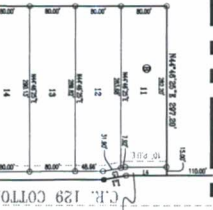
- NOTES:
1. ACCORDING TO THE CURRENT FLOOD INSURANCE RATE MAP DATED JUNE 18, 2013, THIS PROJECT IS LOCATED WITHIN THE UNDESIGNATED FLOOD HAZARD ZONE.
 2. NO LOT SHALL BE OCCUPIED UNLESS CONNECTED TO COUNTRY LANE WASTE WATER SYSTEM.
 3. ALL UTILITIES SHALL BE DEEPENED TO A MINIMUM OF 48" BELOW FINISHED GRADE.
 4. COUNTRY LANE EXISTING UTILITIES SHALL BE PROTECTED BY THE SUBDIVISION AGREEMENT FOR THE PROJECT.
 5. NO LOT IS TO BE OCCUPIED UNLESS THE NECESSARY UTILITIES, COUNTRY LANE WASTE AND ELECTRICITY AND DRAINAGE ARE BEEN PROVIDED AND CONSTRUCTION IS COMPLETED AND APPROVED.



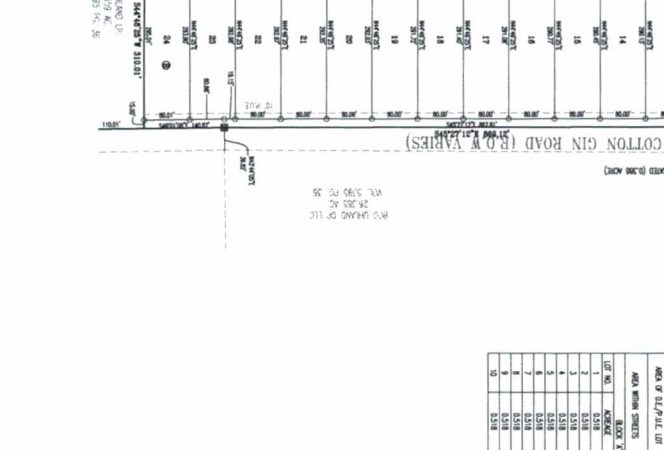
DATE: FEBRUARY 3, 2016
 ACRES: 13.324 ACRES
 SUBJECT: JOHN STEWART SURVEY, ABSTRACT 14,
 HAYS COUNTY, TEXAS
 SCALE: 1" = 100'
 LEGEND:
 CONCRETE MONUMENT FOUND
 CAPPED IRON ROD SET
 SURVEY MARKER
 LOT NUMBER
 PUBLIC UTILITY EASEMENT
 DRAINAGE EASEMENT
 100 YEAR FLOOD PLAIN

A SUBDIVISION OF 13.324 ACRES BEING
 COTTON GIN ESTATES, PHASE 1A, IN THE
 JOHN STEWART SURVEY, ABSTRACT 14,
 HAYS COUNTY, TEXAS
SHEET NO. 1 OF 3
 Carlson, Brigrance & Dearing, Inc.
 1100 West William Cannon Drive
 Austin, Texas 78748
 Path--4-14807\SURVEY\PLAT PH. 1A.dwg

COTTON GIN ESTATES PHASE 1A



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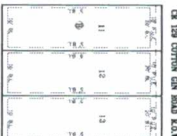
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 LOT NUMBER
 PUBLIC UTILITY EASEMENT
 DRAINAGE EASEMENT
 100 YEAR FLOOD PLAIN

A SUBDIVISION OF 13.324 ACRES BEING
 COTTON GIN ESTATES, SECTION 1A, IN THE
 JOHN STEWART SURVEY, ABSTRACT 14,
 HAYS COUNTY, TEXAS
SHEET NO. 2 OF 3
 Carlson, Brigrance & Dearing, Inc.
 1100 West William Cannon Drive
 Austin, Texas 78748
 Path--4-14807\SURVEY\PLAT PH. 1A.dwg

AREA TABLE

AREA	ACRES	AREA	ACRES
AREA WITHIN SUBDIVISION	13.324 ACRES		
AREA OF SINGLE FAMILY LOTS	12.680 ACRES		
AREA OF 1/2 P/LT./P/MENT	0.000 ACRES		
AREA OF 1/4 P/LT./P/MENT	0.000 ACRES		
AREA OF 1/8 P/LT./P/MENT	0.000 ACRES		
AREA OF COMMONS	0.000 ACRES		
AREA OF ACCESS	0.000 ACRES		
AREA OF 1/2 P/LT./LT	0.000 ACRES		
AREA WITHIN SECTORS	0.000 ACRES		

LOT SIZE	NO.
< 1 ACRE	24
1-2 ACRE	0
2-3 ACRE	X
3-4 ACRE	X
4-5 ACRE	X
> 10 ACRE	X



COTTON GIN ESTATES PHASE 1A

STATE OF TEXAS }
COUNTY OF HAYS }

BCG UHLAND LP., BEING THE OWNER OF 247.559 ACRES OF LAND OUT OF THE JOHN STEWART SURVEY, ABSTRACT NUMBER 14 SITUATED IN HAYS COUNTY, TEXAS AS CONVEYED BY DEED RECORDED IN VOLUME 5395, PAGE 36 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, DO HEREBY SUBDIVIDE 13.324 ACRES OF LAND, TO BE KNOWN AS:

"COTTON GIN ESTATES PHASE 1A"

IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED, AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS, AND PUBLIC PLACES SHOWN ON THIS PLAT.

GEORGE H. KRONENBERG, III
BCG UHLAND LP.
5000 PLAZA ON THE LAKE, STE.125
AUSTIN, TEXAS 78746

STATE OF TEXAS }
COUNTY OF HAYS }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON _____ BY GEORGE H. KRONENBERG, III, ON BEHALF OF SAID COMPANY.

NOTARY PUBLIC, STATE OF TEXAS

CITY OF UHLAND }
CERTIFICATE OF APPROVAL }

ON THE _____ DAY OF _____, THIS PLAT WAS DULY APPROVED BY THE CITY COUNCIL OF THE CITY OF UHLAND, TEXAS.

BY: _____
CHAIRMAN

ATTEST: _____
CITY SECRETARY

STATE OF TEXAS }
COUNTY OF HAYS }

I, LIZ Q. GONZALES, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 20____, A.D., AND DULY RECORDED ON THE _____

DAY OF _____, 20____, A.D., AT _____ O'CLOCK ____M., IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS IN BOOK _____ PAGE(S) _____ AND DOCUMENT NUMBER _____

WITNESS MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 20____, A.D.

LIZ Q. GONZALES
COUNTY CLERK
HAYS COUNTY, TEXAS

STATE OF TEXAS }
COUNTY OF TRAVIS }

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT.

DO HEREBY CERTIFY THAT A PORTION OF THIS PROPERTY IS LOCATED WITHIN A DESIGNATED 100-YEAR FLOOD ZONE AREA, AS DELINEATED ON THE FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANELS 48055C 0100C, DATED JUNE 19, 2012, AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. ADDITIONALLY, STORMWATER RUNOFF FROM THE 100 YEAR STORM EVENT SHALL BE CONTAINED WITHIN THE DRAINAGE FACILITIES TO BE LOCATED WITHIN THE RIGHTS-OF-WAY, AND /OR OPEN SPACE AND DRAINAGE EASEMENT LOTS.

CHARLES R. BRIGANCE, Jr., P.E. No. 64346
CARLSON, BRIGANCE & DOERING, INC.
5501 WEST WILLIAM CANNON
AUSTIN, TEXAS 78749
(512) 280-5160

DATE



CARLSON, BRIGANCE & DOERING, INC.
REG. F3791

STATE OF TEXAS }
COUNTY OF TRAVIS }

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE AND IS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND AND THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION.

SURVEYED BY:

AARON V. THOMASON, R.P.L.S. #6214
CARLSON, BRIGANCE & DOERING, INC.
5501 WEST WILLIAM CANNON
AUSTIN, TEXAS 78749
aaron@cbdog.com

DATE



A SUBDIVISION OF 13.324 ACRES BEING
COTTON GIN ESTATES, SECTION 1A, IN THE
JOHN STEWART SURVEY, ABSTRACT 14,
HAYS COUNTY, TEXAS

SHEET NO. 3 OF 3



PATH-J:\4807\SURVEY\PLAT PH. 1A.dwg