

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 29-2024**

**A RESOLUTION FOR THE RELEASE OF AN AREA FROM
THE CITY'S EXTRATERRITORIAL JURISDICTION,
SUCH PROPERTY GENERALLY LOCATED ADJACENT
TO CYPRESS CREEK RD. AND CONSISTING OF
APPROXIMATELY 30.5 ACRES**

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City of Kerrville, Texas ("City") has general authority to adopt an ordinance, resolution, or police regulation that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Texas Senate Bill 2038 passed by the Texas State Legislature in the 88th Legislative Session, Texas Local Government Code Chapter 42 now allows for the release of an area from the City's extraterritorial jurisdiction ("ETJ") by petition of landowners or by election; and

WHEREAS, pursuant to Texas Local Government Code Section 42.102, a resident of an area or the owners of the majority in value of an area in the City's ETJ may file a petition with the City Secretary for the area to be released from the ETJ; and

WHEREAS, the City has received a petition for the release of a tract of land generally located adjacent to Cypress Creek Rd., with a current address of 1325 Cypress Creek Rd., which petition and property description is found at **Exhibit A** and references a tract that contains 30.5 acres; and

WHEREAS, City Council finds the attached *Petition of Landowner for Release of Area from City of Kerrville Extraterritorial Jurisdiction* (the "Petition") is valid and this Resolution is necessary and proper for the good government, peace, or order of the City to release the Property from the City's ETJ;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:**

SECTION ONE. The foregoing recitals are incorporated into this Resolution by reference as findings of fact.

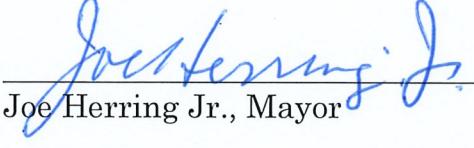
SECTION TWO. The Petition is hereby considered verified, and after adoption of this Resolution, the property described in the Petition and which

currently exists within the City's ETJ and consists of approximately 30.5 acres, shall be released from the City's ETJ.

SECTION THREE. The City Secretary is directed to file a certified copy of this Resolution and an updated map of the City's ETJ boundary with the County Clerk of Kerr County, Texas.

SECTION FOUR. This Resolution shall take effect upon the date of final passage noted below.

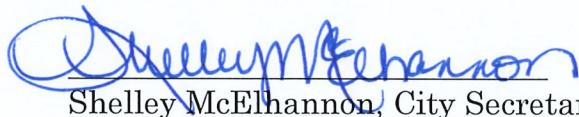
PASSED AND APPROVED on this 25 day of June, 2024,
A.D.


Joe Herring Jr., Mayor

APPROVED AS TO FORM:


Michael C. Hayes, City Attorney

ATTEST:


Shelley McElhannon, City Secretary

**PETITION OF LANDOWNER FOR RELEASE FOR RELEASE OF AREA FROM THE CITY OF KERRVILLE
EXTRATERRITORIAL JURISDICTION**

TO: THE MAYOR AND CITY COUNCIL MEMBERS OF THE CITY OF KERRVILLE, TEXAS:

I, Taylor Clay Barton, have life ownership of two adjoining tracts of land totaling 30.5 acres out of the Emil Josse Survey No. 1377. This is further described in attachment #2, attached hereto, (the PROPERTY). I hereby petition the City Council of the City of Kerrville, Texas, to release the PROPERTY from the extraterritorial jurisdiction of City of Kerrville as set forth in the Local Government Code Chapter 42.

I certify that this petition is signed by myself and have provided the following documents as exhibits:

1. Portion of the Will of Sam Houston Taylor establishing my authority to act
2. Description of two parcels totaling 30.5 acres by metes and bounds
3. Map of location
4. 2024 Notice of Appraised Value letter from Kerr County Appraisal District addressed to Taylor Clay Barton for this property

Signed: T. Clay Barton

Taylor Clay Barton

NOTARY ACKNOWLEDGEMENT

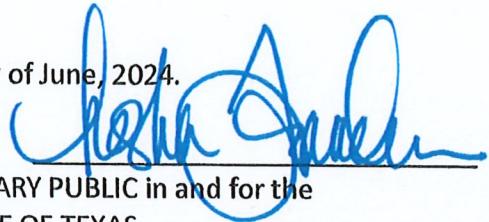
STATE OF TEXAS

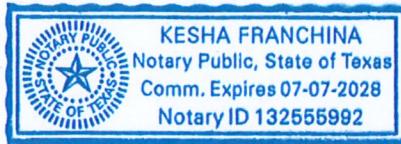
COUNTY OF KERR

BEFORE ME, the undersigned authority, appeared Taylor Clay Barton, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed as the Owner through a life estate.

Given under my hand and seal this 20th day of June, 2024.

(SEAL)


NOTARY PUBLIC in and for the
STATE OF TEXAS



Kesha Franchina
Printer Name
My Commission expires 7/7/2028

Exhibit 2

Tract No. Three: All that certain tract or parcel of land, lying and being situated in Kerr County, Texas, out of Survey 1377, E. Jossee, Abstract No. 695, and described as follows, to-wit: BEGINNING at the N. corner of Survey 1377, and the W. corner of Survey 678, B. Michon; THENCE S. 45 deg. W. with line of Survey 678, 672 varas, corner; THENCE N. 45 deg. W. 358 varas, corner, corner in line of Survey 114, Samuel Wallace; THENCE N. 67 deg. 15' E. 231 varas, corner on side of Cypress Creek Road; THENCE N. 29 3/4 deg. E. 75 varas, corner on road; THENCE N. 73 deg. 10' E. 390 varas corner on road; THENCE N. 60 deg. 15' E. 36 varas to corner Survey 738, W. H. Woodward; THENCE S. 45 deg. E. 90 varas with line of Survey No. 738 to the place of BEGINNING, together with all improvements situated thereon. Containing 30 acres of land, and being the same property described in a deed of L. T. Davis to Sam H. Taylor, dated September 1, 1956, and recorded in Volume 100, page 372, Deed Records of Kerr County, Texas, to which said deed and the record thereof reference is here made for all purposes.

FIELD NOTES DESCRIPTION FOR A 0.50 ACRE TRACT OF LAND
ABUTTING F.M. HIGHWAY NO. 1341, IN KERR COUNTY, TEXAS

Being all of a certain 0.50 acre, more or less, tract or parcel of land out of Emil Josse Survey No. 1377, Abstract No. 695, in Kerr County, Texas; part of a one (1) acre tract of land described in a Quit Claim Deed from George H. Gaston, Jr. to Chester H. Borchers executed the 1st day of October, 1960 and recorded in Volume 108 at Page 217 of the Real Property Records of Kerr County, Texas; and being more particularly described by metes and bounds as follows:

BEGINNING at a fence cornerpost for the southwest corner of the herein described tract, the most westerly corner of 30 acres of land conveyed to Sam H. Taylor from L. T. Davis by a Warranty Deed with Vendor's Lien executed the 1st day of September, 1956 and recorded in Volume 100 at Page 372 of the Real Property Records of Kerr County, Texas; which point bears, approximately, 1866.7 ft. S.45°W. and 944.4 ft. N.45°W. from the north corner of Survey No. 1377 and the west corner of B. Michon Survey No. 678;

THENCE, with a fence along the northerly boundary of said Taylor tract: N.67°29'E. 378.15 ft. to an anglepost, and N.56°21'E. 24.17 ft. to a $\frac{1}{2}$ " iron stake set for the east or northeast corner of the herein described tract in the southerly right-of-way line of F.M. Highway No. 1341;

THENCE, with a fence along or near the southerly right-of-way line of said highway: S.78°39'W. 52.65 ft., S.84°30'W. 90.85 ft., N.88°19'W. 116.33 ft. and N.81°33'W. 65.56 ft. to a cornerpost for the northwest corner of the herein described tract;

THENCE, along a fence, S.16°55'W. 159.02 ft. to the PLACE OF BEGINNING.

Exhibit 3



STATE OF TEXAS

COUNTY OF KERR

I, Kesha Franchina, hereby certify that I am the Deputy City Secretary of the City of Kerrville, Kerr County, Texas, and that records of the City of Kerrville, Texas are kept under my custody and control, and that the attached is a true and correct copy of Resolution 29-2024 as the original appears in the records kept in the office of the City Secretary for the City of Kerrville, Texas.

In Testimony Whereof, I have hereunto set my hand and seal and affixed the official Seal of the City of Kerrville, Texas, this the 3rd day of July, 2024.



Kesha Franchina
Deputy City Secretary
City of Kerrville, Texas
701 Main Street
Kerrville, TX 78028



FILED AND RECORDED

Document Number: 24-03820

Document Type: RESOLUTION

Filing and Recording Date: 7/3/2024 8:58:24 AM

Number of Pages: 8

GRANTOR CITY OF KERRVILLE

GRANTEE PUBLIC, THE

Returned To: CITY OF KERRVILLE
701 MAIN ST
KERRVILLE, TX 78028

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



Nadene Alford

Nadene Alford, Clerk
Kerr County, Texas
By: KIM GATLIN DEPUTY CLERK

NOTICE: It is a crime to intentionally or knowingly file a fraudulent court record or instrument with the Clerk.

DO NOT DESTROY - This document is part of the Official Public Record.

**All Transactions Approved**

Bureau: 8088171 - Kerr County, TX Clerk

Invoice Item	Amount	Qty	Conv.	Result
			Fee	
Court Fees and Fines:	\$175.00	1	\$4.99	Approved
Payment ID: 100301437485				
Recordings				
Total Amounts + All Fees:	\$179.99			

BILLING INFORMATION**Payment will be billed to:****KESHA FRANCHINA****Card ending in ...0300 (Visa)****Processed at 07/03/2024 8:57:05 AM CDT**

LEGAL NOTICE

Certified Payments provides a service for consumers and businesses to make payments via their credit card for various types of services and taxes. By utilizing Certified Payments, you, the cardholder, are subject to the following terms and conditions. By submitting your payment through Certified Payments, you are agreeing to the terms and conditions listed in the Legal Notices link below. Please read all terms and conditions carefully.

Privacy Statement - www.certifiedpayments.net/PrivacyStatement.aspx
Legal Notice - www.certifiedpayments.net/LegalNotices.aspx



Kerr County Clerk
700 Main Street
Kerrville TX 78028
830-792-2255

Customer CITY OF KERRVILLE
CITY OF KERRVILLE

TxId 4018900 7/3/2024 8:49 AM
Description

Doc Number	GF Number	Document Type	Pages	Doc Fee Total
24-03818		RESOLUTION	10	\$57.00
24-03819		RESOLUTION	13	\$69.00
24-03820		RESOLUTION	8	\$49.00
				Total Paid: \$175.00

Tender Information

Check #	Name on Check	Tender Type	Amount
0300	KESHA FRANCHINA (CITY OF	CREDIT CARD	\$175.00
Total Paid: \$175.00			