

RESOLUTION NO. 2015–R121

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 of Judge Lux for Kendall County for annexation of approximately 3.537 acres, more or less, being part of Herff Road and Old San Antonio Rd, 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 12th day of January, 2016, and the 26th day of January, 2016, 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 3.537 acres, more or less, being part of Herff Road and Old San Antonio Rd, 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 December, 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.



Owner's Signature #1

Darrel L. Lux, County Judge

Owner's Printed Name

201 E. San Antonio Ave. #122

Owner's Mailing Address

Boerne, Tx 78006

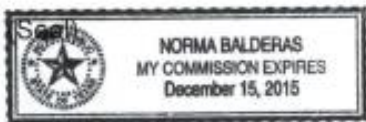
830-249-9343

Owner's Phone No.

THE STATE OF TEXAS #
COUNTY OF KENDALL #

Before me, the undersigned authority, on this day personally appeared Darrel L. Lux 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 30 day of November, 2015.



Notary Public in and for the State of Texas

My commission expires: 12/15/2015

PFEIFFER LAND SURVEYING

918 Adler Street, Boerne, Texas 78006
Phone: 830-249-3385

TRACT I FIELD NOTES FOR A 2.288 ACRE TRACT OF LAND

Being a **2.288 acre** tract of land out of the John Small Survey No. 183, Abstract No. 411, Kendall County, Texas and also being part of Old San Antonio Road in Kendall County, Texas, said **2.288 acre** tract of land being more particularly described by metes and bounds as follows:

Beginning at a 1/2" iron rod found in the northeast right-of-way line of Old San Antonio Road for the south corner of a called 3.306 acre tract of land recorded in Volume 316, Pages 239-243, Official Records, the west corner of a called 5.79 acre tract of land recorded in Volume 1063, Pages 402-405, Official Records, Kendall County, Texas and the north corner of the herein described tract;

Thence, with the northeast right-of-way line of Old San Antonio Road and the southwest line of said 5.79 acre tract, **South 34 degrees 56 minutes 56 seconds East**, a distance of **550.08 feet** to a 2" metal fence post found for the south corner of said 5.79 acre tract and the west corner of a called 0.545 acre tract of land recorded in Volume 621, Pages 281-284, Official Records, Kendall County, Texas;

Thence, with the northeast right-of-way line of Old San Antonio Road and the southwest line of said 0.545 acre tract, **South 34 degrees 58 minutes 33 seconds East**, a distance of 78.30 feet to a 1/2" iron rod found for the south corner of said 0.545 acre tract and the westernmost corner of a called 1.9 acre tract of land recorded in Volume 415, Pages 176-177, Official Records, Kendall County, Texas;

Thence, with the northeast right-of-way line of Old San Antonio Road and the southwest line of said 1.9 acre tract, **South 34 degrees 34 minutes 10 seconds East**, a distance of **123.87 feet** to a 1/2" iron rod found for the south corner of said 1.9 acre tract and the west corner of a called 5.632 acre tract of land "Tract 2 Exhibit B" recorded in Volume 1343, Pages 189-195, Official Records, Kendall County, Texas;

Thence, with the northeast right-of-way line of Old San Antonio Road and the southwest line of said 5.632 acre tract, **South 35 degrees 11 minutes 44 seconds East**, a distance of **236.56 feet** to a 1/2" iron rod found with an orange "BAIN MEDINA BAIN INC. PROP COR" plastic cap for the west corner of a called 1.140 acre tract of land recorded in Volume 1404, Pages 465-482, Official Records, Kendall County, Texas;

Thence, with the northeast right-of-way line of Old San Antonio Road and the southwest line of said 1.140 acre tract, **South 34 degrees 44 minutes 46 seconds East**, a distance of **220.00 feet** to a calculated point for the south corner of said 1.140 acre tract;

Thence, with the northeast right-of-way line of Old San Antonio Road and the southwest line of said 5.632 acre tract, **South 34 degrees 44 minutes 46 seconds East**, a distance of **249.03 feet** to a calculated point for the south corner of said 5.632 acre tract;

Thence, generally along the apparent northeast right-of-way line of Old San Antonio Road and an apparent southwest right-of-way line of Herff Road, **South 35 degrees 19 minutes 05 seconds East**,

a distance of **161.48 feet** to a 1/2" iron rod found for the westernmost corner of a called 12.224 acre tract of land recorded in Volume 683, Pages 146-149, Official Records, Kendall County, Texas and the east corner of the herein described tract;

Thence, crossing Old San Antonio Road, **South 63 degrees 17 minutes 27 seconds West**, a distance of **61.96 feet** to a calculated point in the southwest right-of-line of Old San Antonio Road and the northeast line of a called 6.099 acre tract of land recorded in Volume 943, Pages 400-403, Official Records, Kendall County, Texas for the south corner of the herein described tract;

Thence, with the southwest right-of-way line of Old San Antonio Road and the northeast line of said 6.099 acre tract, **North 34 degrees 38 minutes 01 seconds West**, a distance of **36.58 feet** to a 1/2" iron rod found for the north corner of said 6.099 acre tract and the easternmost corner of a called 23.045 acre tract of land recorded in Volume 1064, Pages 135-139, Official Records, Kendall County, Texas;

Thence, with the southwest right-of-way line of Old San Antonio Road and a northeast line of said 23.045 acre tract, **North 34 degrees 32 minutes 47 seconds West**, a distance of **68.48 feet** to a 1/2" iron rod found for the north corner of said 23.045 acre tract and the easternmost corner of a called 77.192 acre tract of land recorded in Volume 647, Pages 205-208, Official Records, Kendall County, Texas;

Thence, with the southwest right-of-way line of Old San Antonio Road and multiple northeast lines of said 77.192 acre tract the following two (2) courses and distances:

North 37 degrees 45 minutes 25 seconds West, a distance of **181.59 feet** to a 1/2" iron rod found;

and **North 34 degrees 03 minutes 06 seconds West**, a distance of **108.67 feet** to a 1/2" iron rod found with an orange "PFEIFFER SURVEY" plastic cap for the southeast corner of a called 5.948 acre tract of land recorded in Volume 1485, Page 773-776, Official Records, Kendall County, Texas;

Thence, with the southwest right-of-way line of Old San Antonio Road and the northeast line of said 5.948 acre tract, **North 34 degrees 03 minutes 06 seconds West**, a distance of **234.13 feet** to a 1/2" iron rod found with an orange "PFEIFFER SURVEY" plastic cap for the northeast corner of said 5.948 acre tract;

Thence, with the southwest right-of-way line of Old San Antonio Road and multiple northeast lines of said 77.192 acre tract the following two (2) courses and distances:

North 34 degrees 03 minutes 06 seconds West, a distance of **429.66 feet** to a 1/2" iron rod found;

and **North 35 degrees 02 minutes 07 seconds West**, a distance of **96.16 feet** to a 1/2" iron rod found for the easternmost corner of a called 5.681 acre tract of land recorded in Volume 1438, Pages 815-820, Official Records, Kendall County, Texas;

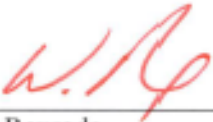
Thence, with the southwest right-of-way line of Old San Antonio Road and the northeast line of said 5.681 acre tract, **North 35 degrees 07 minutes 37 seconds West**, a distance of **295.90 feet** to a 5/8" iron rod found for the northeast corner of said 5.681 acre tract and the southeast corner of a called 1.548 acre tract of land recorded in Volume 403, Pages 91-95, Official Records, Kendall County, Texas;

Thence, with the southwest right-of-way line of Old San Antonio Road and the northeast line of said 1.548 acre tract, **North 35 degrees 05 minutes 16 seconds West**, a distance of **159.43 feet** to a calculated point for the west corner of the herein described tract;

Thence, crossing Old San Antonio Road, **North 54 degrees 54 minutes 44 seconds East**, a distance of **59.28 feet** to the **Point of Beginning** containing **2.288 acres** of land.

Note: This description is based on an on the ground survey performed in November of 2015. The bearings are based on the Texas State Plane Coordinate System, South Central Zone, 4204, NAD 83. A survey drawing of the above described tract was prepared.





Wes Rexrode
Registered Professional Land Surveyor No. 6001
Job Number: 21-15 (2.288 Acre Tract)

DEED TABLE

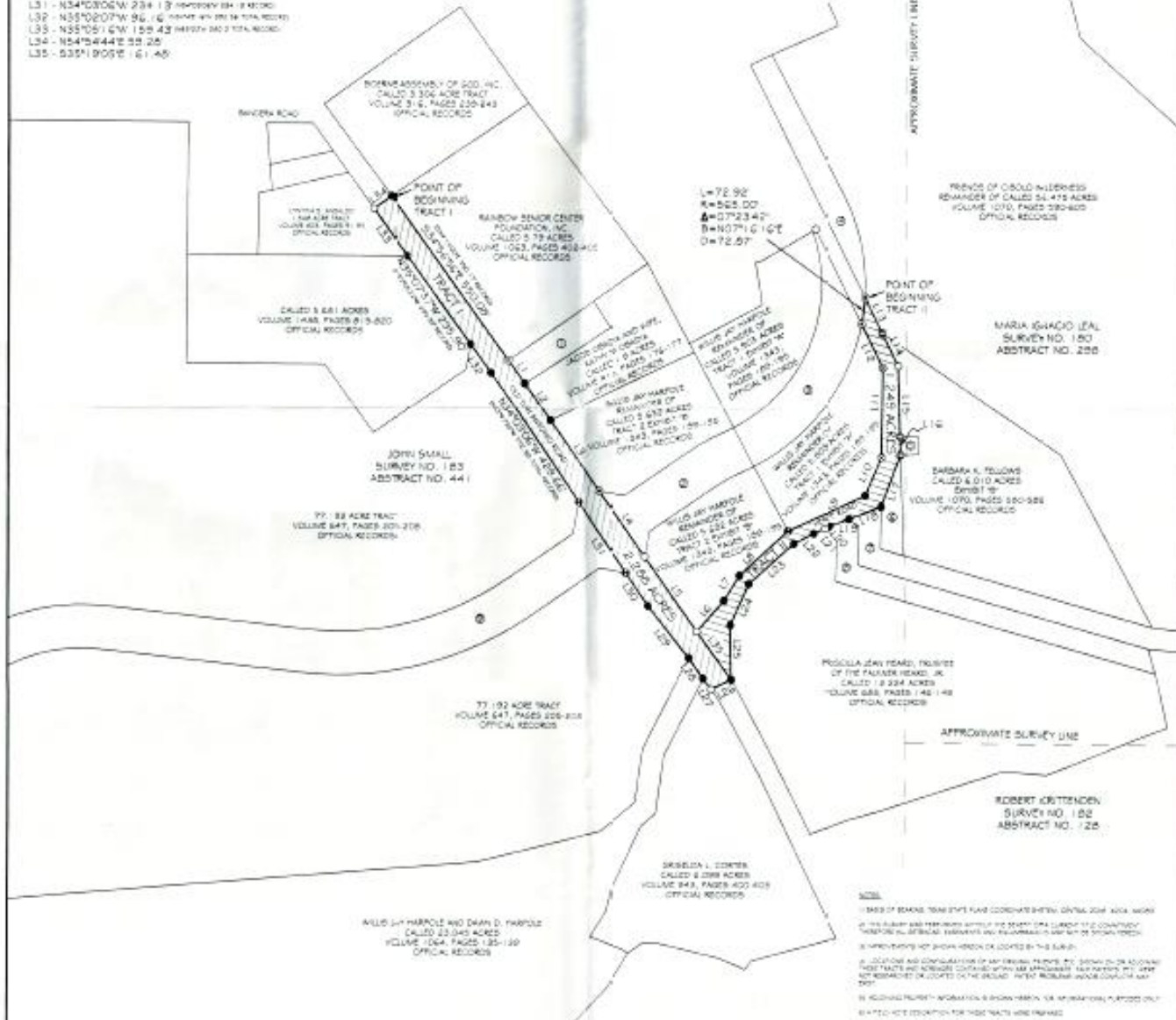
L1 - 55475833E 78.307 ACRES (OFFICIAL RECORD)
 L2 - 55475812E 123.87 ACRES (OFFICIAL RECORD)
 L3 - 55471444E 336.56 ACRES (OFFICIAL RECORD)
 L4 - 55476446E 220.00 ACRES (OFFICIAL RECORD)
 L5 - 55476446E 249.03 ACRES (OFFICIAL RECORD)
 L6 - 54075854E 111.33 ACRES (OFFICIAL RECORD)
 L7 - 54075812E 80.66 ACRES (OFFICIAL RECORD)
 L8 - 54076447E 178.31 ACRES (OFFICIAL RECORD)
 L9 - 54075833E 231.37 ACRES (OFFICIAL RECORD)
 L10 - 52316289E 13.61 ACRES (OFFICIAL RECORD)
 L11 - 50075913E 247.58 ACRES (OFFICIAL RECORD)
 L12 - 52575732W 154.18 ACRES (OFFICIAL RECORD)
 L13 - 52675833E 106.82 ACRES (OFFICIAL RECORD)
 L14 - 52575732W 99.60 ACRES (OFFICIAL RECORD)
 L15 - 50175207E 135.25 ACRES (OFFICIAL RECORD)
 L16 - 50175843E 49.92 ACRES (OFFICIAL RECORD)
 L17 - 50205850W 152.52 ACRES (OFFICIAL RECORD)
 L18 - 50205850W 94.33 ACRES (OFFICIAL RECORD)
 L19 - 50205850W 56.44 ACRES (OFFICIAL RECORD)
 L20 - 50205833W 15.08 ACRES (OFFICIAL RECORD)
 L21 - 50205847W 32.52 ACRES (OFFICIAL RECORD)
 L22 - 50205850W 60.58 ACRES (OFFICIAL RECORD)
 L23 - 50205850W 165.48 ACRES (OFFICIAL RECORD)
 L24 - 50205833W 124.05 ACRES (OFFICIAL RECORD)
 L25 - 50205844E 149.04 ACRES (OFFICIAL RECORD)
 L26 - 50317227W 61.96 ACRES (OFFICIAL RECORD)
 L27 - 53475801W 36.56 ACRES (OFFICIAL RECORD)
 L28 - 53475847W 60.48 ACRES (OFFICIAL RECORD)
 L29 - 53715525W 18.59 ACRES (OFFICIAL RECORD)
 L30 - 53475806W 105.67 ACRES (OFFICIAL RECORD)
 L31 - 53475806W 234.13 ACRES (OFFICIAL RECORD)
 L32 - 53575807W 96.16 ACRES (OFFICIAL RECORD)
 L33 - 53575816W 159.43 ACRES (OFFICIAL RECORD)
 L34 - 53475844E 58.25 ACRES (OFFICIAL RECORD)
 L35 - 53575806W 161.48 ACRES (OFFICIAL RECORD)

ADVERSE TABLE

- 1. ARKLEMEERSON - CALLED 0.94 ACRES - VOLUME 87, PAGES 281-284, OFFICIAL RECORDS
- 2. COUNTY OF KENDALL, TEXAS - CALLED 1.140 ACRES TRACT 1, PAGES 1-2, VOLUME 1404, PAGES 483-484, OFFICIAL RECORDS
- 3. COUNTY OF KENDALL, TEXAS - CALLED 1.888 ACRES TRACT 1, PAGES 1-2, VOLUME 1404, PAGES 485-486, OFFICIAL RECORDS
- 4. COUNTY OF KENDALL, TEXAS - CALLED 0.933 ACRES - VOLUME 364, PAGES 695-702, OFFICIAL RECORDS
- 5. CITY OF BOERNE - CALLED 0.097 ACRES - JUDGMENT NO. 101, PAGE 001
- 6. STATUS OF THIS TRACT IS UNKNOWN
- 7. CIRCLE PRESERVE - CALLED 300.0 ACRES - VOLUME 1131, PAGES 273-281, OFFICIAL RECORDS
- 8. PROCLAJAN HEARD - CALLED 1.391 ACRES - VOLUME 307, PAGES 456-460, OFFICIAL RECORDS
- 9. COUNTY OF KENDALL, TEXAS - CALLED 8.888 ACRES - VOLUME 485, PAGES 779-779, OFFICIAL RECORDS

LEGEND

- 1. FOUND 1/2" IRON ROD (CALLER OTHERWISE NOTED)
- 2. CALCULATED POINT
- 3. FOUND 1/2" IRON ROD WITH AN ORANGE PEPPER SURVEY PLASTIC CAP
- 4. FOUND WAL. N. WOOD POLE POST
- 5. FOUND 1/2" IRON ROD WITH AN ORANGE PEPPER SURVEY PLASTIC CAP
- 6. FOUND 2" METAL PLATE POST
- 7. FOUND 1/2" IRON ROD WITH AN ORANGE PEPPER SURVEY PLASTIC CAP
- 8. FOUND 3/4" IRON ROD



PFEIFFER LAND SURVEYING
 918 ADLER STREET
 BOERNE, TX 78006
 830-249-3385

TRACT II BEING A 2.285 ACRE TRACT OF LAND OUT OF THE JOHN SMALL SURVEY NO. 183, ABSTRACT NO. 441, KENDALL COUNTY, TEXAS AND ALSO BEING PART OF OLD SAN ANTONIO ROAD IN KENDALL COUNTY, TEXAS. TRACT II BEING A 1.249 ACRE TRACT OF LAND OUT OF THE JOHN SMALL SURVEY NO. 183, ABSTRACT NO. 441, KENDALL COUNTY, TEXAS AND ALSO BEING PART OF HERTY ROAD IN KENDALL COUNTY, TEXAS.



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY.

W. R. Pfeiffer
 W. R. Pfeiffer - Pfeiffer Land Surveying
 Registered Professional Land Surveyor No. 6207
 Boerne, Texas 78006 Ph: 830-249-3385
 FAX: 830-249-3385