



City of Uhland
512-398-7399

APR 25 2019

15 N. Old Spanish Trail
Uhland, TX 78640

2019-001872
04/23/2019 09:13:29 AM
Teresa Rodriguez - County Clerk - Caldwell County, TX
ORD Fee: 50.00
Total Pages: 8

ORDINANCE NO. 224

RELEASE OF ETJ ORDINANCE

AN ORDINANCE OF THE CITY OF UHLAND, TEXAS, AUTHORIZING THE RELEASE OF A PORTION OF THE CITY'S EXTRATERRITORIAL JURISDICTION ("ETJ"). AMENDING/CORRECTING ORDINANCE NO. 214

BEING 2.94 ACRES OF LAND, MORE OR LESS, OUT OF THE SAMUEL B. CARLSON, ABSTRACT NO. 086, SITUATED IN CALDWELL COUNTY, TEXAS. BEING A PORTION OF THAT 9.828 ACRES CONVEYED TO WILLIAM R AND JO ANNE ROBERTSON ON SEPTEMBER 20, 2004 IN VOLUME 395, PAGE 268, OFFICIAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS (O.P.R.C.C.TX), SAID 2.94 ACRES BEING MORE PARTICULARLY DESCRIBED BY METER AND BOUNDS. SEE ATTACHMENT "A"

PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING.

WHEREAS, the property owner, Tiffany Trust, a Texas Trust, has requested that the City of Uhland release from within the City's ETJ, approximately 2.94 acres of land, more or less, which land is more particularly described by metes and bounds on **Exhibit "A"** (hereafter referred to as the "Territory"); and

WHEREAS, the City Council of the City of Uhland desires to release the Territory from the City's ETJ.

NOW THEREFORE, be it 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 Ordinance as if copied in their entirety.

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2. RELEASE AND EXCLUSION OF AREA FROM ETJ

- A. THAT the City Council of the City of Uhland hereby approves the release of the Territory from its ETJ.
- B. THAT any portion of Uhland's ETJ that becomes non-contiguous to the corporate boundaries or ETJ of the City of Uhland as a result of this release of ETJ pursuant to this Ordinance shall be deemed to have been hereby released by the City of Uhland.
- C. THAT the official map and boundaries of the City are hereby amended and revised so as to exclude the Territory.

3. FILING & DISPLAY

- A. THAT the City Secretary is hereby instructed to include this Ordinance in the records of the City.
- B. THAT 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. THAT 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 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 17th day of April, 2018,

by a vote of 4 ayes, 0 nays, and 0 abstentions of the City Council.

THE CITY OF UHLAND, TEXAS

Vicki Hunter
Vicki Hunter, Mayor Pro-Tem

ATTEST:

Karen Gallaher
Karen Gallaher
City Administrator

11



Exhibit "A"
THE TERRITORY



SPOT ON SURVEYING, INC.

EXHIBIT "A"

Land Surveying & Mapping

2.94 ACRES - METES AND BOUNDS DESCRIPTION

BEING 2.94 ACRES OF LAND, MORE OR LESS, OUT OF THE SAMUEL B. CARSON SURVEY, ABSTRACT NO. 086, SITUATED IN CALDWELL COUNTY, TEXAS, BEING A PORTION OF THAT 9.828 ACRES CONVEYED TO WILLIAM R. AND JO ANNE ROBERTSON ON SEPTEMBER 20, 2004 IN VOLUME 395, PAGE 268, OFFICIAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS (O.P.R.C.C.TX.), SAID 2.94 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

COMMENCING at a found iron rod with cap, illegible, being accepted 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 Northeasterly corner of said 9.828 acre tract of land;

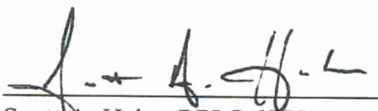
THENCE S 34° 31' 55" W, 34.80 feet with the common Southeasterly Right of Way limits and Northwesterly limits of said 9.828 acre tract to the calculated Northwest corner of said 9.828 acre tract;

THENCE S 10° 44' 34" E, 1626.07 feet leaving said Right of Way with the Westerly limits of said 9.828 acre tract 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 Umland ETJ limits, for the TRUE POINT OF BEGINNING hereof, said City ETJ limits being established 1/2 mile or (2640 feet) from the existing City limits of Umland, 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 Westerly limits through the interior of said 9.828 acre tract Southeasterly with said City of Umland ETJ limits along said curve to the right through a central angle of 26°43'07" an arc length of 1231.11 feet to a point of intersection with the Southerly limits of said 9.828 acre tract, having a chord bearing and distance of S 16° 08' 54" E, 1219.99 feet to said point;

THENCE leaving said curve with the Southerly and Westerly limits of said 9.828 acre tract the following two (2) courses;

1. S 80° 19' 58" W, 114.95 feet;
2. N 10° 44' 34" W, 1212.40 feet to the Point of Beginning hereof, containing a calculated area of 127,930.96 sq. ft., 2.94 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
 (512)523-8092
 TBPLS Firm# 10193894
 SOS J/N: 0016-18-013

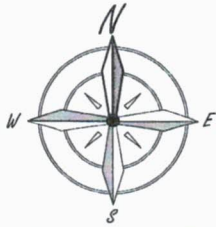


January 06, 2019

Date

EXHIBIT "B"

SURVEY SKETCH



SCALE 1" = 500'

STATE HIGHWAY 21
(100' WIDE RIGHT OF WAY)
(100' WIDE RIGHT OF WAY)
2411.91'

CENTERLINE
BRUSHY CREEK
AT S.H. 21 R.O.W.
USED FOR CITY LIMITS

DOUGLAS A. BENDER, TRUSTEE OF THE TIFFANY COLEMAN TRUST
RIEDEL PROPERTY GROUP, LLC
LEWIS L. JOSEPH SURVEY, A164, 148.88 ACRES
DOC. NO. 06033332, VOL. 3043, PG. 609, (D.P.R.C.C.TX.)

MCELHINEY, STROTHER K
JOSEPH SURVEY,
160 ACRES
VOL. 284 PG. 489 (D.P.R.C.C.TX.)

2640.00'
UHLAND CITY ETJ

N55° 05' 01"W
104.82'

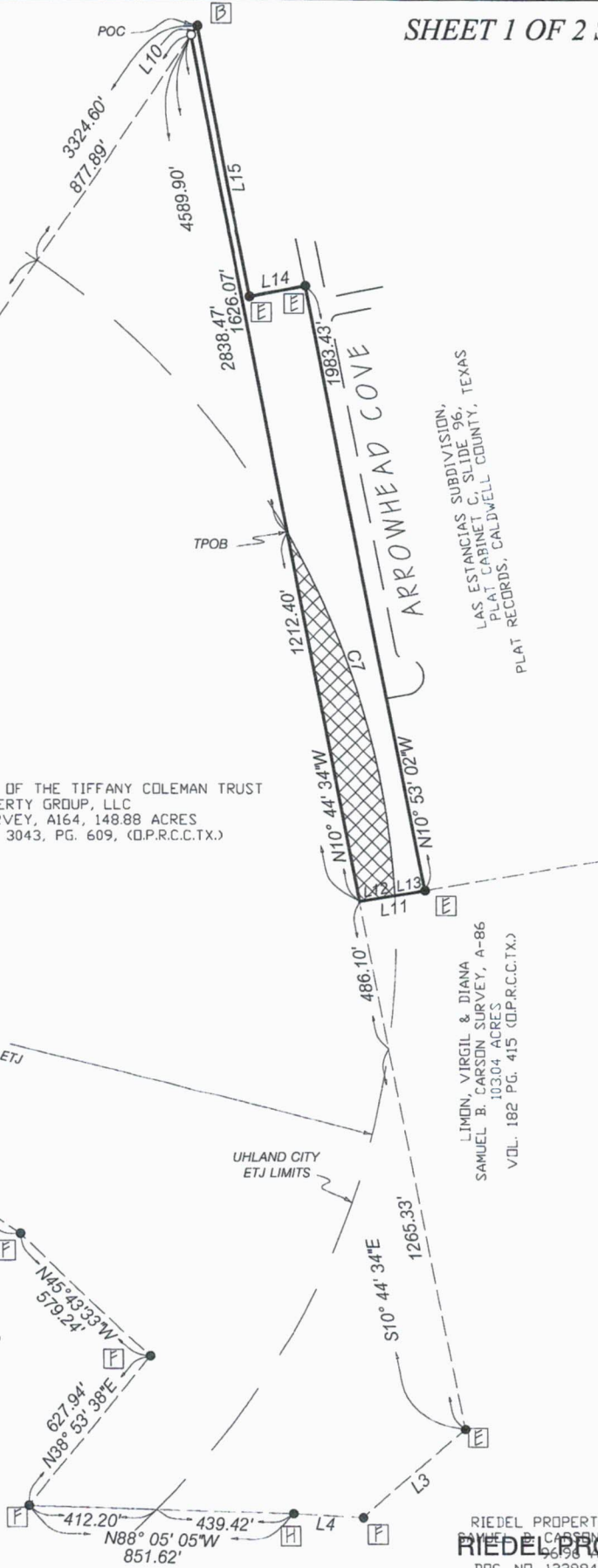
SCHNAUTZ, JUDY LOEP
JOSEPH SURVEY, A-164
148.88 ACRES
VOL. 369 PG. 533 (D.P.R.C.C.TX.)

UHLAND CITY
ETJ LIMITS

LIMON, VIRGIL & DIANA
SAMUEL B. CARSON SURVEY, A-86
103.04 ACRES
VOL. 182 PG. 415 (D.P.R.C.C.TX.)

RIEDEL PROPERTY GROUP, LLC
LEWIS L. JOSEPH SURVEY, A-86
148.88 ACRES
VOL. 122994 (D.P.R.C.C.TX.)

SOS J/N: 0016-18-013



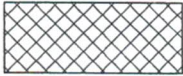
LAS ESTANCIAS SUBDIVISION,
PLAT CABINET C, SLIDE 96, TEXAS
PLAT RECORDS, CALDWELL COUNTY, TEXAS

EXHIBIT "B"

SHEET 2 OF 2 SHEETS

BEING 9.828 ACRES OUT OF THE SAMUEL B. CARSON SURVEY, A086, TO WILLIAM R. AND JO ANNE ROBERTSON ON SEPTEMBER 20, 2004 IN VOLUME 395, PAGE 268, OFFICIAL PUBLIC RECORDS, CALDWELL COUNTY, TEXAS (O.P.R.C.C.TX.)

AREA LEGEND:



= 2.94 ACRES OF LAND CURRENTLY IN THE CITY OF UHLAND ETJ TO BE ANNEXED TO THE CITY OF NEIDERWALD

CURVE TABLE					
C #	DELTA	RADIUS	ARC	CHD BRG	CHORD
C7	26°43'07"	2640.00'	1231.11'	S16°08'54"E	1219.99'

LINE TABLE		
L #	BEARING	LENGTH
L3	S48°35'06"W	439.02'
L4	N86°56'04"W	223.78'
L5	N10°53'02"W	1684.94'
L10	S34°31'55"W	34.80'
L11	S80°19'58"W	212.42'
L12	S80°19'58"W	114.95'
L13	N80°19'53"E	97.47'
L14	S79°15'32"W	183.03'
L15	N10°43'34"W	883.52'

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:

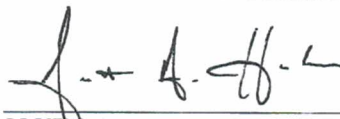
- FOUND MONUMENT AS DESCRIBED.
- FOUND CONCRETE ROAD DEPARTMENT MONUMENT.
- ⊕ SITE BENCHMARK, FOUND 3" ALUMINUM DISK STAMPED "LCRA CS-26".
- SET 5/8" IRON ROD WITH CAP STAMPED "SPOT ON SURVEYING".
- A FOUND IRON ROD WITH CAP STAMPED "RDS RPLS 4094".
- B FOUND IRON ROD WITH CAP ILLEGIBLE.
- C FOUND CONCRETE 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



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



SOS J/N: 0016-18-013

FILED AND RECORDED

Instrument Number: 2019-001872 ORDINANCE

Filing and Recording Date: 04/23/2019 09:13:29 AM Pages: 8 Recording Fee: \$50.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Caldwell County, Texas.



Teresa Rodriguez

Teresa Rodriguez, County Clerk
Caldwell County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

DO NOT REMOVE. THIS PAGE IS PART OF THE OFFICIAL PUBLIC RECORD.