

RESOLUTION NO. 2022-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TALTY, TEXAS, AMENDING THE CITY'S EXTRATERRITORIAL JURISDICTIONAL BOUNDARIES RELATING TO REAL PROPERTY DESCRIBED IN EXHIBITS "A" and "B"; EXPANDING THE CITY'S EXTRATERRITORIAL JURISDICTION TO INCLUDE ALL AREAS OF THE PROPERTY THAT MAY EXCEED ONE-HALF MILE OF THE CITY'S EXISTING CITY LIMITS; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Talty, Texas, has received a petition, request or consent by the owners of the properties constituting the subject of this Resolution to expand the City's extraterritorial jurisdiction to include the subject property into the City's extraterritorial jurisdiction, which property is contiguous to the City's otherwise existing extraterritorial jurisdiction but may lie beyond one-half mile from the City's boundaries; and

WHEREAS, the City Council finds and determines that none of the property is within the extraterritorial jurisdiction of any other incorporated municipality; and

WHEREAS, the City Council of the City of Talty, Texas, finds and determines that the expansion of the City's extraterritorial jurisdiction to include the property, being the land and territory described in Exhibits "A" and "B" attached hereto and incorporated herein, is in the best interests of the City and its citizens and the owners and residents of the Property described herein.

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

Section 1: That the City Council of the City of Talty, Texas, finds and determines that the premises hereof are true and correct.

Section 2: That the City Council of the City of Talty, Texas, does hereby confirm and adjust the boundaries and limits of the City's extraterritorial jurisdiction such that the City's extraterritorial jurisdiction shall be and is hereby confirmed and adjusted to include and encompass the all of the property described in Exhibits "A" and "B" attached hereto and incorporated herein (the "Property").

Section 3. That the extraterritorial jurisdiction of the City of Talty, Texas, shall be and is hereby expanded to include and encompass the Property.

Section 4: This resolution shall take effect immediately upon its passage.

DULY PASSED by the City Council of the City of Talty, Texas, on the 18th day of January, 2022.

APPROVED:

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM:
David Berman, City Attorney

Exhibit A

Land Description- PID 9731- 2RG Development, LLC. Parcel

All that certain lot, tract or parcel of land situated in the Friend McMahan Survey, Abstract No. 313, Kaufman County, Texas being known as that tract of land described in deed to Kimberly and Stephen Hilborn II, recorded in Instrument No. 2018-0029186, official public records, Kaufman County, Texas and being described by metes and bounds as follows:

Beginning at a 1/2 inch iron rod set with yellow cap stamped BG&A RPLS 5569 for corner in the recognized Southeast Right-Of-Way line of F.M. Highway No. 148, said point being the recognized West corner of said Hilborn tract and the apparent North corner of a tract of land described in deed as first tract to Round Pen Cowboy Ministries, recorded in Instrument No. 2010-0007692, official public records, Kaufman County, Texas;

Thence North 44 degrees 56 minutes 34 seconds East, along the recognized Southeast Right-Of-Way line of said F.M. Highway No. 148 and the recognized Northwest line of said Hilborn tract, a distance of 538.66 feet to a 1/2 inch rod set with yellow cap stamped BG&A RPLS 5569 for corner, said point being the most Westerly North corner of said Hilborn tract and the apparent West corner of a tract of land described in deed to Larry D. and Laurie Catherwood, recorded in instrument No. 2018-0005208 (PID 9763), official public records, Kaufman County, Texas;

Thence South 44 degrees 19 minutes 25 seconds East, along the apparent Southwest line of said Catherwood tract, a distance of 224.67 feet to a 1/2 inch iron rod found for corner, said point being a recognized inner ell corner of said Hilborn tract and the apparent South corner of said Catherwood tract;

Thence North 46 degrees 01 minutes 52 seconds East, along the apparent southeast line of said Catherwood tract, a distance of 134.91 feet to a 1/2 inch iron rod found for corner, said point being a recognized inner ell corner of said Hilborn tract and the apparent East corner of said Catherwood tract;

Thence North 44 degrees 16 minutes 57 seconds West, along the apparent Northeast line of said Catherwood Tract, a distance of 227.23 feet to a 1/2 inch iron rod found for corner in the recognized Southeast Right-Of-Way line of said F.M. Highway No. 148, said point being the recognized most Northerly West corner of said Hilborn tract and the apparent North corner of said Catherwood tract;

Thence North 44 degrees 56 minutes 34 seconds East, along the recognized Southeast Right-Of-Way line of said F.M. Highway No. 148 and the recognized Northwest line of said Hilborn Tract, a distance of 1164.22 feet to a 1/2 inch iron rod set with yellow cap stamped BG&A RPLS 5569 for corner, said point being the recognized North corner of said Hilborn tract and the apparent West corner of a tract of land described in deed to Kimberly and Stephen Hilborn II, recorded in Volume 2349, Page 240, official public records, Kaufman County, Texas;

Thence South 45 degrees 04 minutes 13 seconds East, along the recognized Northeast line of said Hilborn tract (Instr. No. 2018-0029186) and said Southwest line of said Hilborn tract (Vol. 2349, Pg. 240), a distance of 692.22 feet to a 1/2 inch iron rod found for angle point, said point being the apparent West corner of the "residue" of a tract of land described in deed to Sidney Schleich, recorded in Volume 2831, Page 47, official public records, Kaufman County, Texas;

Thence South 45 degrees 05 minutes 24 seconds east, along the apparent Southwest line of said Schleich tract, a distance of 1611.00 feet to a "1" inch iron pipe found in the apparent Southwest line of said Hilbourn tract (Vol. 2349, Pg. 240), said point being the recognized East corner of said Hilborn tract (Inst. No. 2018-0029186) and the apparent North corner of a tract of land described in deed to Gloria M. Wimpey, recorded in Instrument No. 2008-00021312, official public records, Kaufman County, Texas;

Thence South 45 degrees 23 minutes 58 seconds west, along the recognized Southeast line of said Hilborn tract (inst. No. 2018-0029186) and the apparent Northwest line of said Wimpey tract, a distance of 1886.86 feet to a 5/8" IRF found for corner, said point being the recognized South corner of said Hilborn tract (inst. No. 2018-0029186) and the apparent east corner of a tract of land described in deed to Frankin A. and Billie E Kasper, recorded in Volume 608, Page 851, deed records, Kaufman County, Texas;

Thence North 45 degrees 27 minutes 53 seconds West, along the recognized Southwest line of said Hilborn tract (Inst. No. 2018-0029186) and the apparent Northeast line of said Kasper tract, passing a 1/2 inch iron rod found for reference at 1045.32 feet and continuing for a total distance of 1303.92 feet to a 3/8 inch iron rod found for angle point, said point being the apparent North corner of said Round Pen first tract and the apparent East corner of said Round Pen first tract;

Thence North 45 degrees 17 minutes 08 seconds West, along the recognized Southwest line of said Hilborn tract (Inst. 2018-0029186) and the apparent most Southerly Northeast line of said Round Pen first tract, said point being an apparent inner ell corner of said Round Pen first tract;

Thence North 44 degrees 59 minutes 35 seconds East, along an inner Southeast line of said Round Pen first tract, a distance of 50.89 feet to a "2" inch iron pipe found for corner;

Thence North 43 degrees 52 minutes 42 seconds West, along the recognized Southwest line of said Hilborn tract, a distance of 409.68 feet to the place of beginning and containing 4,293,800.56 square feet or 98.572 acres of land.

Exhibit B

Land Description- Texas Department of Transportation FM 148 Right-Of Way

Will add the metes and bounds of this area upon getting the field notes. Also plan to add a map showing the area; something from the appraisal district site or perhaps the city limits and ETJ map from our comprehensive plan. Will then file the resolution with the county.