



**ORDINANCE NO. 227**

**ETJ EXPANSION ORDINANCE**

**AN ORDINANCE OF THE CITY OF UHLAND TEXAS, EXPANDING THE CITY'S EXTRATERRITORIAL JURISDICTION (ETJ) SO AS TO INCLUDE ADJACENT AND CONTIGUOUS TERRITORY UPON THE VOLUNTARY ANNEXATION PETITION OF THE PROPERTY OWNER, INCLUDING THE FOLLOWING: BEING 4.65 ACRES OF LAND, MORE OR LESS, OUT OF THE LEWIS L. JOSEPH SURVEY, ABSTRACT NO. 164, SITUATED IN CALDWELL COUNTY, TEXAS, BEING A PORTION OF THAT 148.88 ACRE TRACT OF LAND CONVEYED TO DOUGLAS A. BENDER, TRUSTEE OF THE TIFFANY COLEMAN TRUST UNDER TRUST AGREEMENT DATED OCTOBER 11, 2006 BY DOCUMENT NO. 06033332, RECORDED IN VOLUME 3043, PAGE 609, OFFICIAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS (O.P.R.C.C.TX.), SAID 4.65 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOW, SEE "EXHIBIT A".**

**WHEREAS**, Chapter 42 of the Texas Local Government Code authorizes municipalities to expand their ETJs upon request of the property owner if that territory is adjacent and contiguous to the present ETJs; and

**WHEREAS**, the property owner requested that the City of Uhland include within the City's ETJ, the territory that is more particularly described by **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 Uhland City Council determined that the Territory and the petitioner satisfy all requirements for inclusion with the City's ETJ and that granting the petition is in the public interest of the citizens of the area and Uhland.

**NOW THEREFORE, BE IN ORDAINED BY THE CITY COUNCIL OF THE CITY OF UHLAND:**

**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 Uhland and are hereby approved and incorporated into the body of this as if copied in their entirety.

**2. INCLUSION OF AREA IN ETJ**

A. The petition attached hereto as Exhibit "A" is hereby approved and granted.

- B. The ETJ of Uhland is hereby expanded so as to include the Territory. The Territory 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 Territory 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 Territory 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 Territory.
- E. The owners and inhabitants of the Territory 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 County Clerk of Caldwell County, Texas, and other appropriate entities.
- C. The City Engineer is hereby instructed to have maps depicting the new municipal boundaries of the City prepared

### **4. EFFECTIVE DATE**

This Ordinance is effective and the expansion of the ETJ achieved herein shall be final and complete upon the adoption of the 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 the City of Uhland shall not be construed in any way to affect any other ETJ expansion by the City.

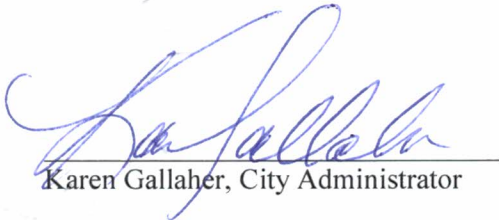
**6. PROPER NOTICE AND MEETING**

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 22<sup>nd</sup> day of May 2019, by a vote of 5 Ayes, 0 Nays and 0 Abstentions of the City Council.

  
\_\_\_\_\_  
Vicki Hunter, Mayor Pro-Tem

ATTEST:

  
\_\_\_\_\_  
Karen Gallaher, City Administrator

**Exhibit "A"**  
**The Territory**

**Exhibit "A"**  
**The Territory**





# EXHIBIT "A"

SPOT ON SURVEYING, INC.

4.65 ACRES - METES AND BOUNDS DESCRIPTION

## Land Surveying & Mapping

BEING 4.65 ACRES OF LAND, MORE OR LESS, OUT OF THE LEWIS L. JOSEPH SURVEY, ABSTRACT NO. 164, SITUATED IN CALDWELL COUNTY, TEXAS, BEING A PORTION OF THAT 148.88 ACRE TRACT OF LAND CONVEYED TO DOUGLAS A. BENDER, TRUSTEE OF THE TIFFANY COLEMAN TRUST UNDER TRUST AGREEMENT DATED OCTOBER 11, 2006 BY DOCUMENT NO. 06033332, RECORDED IN VOLUME 3043, PAGE 609, OFFICIAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS (O.P.R.C.C.TX.), SAID 4.65 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;


COMMENCING at a set iron rod with cap stamped "SPOT ON SURVEYING", being set as a point in the Southeasterly Right of Way line of State Highway 21, (A.K.A. Camino Real) 100 foot wide, and for the most Northerly corner of said 148.88 acre tract of land;

THENCE S 34° 31' 55" W, 182.08 feet with the common Southeasterly Right of Way limits and Northwesterly limits of said 148.88 acre tract to the calculated TRUE POINT OF BEGINNING hereof;

THENCE S 34° 31' 55" W, 695.82 feet continuing with said common line to a point of intersection with a curve, said curve being concave Southwesterly having a radius of 2640 feet, and being the existing City of Uhland ETJ limits, said City ETJ limits being established 1/2 mile or (2640 feet) from the existing City limits of Uhland, said City limits being established at the intersection of the center of Brushy Creek and said Southeasterly Right of Way line of S.H. 21;

THENCE leaving said common line through the interior of said 148.88 acre tract the following five (5) courses;

1. Southeasterly with said City of Uhland ETJ limits along said curve to the right through a central angle of 15°00'22" an arc length of 691.43 feet to a calculated point, having a chord bearing and distance of S 47° 57' 27" E, 689.46 feet to said point;
2. N 10° 53' 02" W, 532.94 feet to the beginning of a curve concave Southeasterly having a radius of 15.00 feet;
3. Northeasterly with said curve to the right through a central angle of 59° 37' 42" an arc length of 15.61 feet to the point of reverse curve, said curve being concave Westerly having a radius of 60 feet, having a chord bearing and distance of N 18° 55' 49" E, 14.92 feet;
4. Northerly with said curve to the left through a central angle of 136° 29' 43" an arc length of 142.94 feet to the end of said curve, have a chord bearing and distance of N 19° 30' 12" W, 111.46 feet to said point;
5. N 2° 14' 56" E, 392.72 feet to the Point of Beginning hereof, containing a calculated area of 202,385.93 sq. ft., 4.65 acres, said field notes being described in accordance with a survey made on the ground by me or under my direction and Exhibit "B" Survey Sketch attached hereto and made a part hereof. All bearings shown are based on NAD 83 Texas State Plane Coordinate System, South Central Zone. All distances shown are surface or ground distances.

  
 Scott A. Hahn, RPLS 6375  
 Spot On Surveying, Inc.  
 614 Jerrys Lane, Buda, TX. 78610  
 TBPLS Firm# 10193894  
 SOS J/N: 0016-18-013

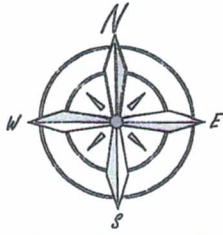


January 06, 2019

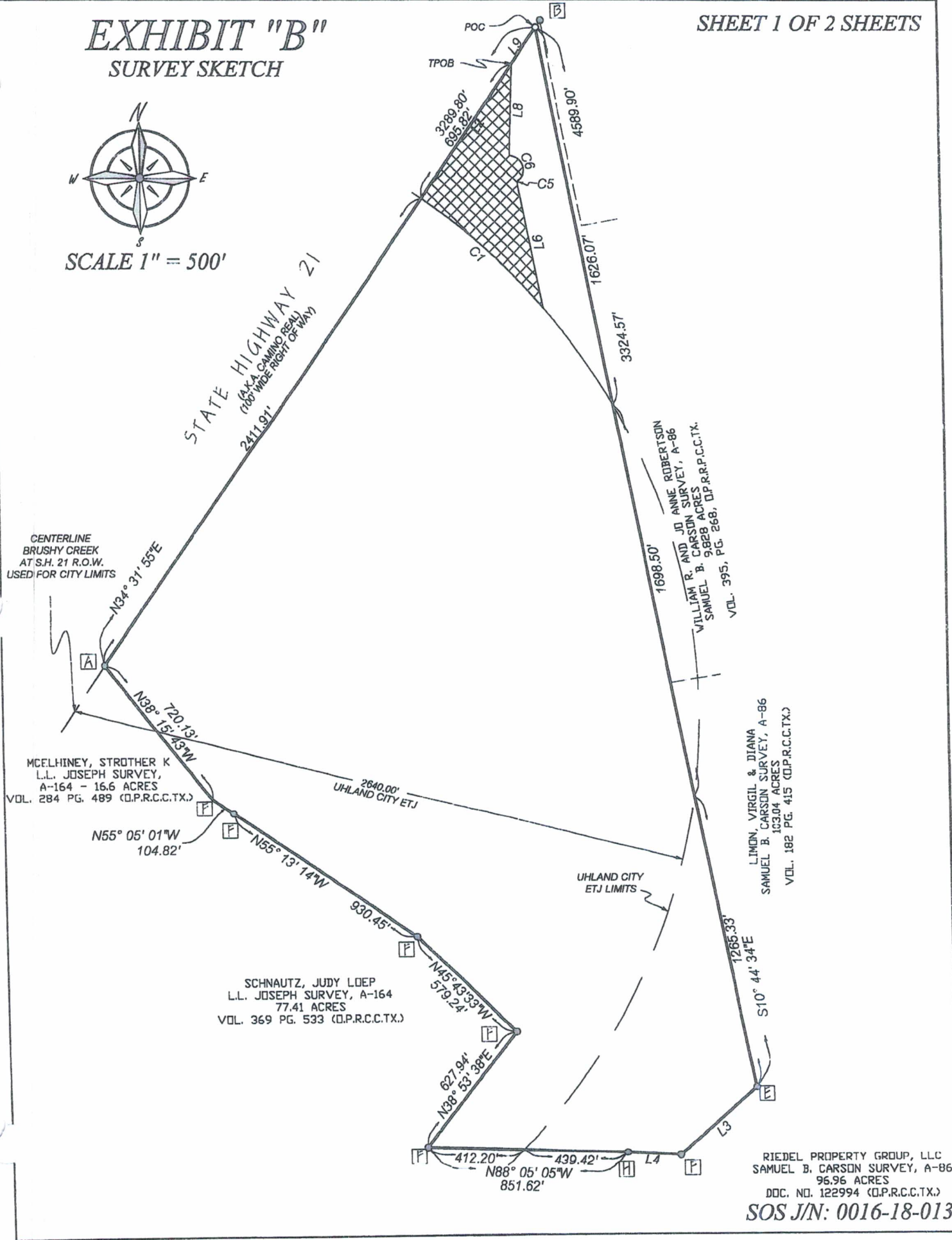
\_\_\_\_\_  
Date

# EXHIBIT "B"

## SURVEY SKETCH



SCALE 1" = 500'





# EXHIBIT "B"

BEING 148.96 ACRES OF LAND, OUT OF THE LEWIS L. JOSEPH SURVEY, ABSTRACT NO. 164, SITUATED IN CALDWELL COUNTY, TEXAS BEING THE SAME 148.88 ACRE TRACT OF LAND CONVEYED TO DOUGLAS A. BENDER, TRUSTEE OF THE TIFFANY COLEMAN TRUST UNDER TRUST AGREEMENT DATED OCTOBER 11, 2006 BY DOCUMENT NO. 06033332, RECORDED IN VOLUME 3043, PAGE 609, OFFICIAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS (O.P.R.C.C.TX.)

**AREA LEGEND:**



= 4.65 ACRES OF LAND CURRENTLY IN THE CITY OF NEIDERWALD ETJ TO BE ANNEXED TO THE CITY OF UHLAND ETJ

**CURVE TABLE**

C #	DELTA	RADIUS	ARC	CHD BRG	CHORD
C1	15°00'22"	2640.00'	691.43'	S47°57'27"E	689.46'
C5	59°37'42"	15.00'	15.61'	N18°55'49"E	14.92'
C6	136°29'43"	60.00'	142.94'	N19°30'12"W	111.46'

**LINE TABLE**

L #	BEARING	LENGTH
L2	S34°31'55"W	695.82'
L3	S48°35'06"W	439.02'
L4	N86°56'04"W	223.78'
L6	N10°53'02"W	532.94'
L8	N2°14'56"E	392.72'
L9	S34°31'55"W	182.08'

**LEGEND:**

- OPRCCTX = OFFICIAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- POR = POINT OF REFERENCE
- TPOB = TRUE POINT OF BEGINNING

**MONUMENT LEGEND:**

- FOUND MONUMENT AS DESCRIBED.
- FOUND CONCRETE ROAD DEPARTMENT MONUMENT.
- ⊕ SITE BENCHMARK, FOUND 3" ALUMINUM DISK STAMPED "LCRA CS-26".
- SET 5/8" IRON ROD WITH CAP STAMPED "SPOT ON SURVEYING".
- A FOUND IRON ROD WITH CAP STAMPED "RDS RPLS 4094".
- B FOUND IRON ROD WITH CAP ILLEGIBLE.
- C FOUND CONCRETE TxDOT MONUMENT.
- D FOUND IRON ROD WITH CAP STAMPED "4160".
- E FOUND 1/2" IRON ROD.
- F FOUND 60D NAIL IN FENCE POST.
- G FOUND IRON ROD WITH CAP STAMPED "PRO-TECH ENG".
- H FOUND FENCE POST.

**BASIS OF BEARINGS:**

THE BASIS OF BEARINGS OF THIS SURVEY SHOWN HEREON, IS THE TEXAS COORDINATE SYSTEM NAD83, TEXAS SOUTH CENTRAL ZONE, UTILIZING STATIC OBSERVATIONS AND CORRECTIONS PERFORMED BY THE NGS-OPUS WEBSITE.

**SURVEYOR'S CERTIFICATION:**

I, SCOTT A. HAHN, AM REGISTERED IN THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF LAND SURVEYING, AND DO HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION AND THAT THE MONUMENTS WERE PROPERLY LOCATED UNDER MY SUPERVISION.  
FIELDWORK COMPLETED DECEMBER 2018

*[Handwritten Signature]*

JAN 06, 2019  
DATE

SCOTT A. HAHN  
TEXAS REGISTRATION NO. 6375  
SPOT ON SURVEYING, INC.  
614 JERRYS LN., BUDA, TX. 78610  
TBPLS FIRM NO.: 10193894



WWW.SPOTONSURVEYING.COM

