

RESOLUTION NO. 2016-R83

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, 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 has been petitioned by Staff for annexation of approximately 11.540 acres, more or less, located at 15 Cascade Caverns Road, 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 13th day of September, 2016, and the 27th day of September, 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 11.540 acres, more or less, located at 15 Cascade Caverns Road, 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 August, 2016.

APPROVED:

Mayor

ATTEST:

City Secretary

MATKIN HOOVER

ENGINEERING & SURVEYING

8 SPENCER ROAD, SUITE 100, BOERNE, TEXAS 78006

PHONE: 830-249-0600 FAX: 830-249-0099

TEXAS REGISTERED SURVEYING FIRM F-10024000

FIELD NOTES FOR A 11.540 ACRE TRACT OF LAND

BEING AN 11.540 ACRE TRACT OF LAND LOCATED IN THE ANTONIO CRUZ SURVEY NO. 170, ABSTRACT NO. 97, KENDALL COUNTY, TEXAS, SAID 11.540 ACRE TRACT BEING ALL OF BLOCK 1, MILLER'S SUBDIVISION, RECORDED IN VOLUME 65, PAGE 343, DEED RECORDS OF KENDALL COUNTY, TEXAS, SAID 11.540 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

Beginning at a ½" iron rod found in the south right-of-way line of Cascade Caverns Road, at the northeast corner of a called 16.665 acre tract of land recorded in Volume 480, Page 534, Official Records, Kendall County, Texas, at the northwest corner of said Block 1, Miller's Subdivision and for the northwest corner of the herein described tract, said point bears S 89°59'21" E, a distance of 622.16' from a ½" iron round found at the northwest corner of the called 16.665 acre tract;

- (1) Thence, S 89°59'21" E**, with the south right-of-way line of Cascade Caverns Road, the north boundary of said Block 1, Miller's Subdivision, the north boundary line of the herein described tract, **a distance of 423.00'** (S 89°53' E, a distance of 423', record) to a ½" iron rod set with a red "Matkin Hoover Eng. & Survey" plastic cap at the northwest corner of a called Block 2, Miller's Subdivision, recorded in Volume 65, Page 343, Deed Records, Kendall County, Texas, at the northeast corner of said Block 1, Miller's Subdivision and for the northeast corner of the herein described tract;
- (2) Thence, S 00°51'45" E**, with west boundary line of said Block 2, Miller's Subdivision, the west boundary line of a called 7.338 acre tract of land recorded in Volume 1517, Page 819, Official Records, Kendall County, Texas, the west boundary line of Block 4, Miller's Subdivision, recorded in Volume 65, Page 343, Deed Records, Kendall County, Texas, the east boundary line of said Block 1, Miller's Subdivision, the east boundary line of the herein described tract, **a distance of 1360.47'** (S 00°30' E, a distance of 1371', record) to a ½" iron rod found at the southwest corner of said Block 4, Miller's Subdivision, the northwest corner of a called Lot 11, Cascade Mobile Village, Unit 2, recorded in Volume 1, Pages 8-9, Plat Records, Kendall County, Texas, the northeast corner of a called 6.293 acre tract of land recorded in Volume 985, Page 647, Official Records, Kendall County, Texas, the southeast corner of said Block 1, Miller's Subdivision and for the southeast corner of the herein described tract;
- (3) Thence, N 45°10'39" W**, with the northeast boundary line of said 6.293 acre tract, the southwest boundary line of Block 1, Miller's Subdivision, the southwest boundary line of the herein described tract, **a distance of 659.16'** (N 44°06' W, a distance of 667', record) to a ½" iron rod found with a red "Schwarz" plastic cap in the east boundary line of a called 3.42 acre tract of land recorded in Volume 728, Page 493, Official Records, Kendall County, Texas, at the

northwest corner of said 6.293 acre tract, the southwest corner of said Block 1, Miller's Subdivision and for the southwest corner of the herein described tract;

- (4) **Thence, N 01°32'19" E**, with the east boundary line of said 3.42 acre tract, the east boundary line of said 16.665 acre tract, the west boundary line of said Block 1, Miller's Subdivision, the west boundary line of the herein described tract, **a distance of 896.07'** (N 01°54' E, a distance of 893', record) to the **POINT OF BEGINNING** and containing **11.540' acres** of land, more or less.

Note: The basis of bearing was established using the Trimble VRS Network, NAD (83), Texas State Plane Coordinate System, South Central Zone, 4204, US Survey Foot, Grid. This description is to be used for annexation of said property into the City Limits of Boerne. This description does not constitute a minimum standards boundary survey.

Job # 16-4098

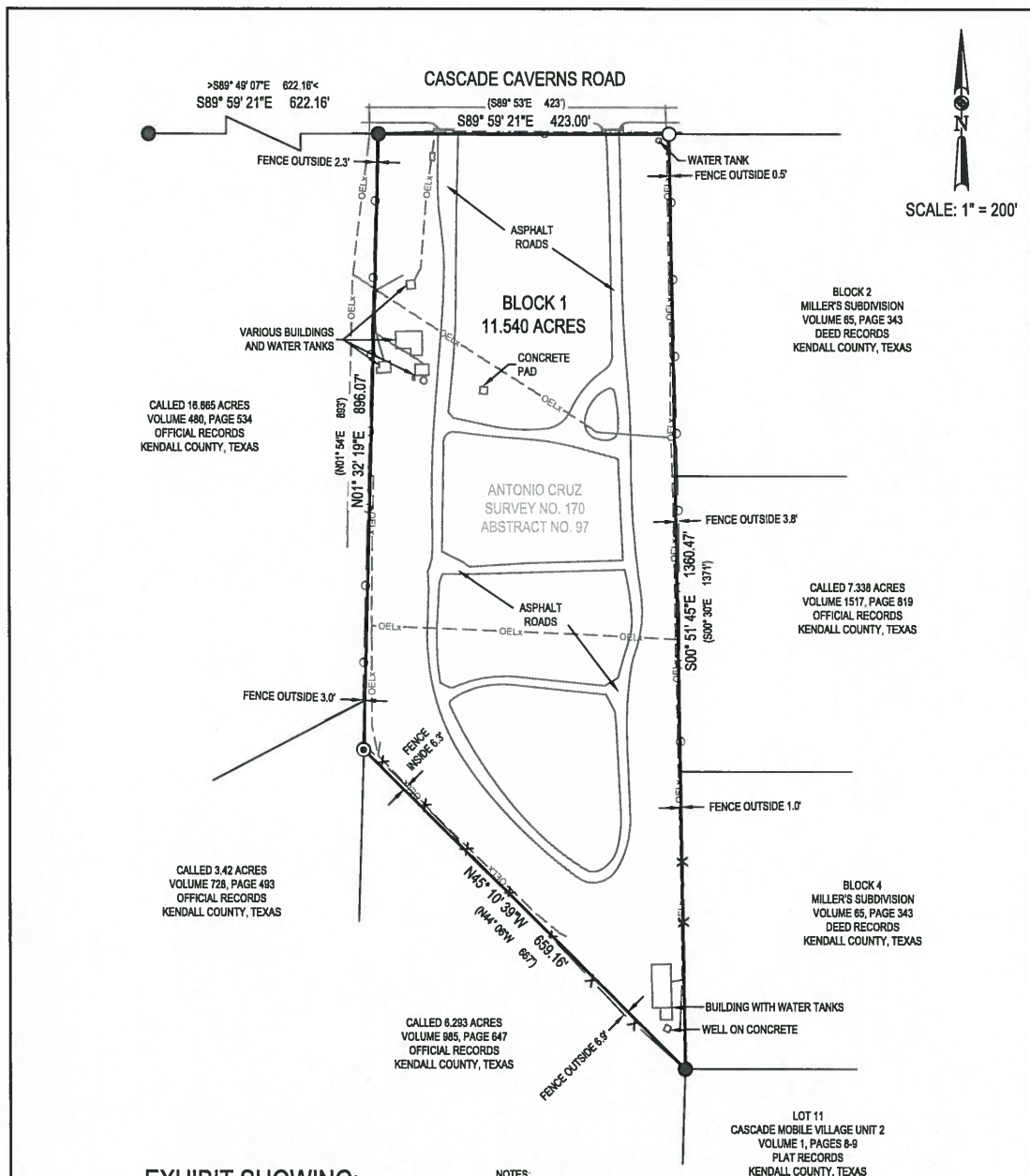


EXHIBIT SHOWING:
BLOCK 1, BEING AN 11.540 ACRE TRACT OF
LAND, MILLER'S SUBDIVISION, ACCORDING TO
THE PLAT RECORDED IN VOLUME 65, PAGE 343,
DEED RECORDS, KENDALL COUNTY, TEXAS.

LEGEND

- () RECORD CALL PER VOLUME 65, PAGE 343
DEED RECORDS, KENDALL COUNTY, TEXAS
- > < RECORD CALL PER VOLUME 480, PAGE 534
OFFICIAL RECORDS, KENDALL COUNTY, TEXAS
- FOUND 1/2 IRON ROD
- ⊙ FOUND 1/2 IRON ROD WITH A
RED "SCHWARZ" PLASTIC CAP
- SET 1/2" IRON ROD WITH A RED "MATKIN-HOOVER
ENG. & SURVEY" PLASTIC CAP
- X — WIRE FENCE
- ○ — CHAIN-LINK FENCE
- OELX — ELECTRIC (OVERHEAD)

NOTES:

- 1) FIELD WORK PERFORMED ON: JULY 19, 2016
- 2) BORROWER: TRIPLE H DEVELOPMENT OR ASSIGNS
- 3) ADDRESS: 15 CASCADE CAVERNS ROAD
- 4) THIS SURVEY IS BASED ON A TITLE COMMITMENT ISSUED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, G.F. NUMBER 181155, ISSUED DATE OF MAY 18, 2016 EFFECTIVE DATE OF MAY 18, 2016 AND IS SUBJECT TO ALL TERMS, CONDITIONS, LEASES AND ENCUMBRANCES STIPULATED THEREIN. THERE MAY BE OTHER EASEMENTS, RESTRICTIONS, OR ENCUMBRANCES NOT SHOWN. THE SURVEYOR DID NOT COMPLETE AN ABSTRACT OF TITLE.
- 5) BASIS OF BEARING: WAS ESTABLISHED USING THE TRIMBLE VRS NETWORK, NAD83, TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, 4204, US SURVEY FOOT, GRID.
- 6) FENCES ALONG BOUNDARY LINE MEANDER.
- 7) ONLY APPARENT UTILITIES WERE LOCATED. NO ATTEMPT HAS BEEN MADE AS PART OF THIS SURVEY TO SHOW THE EXISTENCE, SIZE, DEPTH, CONDITION, OR LOCATION OF ANY UNDERGROUND UTILITY. FOR INFORMATION REGARDING UNDERGROUND UTILITIES PLEASE CONTACT THE APPROPRIATE AGENCY.

SCHEDULE B EXCEPTIONS:

10. THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS:
 - a. PAY TELEPHONE LOCATION AGREEMENT DATED AUGUST 30, 1993 EXECUTED BY WILLIAM PANKRATZ TO TELSERVE COMMUNICATION, INC., AS RECORDED IN VOLUME 420, PAGE 434, KENDALL COUNTY OFFICIAL RECORDS. (NO EASEMENT TO SHOW)
 - b. UTILITY EASEMENT DATED JUNE 27, 1996 EXECUTED BY WILLIAM PANKRATZ TO BANDERA ELECTRIC COOPERATIVE, INC., AS RECORDED IN VOLUME 513, PAGE 656, KENDALL COUNTY OFFICIAL RECORDS. (EASEMENT IS 20' WIDE AND CENTERED ON EXISTING FACILITIES, THE EASEMENT WILL NOT BE SHOWN HEREON DUE TO DENSITY OF UTILITY WIRES)

MATKIN HOOVER

P.O. BOX 54
8 SPENCER ROAD SUITE 100
BOHEMIA, TEXAS 78006
OFFICE: 530.249.0600 FAX: 530.249.0099
TEXAS REGISTERED ENCLOSING FROM P-000312
TEXAS REGISTERED SURVEYING FROM P-10024002
CIVIL ENGINEERS SURVEYORS LAND PLANNERS
CONSTRUCTION MANAGERS CONSULTANTS

**ENGINEERING
& SURVEYING**



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, AND THAT
TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT CORRECTLY
REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY.

JEFF BOERNER DATE: JULY 20, 2016
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4939
JOB NO. 16-4098