

RESOLUTION NO. 2015–R100

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, ACCEPTING THE PETITION AND SETTING THE DATE, TIME AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF BOERNE, TEXAS; AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARINGS.

WHEREAS, the City Council of the City of Boerne, Texas at the request Currey Creek Baptist Church for annexation of approximately 3.915 acres, more or less, located at 35 Cascade Caverns Road (a portion of KAD 12245), in Kendall County, Texas;

WHEREAS, said tract of land is contiguous and adjacent to the City of Boerne, Texas and is not more than one-half (1/2) mile in width:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS:

Section 1. On the 27th day of October, 2015, and the 10th day of November, 2015, Public Hearings shall be held at 6:00 P. M. o'clock in the Council Chambers located at 124 Old San Antonio Road, the purpose of the Public Hearings to be to give all interested persons the right to appear and be heard on the proposed annexation by the City of Boerne, Texas of the following described property, to wit:

BEING 3.915 acres, more or less, located at 35 Cascade Caverns Road (KAD 12245), in Kendall County, Texas, and being more particularly described in Exhibit A attached hereto and made a part hereof.

Section 2. The Mayor of the City of Boerne is hereby authorized and directed to cause notice of such Public Hearings to be published twice in a newspaper having general circulation in the City on or after the 10th day but before the 20th day before the date of each hearing. The notice for each hearing must be posted on the City's Internet website on or after the 10th day but before the 20th day before the date of the hearing and must remain posted until the date of the hearing. (Section 43.063(c) Texas Local Government Code)

PASSED AND APPROVED this the ____ day of October, 2015.

APPROVED:

Mayor

ATTEST:

City Secretary

ANNEXATION PETITION

TO THE MAYOR AND GOVERNING BODY
OF THE CITY OF BOERNE, TEXAS:

The undersigned owner(s) of the hereinafter described tract of land, which is vacant and without residents, or on which less than three (3) qualified voters reside, hereby petition your honorable body to extend the present city limits so as to include as a part of the City of Boerne, Texas, the following described territory, to-wit:

(Provide physical address, if available)

(Description by metes and bounds attached)

I/We certify that the above described tract of land is contiguous to the City of Boerne, Texas, is not more than one-half (1/2) mile in width and that this petition is signed and duly acknowledged by each and every person or corporation having an interest in said land.

John D. Free
Owner's Signature #1

John D. Free
Owner's Printed Name

35 Cascade Caverns Rd.
Owner's Mailing Address
Boerne, Tx. 78015

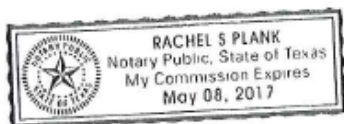
830 755-8806
Owner's Phone No.

THE STATE OF TEXAS # 344180
COUNTY OF KENDALL #

Before me, the undersigned authority, on this day personally appeared at Curry Creek Church
Known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 28th day of September, 2015.

(Seal)



R.S. Plank
Notary Public in and for the State of Texas
My commission expires: May 8, 2017

SH 740

Owner's Signature #2

STUART HEAD

Owner's Printed Name

35 CASCADE CAVERNS RD

Owner's Mailing Address

BOERNE, TX 78006

830-755-8806

Owner's Phone No.

THE STATE OF TEXAS # 344180
COUNTY OF KENDALL #

Before me, the undersigned authority, on this day personally appeared at Currey Creek Church
Known to me to be the person whose name is subscribed to the foregoing instrument and
acknowledged to me that he/she executed the same for the purposes and consideration therein
expressed.

Given under my hand and seal of office, this 28th day of September, 2015.

(Seal)



W.S. Plank

Notary Public in and for the State of Texas

My commission expires: May 8, 2017

Jared Patrick

Owner's Signature #3

JARED PATRICK

Owner's Printed Name

35 Cascade Caverns Road

Owner's Mailing Address

Boerne TX 78006

210-862-8328

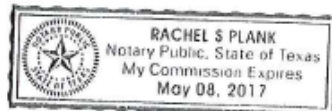
Owner's Phone No.

THE STATE OF TEXAS # 344180
COUNTY OF KENDALL #

Before me, the undersigned authority, on this day personally appeared at Currey Creek Church
Known to me to be the person whose name is subscribed to the foregoing instrument and
acknowledged to me that he/she executed the same for the purposes and consideration therein
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Given under my hand and seal of office, this 28th day of September, 2015.

(Seal)



W.S. Plank

Notary Public in and for the State of Texas

My commission expires: May 8, 2017



**PROPERTY DESCRIPTION
OF**

3.915 acres of land out of the Antonio Cruz Survey Number 170, Abstract Number 97; and the Jordan West Survey Number 187, Abstract Number 523, Kendall County, Texas, and being all of Lot 1A, Re-subdivision of J. and J. Acres, a subdivision recorded in Volume 2, Page 165, Plat Records of Kendall County, Texas, and also being out of Cascade Caverns Road, a varying width right-of-way; said Lot 1A being the same tract described in a Warranty Deed dated March 21, 2012 to Currey Creek Baptist Church of Boerne, recorded in Volume 1302, Page 538, Official Records of Kendall County, Texas, said 3.915 acre tract being more particularly described as follows:

BEGINNING: At a point on the east line of a 2.003 acre tract described in a Warranty Deed with Vendor's Lien dated July 1979 to Richard Hill and wife, Linda Hill, recorded in Volume 134, Page 190, Deed Records of Kendall County, Texas, being the southwest corner of said Lot 1A and the northwest corner of Lot 7A, Miller's Subdivision, a subdivision recorded in Volume 5, Page 392, Plat Records of Kendall County, Texas, for the southwest corner of the herein described tract;

Thence: N00°46'18"E, passing the northeast corner of said 2.003 acre tract and the southeast corner of a 3.775 acre tract described in a Special Warranty Deed dated November 5, 1976 to Preston J. Streicher, recorded in Volume 124, Page 855, Official Records of Kendall County, Texas, and continuing with the west line of said Lot 1A and the east line of said 3.775 acre tract, at 449.31 feet, pass the South Right of Way line of Cascade Caverns Road, a varying width right-of-way, being the northwest corner of Lot 1A and the northeast corner of said 3.775 acre tract, and continuing across Cascade Caverns Road, a total distance of 510.51 feet to a point on the north right-of-way line of Cascade Caverns Road and the south line of Lot 1, Ray Ranch Estates, a subdivision recorded in Volume 1, Page 88, Plat Records of Kendall County, Texas, for the northwest corner of the herein described tract;

Thence: With the north right-of-way line of Cascade Caverns Road, the south line of said Lot 1 and the south line of Lot 1A, Hill Country Daily Bread Subdivision, a subdivision recorded in Volume 7, Page 188, Plat Records of Kendall County, Texas, the following:

S88°38'08"E, a distance of 208.30 feet to a point, being the southeast corner of said Lot 1, for an interior corner of the herein described tract;

N01°13'02"W, with the east line of said Lot 1, a distance of 13.20 feet to a point, being the southwest corner of said Lot 1A, for a corner of the herein described tract;

S88°58'17"E, a distance of 130.00 feet to a point for the northeast corner of the herein described tract;

Thence: S01°02'00"W, across Cascade Caverns Road, at 73.20 feet, pass the south right-of-way line of Cascade Caverns Road, being the northeast corner of said Lot 1A and the northwest corner of Lot 1B of said Re-subdivision plat of J. and J. Acres, and continuing with the east line of Lot 1A and the west line of said Lot 1B, a total distance of 311.04 feet to a point on the north line of Lot 2, J. and J. Acres, a subdivision recorded in Volume 1, Page 397, Plat Records of Kendall County, Texas, being the southwest corner of said Lot 1B;

Thence: With the south and east lines of said Lot 1A and the north and west lines of said Lot 2, the following:

S89°57'30"W, a distance of 3.15 feet for an angle point;

S63°32'39"W, a distance of 8.94 feet for an angle point;

S53°06'52"W, a distance of 8.61 feet for an angle point;

S37°46'30"W, a distance of 8.52 feet for an angle point;

S25°00'29"W, a distance of 8.94 feet for an angle point;

S00°45'52"E, a distance of 200.81 feet to a point on the north line of said Lot 7A, being the southeast corner of said Lot 1A and the southwest corner of said Lot 2, for the southeast corner of the herein described tract;

Thence: N86°28'32"W, with the south line of said Lot 1A and the north line of said Lot 7A, a distance of 315.44 feet to the **POINT OF BEGINNING** and containing 3.915 acres of land.

Notes: Bearings are based on the Re-subdivision plat for J. and J. Acres recorded in Volume 2, Page 165, Plat Records of Kendall County, Texas.

This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interest in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

Exhibit plat accompanying this description of even date.

Project No. 02889.030
Date: August 18, 2014
G.L.



Gregorio Lopez Jr. 8/18/14

LEGEND

O.R.K.C. = OFFICIAL RECORDS OF KENDALL COUNTY
P.R.K.C. = PLAT RECORDS OF KENDALL COUNTY
P.O.B. = POINT OF BEGINNING
R.O.W. = RIGHT OF WAY

LOT 1 RAY RANCH ESTATES
VOL.1, PG.88, P.R.K.C.

N01°13'02"W 13.20'
S88°38'08"E 208.30'

JORDAN WEST SURVEY NO. 187
ABSTRACT NO. 523

LOT 1A
(9.874 AC.)

HILL COUNTRY DAILY BREAD SUBDIVISION
VOL.7, PG.188, P.R.K.C.

CASCADE CAVERNS ROAD
(R.O.W. VARIES 60' MIN.)

ANTONIO CRUZ SURVEY NO. 170
ABSTRACT NO. 97

SCALE: 1" = 100'

PRESTON STREICHER (3.775 AC.)
VOL.124, PG.855, D.R.K.C.
PART OF BLOCK 5, MILLER'S SUBD.
VOL.65, PG.343, D.R.K.C.

CURREY CREEK ANNEXATION TRACT
3.915 AC.

ERMAL COLEMAN
(2.066 AC.)
VOL.614, PG.45, O.R.K.C.

LOT 1B
RE-SUBDIVISION OF
J AND J ACRES
VOL.2, PG.165, P.R.K.C.

RICHARD HILL
AND WIFE, LINDA HILL
(2.003 AC.)
VOL.134, PG.190,
D.R.K.C.

P.O.B.

CURREY CREEK BAPTIST CHURCH
(3.408 AC.)
VOL.1302, PG.538, O.R.K.C.

LOT 1A
RE-SUBDIVISION OF J. AND J. ACRES
VOL.2, PG.165, P.R.K.C.

S89°57'30"W 3.15'
S63°32'39"W 8.94'
S53°06'52"W 8.61'
S37°46'30"W 8.52'
S25°00'29"W 8.94'

LOT 2
J. AND J. ACRES
VOL.1, PG.397, P.R.K.C.

N86°28'32"W 315.44'

S00°45'52"E 200.81'

S01°02'00"W 311.04'

73.20'

61.20'

N00°46'18"E 510.51'

449.31'

NOTES:

1. BEARINGS ARE BASED ON THE RE-SUBDIVISION PLAT OF J. AND J. ACRES RECORDED IN VOLUME 2, PAGE 165, PLAT RECORDS OF KENDALL COUNTY, TEXAS.
2. METES AND BOUNDS DESCRIPTION ACCOMPANYING THIS EXHIBIT PLAT OF EVEN DATE.
3. THIS DOCUMENT WAS PREPARED UNDER 22 TAC §663.21, DOES NOT REFLECT THE RESULTS OF AN ON THE GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTEREST IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

LOT 7A MILLER'S SUBDIVISION
VOL.5, PG.392,
P.R.K.C.

EXHIBIT
OF

3.915 ACRES OF LAND OUT OF THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97; AND THE JORDAN WEST SURVEY NO. 187, ABSTRACT NO. 523, KENDALL COUNTY, TEXAS, AND BEING ALL OF LOT 1A, RE-SUBDIVISION OF J. AND J. ACRES, A SUBDIVISION RECORDED IN VOLUME 2, PAGE 165, PLAT RECORDS OF KENDALL COUNTY, TEXAS, AND ALSO BEING OUT OF CASCADE CAVERNS ROAD, A VARYING WIDTH RIGHT-OF-WAY; SAID LOT 1A BEING THE SAME TRACT DESCRIBED IN A WARRANTY DEED DATED MARCH 21, 2012 TO CURREY CREEK BAPTIST CHURCH OF BOERNE, RECORDED IN VOLUME 1302, PAGE 538, OFFICIAL RECORDS OF KENDALL COUNTY, TEXAS.



CUDE ENGINEERS
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SAN ANTONIO, TEXAS 78231
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TBPE REGISTERED ENGINEERING
FIRM #455

DATE: AUGUST 18, 2014

JOB NO.: 02889.030