

ORDINANCE NO. 2017-20

AN ORDINANCE ANNEXING THE HEREINAFTER DESCRIBED TERRITORY INTO THE CITY OF BOERNE, KENDALL COUNTY, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SAID HEREINAFTER DESCRIBED PROPERTY WITHIN THE CITY LIMITS, AND GRANTING TO SAID TERRITORY AND TO ALL FUTURE INHABITANTS OF SAID PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTS AND ORDINANCES OF SAID CITY

WHEREAS, the City Council of the City of Boerne, Texas has found it necessary and in the public interest to expand the city limits of the City of Boerne to include the area referred to in this proposed annexation plan, so that the City will grow in an orderly manner, and that the residents both present and future, of the annexed area will be provided services; and

WHEREAS, said tract of land is adjacent to the City of Boerne boundaries, or is within the extra-territorial jurisdiction of the City of Boerne, or is already contiguous to the City of Boerne on at least two sides, or the area being annexed is not less than 1000 feet wide in the narrowest point; and

WHEREAS, on the 9th day of May, 2017, and the 23rd day of May, 2017, Public Hearings were held at 6:00 p.m. in the Council Chambers of the Police Department/ Municipal Court building. The purpose of the Public Hearings was to give all interested persons the right to appear and be heard on the proposed annexation of 13.733 acres of land, more or less, by the City of Boerne, Texas, more fully described in "Exhibit A", attached hereto and made a part hereof.

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

Section 1: That the territory described in "Exhibit A" attached hereto is hereby annexed into the City of Boerne, Kendall County, Texas, and that the boundary limits of the City of Boerne are hereby extended to include the territory described in "Exhibit A" within the city limits and the same shall hereafter be included within the territorial limits of said City, and said land and future inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City, and shall be bound by the acts and ordinances of said City.

Section 2: The City Secretary is hereby directed to file with the County Clerk of Kendall County, Texas, and other appropriate officials and agencies, as required by the State and Federal law and City annexation procedures, a certified copy of this ordinance.

PASSED AND APPROVED on this the first reading the 13th day of June, 2017.

PASSED, APPROVED AND ADOPTED on this the second reading the ____ day of June, 2017.

APPROVED:

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:



City Attorney

EXHIBIT "A"

**FIELD NOTES
for a 13.773 Acre (599,932 Sq. Ft.)
Right-of-way Acquisition**

BEING A 13.773 ACRE (599,932 SQ. FT.) TRACT OF LAND, MORE COMMONLY KNOWN AS HERFF ROAD, OUT OF THE JOHN SMALL SURVEY NO. 183, ABSTRACT NO. 441, AND THE MARIA IGNACIA LEAL SURVEY NO. 180, ABSTRACT NO. 298, KENDALL COUNTY, TEXAS, MADE UP OF A 0.425 OF AN ACRE TRACT RECORDED IN VOLUME 1364, PAGE 678 OF THE OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS, A 3.360 ACRE TRACT RECORDED IN VOLUME 1438, PAGE 372 OF THE OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS, A 0.813 OF AN ACRE TRACT RECORDED IN VOLUME 1364, PAGE 687 OF THE OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS, A 0.993 OF AN ACRE TRACT RECORDED IN VOLUME 1364, PAGE 695 OF THE OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS, A 1.140 ACRE TRACT AND A 1.533 ACRE TRACT CALLED TRACT 2: PARCEL 1 AND PARCEL 3 RESPECTFULLY RECORDED IN VOLUME 1404, PAGE 465 OF THE OFFICIAL PUBLIC RECORDS OF KENDALL COUNTY, TEXAS, AND 5.47 ACRES CONTAINED WITHIN OLD HERFF ROAD, SAID 13.773 ACRE (599,932 SQ. FT.) TRACT AS SHOWN ON THE ACCOMPANYING PARCEL PLAT, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a set $\frac{1}{2}$ " iron rod with an orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", at the intersection of the northeast right-of-way line of Old San Antonio Road and the southwest line of Herff Road, at the southwest corner of said 1.140 acre tract, for the south corner of the herein described tract;

Thence, N. $34^{\circ}45'04''$ W., crossing Herff Road with the northeast right-of-way line of Old San Antonio Road, a distance of 220.00 feet, to a set $\frac{1}{2}$ " iron rod with an orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", for the west corner of the herein described tract;

Thence, S. $79^{\circ}45'17''$ E., a distance of 70.71 feet with the north line of said 1.140 acre tract to a found $\frac{1}{2}$ " iron rod, for an angle point;

Thence, N. $55^{\circ}14'30''$ E., continuing with the north line of said 1.140 acre tract a distance of 214.49 feet to a found $\frac{1}{2}$ " iron rod with an orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", at the point of curvature of a curve to the right;

Thence, with the north line of said 1.140 acre tract along said curve to the right having a radius of 575.00 feet, a tangent of 53.72 feet, a central angle of $10^{\circ}40'26''$, a chord which bears N. $60^{\circ}34'43''$ E., 106.96 feet, and an arc distance of 107.12 feet to a found $\frac{1}{2}$ " iron rod with an orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", at the point of reverse curvature;

Thence, with the north line of said 1.140 acre tract along a curve to the left having a radius of 445.00 feet, a tangent of 409.88 feet, a central angle of $85^{\circ}17'43''$, a chord which bears N. $23^{\circ}16'05''$ E.,

N. 00°15'52" E., a distance of 642.77 feet to a set ½" iron rod with an orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", for an angle point;

N. 00°33'29" W., a distance of 328.60 feet to a found Mag Nail, for an angle point;

N. 09°30'51" E., a distance of 18.97 feet to a found Mag Nail, for an angle point;

N. 36°18'07" E., a distance of 128.38 feet to a set ½" iron rod with an orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", for an angle point;

N. 34°43'07" E., a distance of 229.74 feet to a set ½" iron rod with an orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", in the southeast right-of-way line of State Highway 46 for the north corner of the herein described tract;

Thence, S. 64°39'03" E., a distance of 303.25 feet with the southeast right-of-way line of said State Highway 46 to a point, for the north corner of said 0.425 of an acre tract;

Thence, S. 65°14'38" E., a distance of 73.00 feet with the southeast right-of-way line of said State Highway 46 and with the north line of said 0.425 of an acre tract to a set ½" iron rod with an orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", for the east corner of said 0.425 of an acre tract;

Thence, S. 83°03'04" W., a distance of 114.19 feet with the east right-of-way line of Herff Road as described as said 0.425 of an acre tract to a set ½" iron rod with an orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", for an angle point;

Thence, S. 51°20'46" W., a distance of 161.54 feet with the east right-of-way line of Herff Road as described as said 0.425 of an acre tract to a set ½" iron rod with an orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", for the PC of a tangent curve to the left with the radius of 500.00 feet;

Thence with the east right-of-way line of Herff Road as described as said 0.425 of an acre tract and said 3.360 acre tract along said curve to the left having a radius of 500.00 feet, a tangent of 238.96 feet, a central angle of 51°05'19", a chord which bears S. 25°48'06" W., 431.21 feet, and an arc distance of 445.83 feet to a found ½" iron rod with an orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", for a point;

Thence with the east right-of-way line of Herff Road as described as said 3.360 acre tract the following courses and distances:

S. 00°15'27" W., a distance of 758.43 feet to a found ½" iron rod with an orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", for the PC of a tangent curve to the left having a radius of 455.00 feet;

Thence, with the south right-of-way line of Herff Road as described as said 1.140 acre tract, along said curve to the left having a radius of 455.00 feet, a tangent of 42.51 feet, a central angle of $10^{\circ}40'26''$, a chord which bears S. $60^{\circ}34'43''$ W., 84.64 feet, and an arc distance of 84.76 feet to a found $\frac{1}{2}$ " iron rod with an orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", for a point;

Thence, S. $55^{\circ}14'30''$ W., a distance of 214.50 feet with the south right-of-way line of Herff Road as described as said 1.140 acre tract, to a found $\frac{1}{2}$ " iron rod with an orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", for an angle point;

Thence, S. $10^{\circ}14'43''$ W., a distance of 70.72 feet with the south right-of-way line of Herff Road as described as said 1.140 acre tract, to a set $\frac{1}{2}$ " iron rod with an orange plastic cap stamped "BAIN MEDINA BAIN INC. PROP COR", to the POINT OF BEGINNING and containing 13.773 acres (599,932 Square Feet) of land,

Bearings based on NAD 83(93), Texas South Central Zone, Surface Coordinates, Scale Factor 1.00017.

All distances are surface.

A plat of even date herewith accompanies this metes and bounds description.

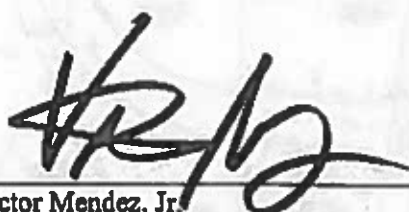
THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF BEXAR §

That I, Victor Mendez, Jr., a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at San Antonio, Bexar County, Texas, this 5th day of February, 2017, A.D.

Revised Date: April 17, 2017

Bain Medina Bain, Inc.
7073 San Pedro Ave.
San Antonio, Texas 78216
210-494-7223


Victor Mendez, Jr.
Registered Professional Land Surveyor
No. 6056 – State of Texas

