

RESOLUTION NO. 2016-R113

**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 22.558 acres, more or less, located at 134 Cascade Caverns Road (KAD Nos. 11567 and 42662) 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 8th day of November, 2016, and the 22nd day of November, 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 22.558 acres, more or less, located at 134 Cascade Caverns Road (KAD Nos. 11567 and 42662), 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, 2016.

APPROVED:

Mayor

ATTEST:

City Secretary



**DESCRIPTION OF
22.558 ACRES OF LAND**

PARCEL 1: An 8.247 acre tract of land out of the J.R. Arocha Survey No. 171, Abstract No. 2, Kendall County, Texas, same being a portion of a 29.873 acre tract of land described in a Special Warranty Deed dated July 15, 2015 to ML & E - Landquest Cascade Caverns, L.L.C., recorded in Volume 1478, Page 492, Official Public Records of Kendall County, Texas; said 8.247 acre tract being more particularly described as follows:

BEGINNING: At a 1/2" iron rod found in the west right-of-way line of Cascade Caverns Road for the northeast corner of the aforementioned 29.873 acre tract, the southeast corner of an 11.302 acre tract of land described and recorded in Volume 109, Page 816, Deed Records of Kendall County, Texas, and the northeast corner of the herein described 8.247 acre tract;

Thence: along the west right-of-way line of the aforementioned Cascade Caverns Road and an east line of the aforementioned 29.873 acre tract the following three (3) courses:

S12°21'01"E, a distance of 244.75 feet to a 1/2" iron rod found for an angle point,

S01°43'09"E, a distance of 212.77 feet to a MAG nail found for an angle point, and

S23°08'16"E, a distance of 40.85 feet to a 1/2" iron rod found with plastic cap stamped "PFEIFFER SURVEY" for the most easterly southeast corner of said 29.873 acre tract, the northeast corner of a 7.893 acre tract of land as described and recorded in Volume 1290, Page 962, Official Record of Kendall County, Texas, and the southeast corner of the herein described 8.247 acre tract;

Thence: leaving the west right-of-way line of the aforementioned Cascade Caverns Road, along the south line of the aforementioned 29.873 acre tract and the north line of the aforementioned 7.893 acre tract the following two (2) courses:

S65°28'21"W, a distance of 86.60 feet to a 1/2" iron rod found with plastic cap stamped "PFEIFFER SURVEY" for an angle point, and

S77°33'38"W, a distance of 350.82 feet to a 1/2" iron rod found with plastic cap stamped "PFEIFFER SURVEY" for the south corner of said 29.873 acre tract, an interior corner of said 7.893 acre tract, and the south corner of the herein described 8.247 acre tract;

- Thence: N35°25'13"W, along a southwest line of the aforementioned 29.873 acre tract and the northeast line of the aforementioned 7.893 acre tract, a distance of 327.88 feet to a 1/2" iron rod found with plastic cap stamped "PFEIFFER SURVEY" for an interior corner of said 29.873 acre tract, the north corner of said 7.893 acre tract, and an interior corner of the herein described 8.247 acre tract;
- Thence: S89°23'06"W, along a south line of the aforementioned 29.873 acre tract, a north line of the aforementioned 7.893 acre tract, a distance of 164.90 feet to a 1/2" iron rod found with plastic cap stamped "PFEIFFER SURVEY" for an interior corner of said 29.873 acre tract, the northwest corner of said 7.893 acre tract, and the southwest corner of the herein described 8.247 acre tract;
- Thence: N00°49'05"E, a distance of 333.32 feet to a 1/2" iron rod set stamped "MW CUDE" in the north line of the aforementioned 29.873 acre tract and the south line of the aforementioned 11.302 acre tract for the northwest corner of the herein described 8.247 acre tract, from which a 1/2" iron rod found for the southwest corner of said 11.302 acre tract and the southeast corner of Lot 5 of Kendall Ranch Estates, a subdivision recorded in Volume 1, Page 22, Plat Records of Kendall County, Texas, bears S89°49'30"W, a distance of 7.41 feet;
- Thence: N89°49'30"E, along the north line of the aforementioned 29.873 acre tract and the south line of the aforementioned 11.302 acre tract, a distance of 696.75 feet to the **POINT OF BEGINNING** and containing 8.247 acres of land.

Parcel 2: A 14.311 acre tract of land out of the J.R. Arocha Survey No. 171, Abstract No. 2, Kendall County, Texas, same being a portion of a 24.334 acre tract of land described in a Special Warranty Deed dated July 16, 2015, to Pulte Homes of Texas, L.P., Recorded in Volume 1478, Page 559, Official Records of Kendall County, Texas, also being a portion of an 18.622 acre tract of land described in a Warranty Deed With Vendor's Lien dated September 11, 2001, to Terry D. & Sylvia Adams, recorded in Volume 696, Page 15, Official Records of Kendall County, Texas, and also being a portion of a 20.000 acre tract of land described in a Warranty Deed dated July 3, 2004, to Terry D. Adams and Sylvia P. Adams, recorded in Volume 872, Page 974, Official Records of Kendall County, Texas; said 14.311 acre tract being more particularly described as follows:

- BEGINNING:** At a 1/2" iron rod found in the north right-of-way line of Cascade Caverns Road for the southeast corner of the aforementioned 18.622 acre tract, the southwest corner of a 27.45 acre tract of land as described and recorded in Volume 1010, Page 948, Official Records of Kendall County, Texas, and the southeast corner of the herein described 14.311 acre tract;
- Thence: S81°28'13"W, along the north right-of-way line of the aforementioned Cascade Caverns Road and the south line of the aforementioned 18.622 acre tract, a distance of 82.98 feet to a 1/2" iron rod found with plastic cap stamped "SCHWARZ 4760" for an angle point;

- Thence N88°31'43"W, continuing along the north right-of-way line of the aforementioned Cascade Caverns Road, the south line of the aforementioned 18.622 acre tract, and the south line of the aforementioned 20.000 acre tract, a distance of 602.90 feet to a 1/2" iron rod set with plastic cap stamped "MW CUDE" for the southwest corner of the herein described 14.311 acre tract;
- Thence: N00°59'41"E, leaving the north right-of-way line of the aforementioned Cascade Caverns Road and the south line of the aforementioned 20.000 acre tract, a distance of 778.64 feet to a 1/2" iron rod set stamped "MW CUDE" in a south line of the aforementioned 24.334 acre tract for the most westerly northwest corner of the herein described 14.311 acre tract;
- Thence: S89°00'22"E, along a south line of the aforementioned 24.334 acre tract, a distance of 5.06 feet to a 1/2" iron rod set with plastic cap stamped "MW CUDE" for an interior corner of the herein described 14.311 acre tract;
- Thence: N01°52'48"E, leaving a south line of the aforementioned 24.334 acre tract, a distance of 30.01 feet to a 1/2" iron rod set with plastic cap stamped "MW CUDE" for a northwest corner of the herein described 14.311 acre tract;
- Thence: S89°00'24"E, a distance of 36.58 feet to a 1/2" iron rod set with plastic cap stamped "MW CUDE" for a southeast corner of the aforementioned 24.334 acre tract and an interior corner of the herein described 14.311 acre tract;
- Thence: along the south lines of the aforementioned 24.334 acre tract the following ten (10) courses:
- N08°00'00"W, a distance of 40.64 feet to a 1/2" iron rod set with plastic cap stamped "MW CUDE" for a northwest corner,
- N80°48'46"E, a distance of 123.23 feet to a 1/2" iron rod set with plastic cap stamped "MW CUDE" for a northeast corner,
- S08°49'34"E, a distance of 18.54 feet to a 1/2" iron rod set with plastic cap stamped "MW CUDE" for an interior corner,
- N81°32'07"E, a distance of 60.00 feet to a 1/2" iron rod set with plastic cap stamped "MW CUDE" for an angle point,
- N89°20'30"E, a distance of 111.32 feet to a 1/2" iron rod set with plastic cap stamped "MW CUDE" for an angle point,
- S86°55'54"E, a distance of 23.90 feet to a 1/2" iron rod set with plastic cap stamped "MW CUDE" for an angle point,
- N45°41'57"E, a distance of 120.14 feet to a 1/2" iron rod set with plastic cap stamped "MW CUDE" for a north corner and a point of curvature of a non-tangent curve to the right,

an arc distance of 33.14 feet with said curve to the right having a radius of 170.00 feet, a delta angle of $11^{\circ}10'09''$, and a chord which bears $S38^{\circ}39'11''E$, a distance of 33.09 feet to a 1/2" iron rod set with plastic cap stamped "MW CUDE" for an interior corner,

$N56^{\circ}56'01''E$, a distance of 230.52 feet to a 1/2" iron rod set with plastic cap stamped "MW CUDE" for a north corner, and

$S40^{\circ}00'24''E$, a distance of 47.60 feet to a 1/2" iron rod set with plastic cap stamped "MW CUDE" in the west line of a 10.158 acre tract of land as described and recorded in Volume 262, Page 841, Official Records of Kendall County, Texas, and the east line of the aforementioned 18.622 acre tract for the southeast corner of said 24.334 acre tract and the northeast corner of the herein described 14.311 acre tract;

Thence: $S00^{\circ}51'42''W$, along the east line of the aforementioned 18.622 tract, the west line of the aforementioned 10.158 acre tract, and the west line of the aforementioned 27.45 acre tract, a distance of 1,008.90 feet to the **POINT OF BEGINNING** and containing 14.311 acres of land.

Notes: 1.) Basis of Bearings is the Texas State Plane Coordinate System, South Central Zone (4204), NAD 83 (93).

2.) 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.

3.) Exhibit plat accompanying this description of even date.

Job No. 02889.060
September 19, 2016
PLM

