

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF PFLUGERVILLE, TEXAS, ACCEPTING A PETITION AND REQUEST FOR THE ACCEPTANCE OF LAND INTO THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF PFLUGERVILLE TO INCLUDE APPROXIMATELY 463.956 ACRES OF LAND CONTIGUOUS TO THE EXISTING EXTRATERRITORIAL JURISDICTION OF THE CITY OF PFLUGERVILLE, TEXAS, GENERALLY LOCATED EAST OF MANDA-CARLSON ROAD, SOUTH OF LUND CARLSON ROAD, WEST OF WELLS ROAD, AND NORTH OF WELLS SCHOOL ROAD, IN TRAVIS COUNTY, TEXAS.

WHEREAS, the City of Pflugerville, Texas (the “City”) desires to expand its extraterritorial jurisdiction (“ETJ”) to include approximately 463.956 acres of land, as more fully described in Exhibit “A”, attached hereto and incorporated herein by reference (the “Land”); and

WHEREAS, the City is authorized, pursuant to Chapter 42, Section 42.022(b) of the Texas Local Government Code, to expand its extraterritorial jurisdiction to include the Land if: (i) the Land is contiguous to the otherwise existing extraterritorial jurisdiction of the City; (ii) the owners of the Land request the expansion; and (iii) the Land is not included within any area in the existing ETJ of another municipality

WHEREAS, the Land is contiguous to the otherwise existing ETJ of the City; and

WHEREAS, the City is authorized to include within its expansion of its ETJ all such roads as are surrounded by the area that it proposes to include; and

WHEREAS, Carol Ann Nelson, first successor Trustee of the Lester C. Nelson Estate of two tracts of land totaling 186.629 acres, and Bruce Winter, owner of three tracts of land totaling 277.327 acres, (collectively, the “Petitioners”), have requested the expansion of the City’s ETJ to include the Land, as set forth on the two Petitions & Requests for the Acceptance of Land into the Extraterritorial Jurisdiction of the City of Pflugerville, attached hereto as Exhibit “B” and incorporated herein by reference; and

WHEREAS, the Land is not included within any area in the existing ETJ of another municipality.

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

Section 1. The City finds the recitals stated above are true and correct and are incorporated herein for all purposes; and, the Petitioners have properly requested that their respective properties be included within the City’s extraterritorial jurisdiction, as authorized under Section 42.022(b) of the Texas Local Government Code.

Section 2. The City hereby expands the boundaries of its ETJ to include the Land and the roads that are bounded on both sides by the Land within the ETJ of the City. From and after the date of this resolution, the Land shall be bound by any and all acts, ordinances, resolutions and regulations of the City applicable to the City's ETJ.

Section 3. The City Secretary is directed to file a certified copy of this resolution in the office of the County Clerk of Travis County, Texas, and in the official records of the City. The City staff is directed to prepare a revision to the City's official map of its ETJ to show the Land as included within the City's ETJ.

RESOLVED this _____ day of _____, 2018.

CITY OF PFLUGERVILLE, TEXAS

By: _____
Victor Gonzales, Mayor

ATTEST:

Karen Thompson, City Secretary

Approved as to Form:

Charlie Zech, City Attorney
Denton Navarro Rocha Bernal & Zech, P.C.

EXHIBIT "A"

Description of the Land

EXHIBIT A
TO
PETITION & REQUEST FOR THE ACCEPTANCE OF LAND INTO THE
EXTRATERRITORIAL JURISDICTION OF THE CITY OF PFLUGERVILLE
[Nelson]

BEING 186.629 ACRES OF LAND LYING IN AND BEING SITUATED OUT OF THE R. FLETCHER SURVEY NO. 69, ABSTRACT NO. 287 AND BEING ALL OF THAT SAME 44.19 ACRE TRACT AND ALL OF THAT 142 ACRE TRACT CONVEYED TO LESTER C. NELSON, AS TRUSTEE OF THE LESTER C. NELSON REVOCABLE LIVING TRUST BY DEED RECORDED IN VOLUME 11917, PAGE 241 AND 243 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 186.629 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JOHN F. WATSON & COMPANY IN MAY, 2017:

BEGINNING at 5/8 inch iron rod with aluminum cap marked "PROP CORNER" found in the southeast line of Manda-Carlson Road for the west corner of that same 78.130 acre tract conveyed to Sarvi Yajat Partnership by deed recorded in Document No. 2010154832 of the Official Public Records of Travis County, Texas and the western most north corner hereof;

THENCE South 62°30'09" East a distance of 2613.44 feet along the southerly line of said 78.130 acre tract to a 5/8 inch iron rod found for the south corner of said 78.130 acre tract, the west corner of said 44.19 acre tract and a corner hereof;

THENCE North 27°04'57" East a distance of 1114.43 feet along the easterly line of said 78.130 acre tract to a point for the west corner of that same 44.57 acre tract conveyed to Carl Carlson by deed recorded in Document No. 2002053540 and the most easterly north corner hereof and from which a 1 inch iron pipe with aluminum cap found for the east corner of said 78.130 acre tract bears North 27°04'57" East a distance of 182.18 feet and from said 1 inch iron pipe another 1 inch iron pipe found bears South 11°35'56" West a distance of 2.85 feet;

THENCE South 62°28'04" East a distance of 1728.49 feet along the southerly line of said 44.57 acre tract to a 1 inch iron pipe found in the westerly line of that same 234.1 acre tract conveyed to Robert Caldwell Bedichek, et al by deed recorded in Document No. 2011137327 of said Official Public Records for the south corner of said 44.57 acre tract and the east corner hereof;

THENCE South 27°25'03" West a distance of 2541.54 feet along the westerly lines of said 234.1 acre tract, that same 253.60 acre tract conveyed to Tom Wells et al by deed recorded in Volume 12196, Page 530 of said Real Property Records and that same 288.6 acre tract conveyed to Brian L. Winter by deed recorded in Volume 12787, Page 2457 of said Real Property Records to a 5/8 inch iron rod with cap found for the east corner of that same 129.922 acre tract conveyed to Andres & Christina Reyes by deed in Document No. 2006033979 of said Official Public Records and the south corner hereof;

THENCE along the north lines of said 129.922 acre tract the following 2 courses:

1. North 62°41'46" West a distance of 2867.96 feet to a 1 inch iron pipe found for a corner hereof;
2. North 62°08'23" West a distance of 1460.19 feet to a 1 inch galvanized iron pipe found in said southeast line of said Manda-Carlson Road for the north corner of said 129.922 acre tract and the west corner hereof;

THENCE North 27°07'29" East a distance of 1428.66 feet along said southeast line of said Manda-Carlson Road to the POINT OF BEGINNING and containing 186.629 acres of land, more or less.

APNs: 0107151329, 0209400222

[Depiction of Property on Following Page]

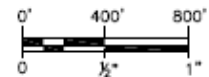


**RECURRENT
ENERGY**

353 SACRAMENTO STREET, 21ST FLOOR
SAN FRANCISCO, CA 94111 USA

NELSON PROPERTY

10 MI EAST OF PFLUGERVILLE,
TRAVIS COUNTY, TX
02/16/18
SCALE: 1"=800'



IF BAR IS NOT ONE INCH,
DRAWING IS NOT TO SCALE

EXHIBIT A
TO
PETITION & REQUEST FOR THE ACCEPTANCE OF LAND INTO THE
EXTRATERRITORIAL JURISDICTION OF THE CITY OF PFLUGERVILLE
[Winter]

LEGAL DESCRIPTION: BEING 277.327 ACRES OF LAND LYING IN AND BEING SITUATED OUT OF THE JOHN HECKMAN SURVEY, ABSTRACT NO. 2140, THE JOHN HARPER SURVEY, ABSTRACT NO. 398, THE B.F. CHILDRESS SURVEY, ABSTRACT NO. 182, THE J. HARRELL SURVEY, ABSTRACT NO. 349 AND THE JAMES P. KEMP SURVEY ABSTRACT NO. 464 IN TRAVIS COUNTY, TEXAS AND BEING A PORTION OF THAT SAME 288.6 ACRE TRACT CONVEYED TO JANE ANN OWENS BY DEED RECORDED IN DOCUMENT NO. 2015029857 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS AND A PORTION OF THAT SAME 288.6 ACRE TRACT CONVEYED TO WILLIAM C. WINTER, JR., TRUSTEE FOR THE BENEFIT OF BRIAN L. WINTER AND WILLIAM C. WINTER, JR., TRUSTEE FOR THE BENEFIT OF BRUCE L. WINTER BY DEED RECORDED IN VOLUME 6579, PAGE 1340 OF SAID REAL PROPERTY RECORDS; SAID 277.327 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JOHN F. WATSON & COMPANY IN DECEMBER, 2017:

BEGINNING at a 1/2 inch iron rod set in the east line of that same 129.922 acre tract conveyed to Andres and Christina Reyes by deed recorded in Document No. 2006033979 of the Official Public Records of Travis County, Texas for the northwest corner of that same 277.2 acre tract described in Volume 694, Page 552 of said Real Property Records and the southwest corner hereof and from which a 2 inch iron pipe found for the southeast corner of said 129.922 acre tract bears South 27°17'46" West a distance of 762.87 feet;

THENCE North 27°17'46" East a distance of 1162.93 feet along the common line of said 129.922 acre tract and said 288.6 acre tract to a 5/8 inch capped iron rod found for the southeast corner of that same 142 acre tract conveyed to Lester C. Nelson by deed recorded in Volume 11917, Page 243 of said Real Property Records, the northeast corner of said 129.922 acre tract and a corner hereof;

THENCE North 27°25'03" East a distance of 550.97 feet along the common line of said 142 acre tract and said 288.6 acre tract to a 1/2 inch iron rod set for the southwest corner of that same 253.6 acre tract described in Volume 9311, Page 232 of said Real Property Records and the northeast corner hereof;

THENCE South 62°01'03" East at a distance of 3.15 feet pass a 3 inch pipe post found, at a distance of 1452.74 feet pass a 2 inch pipe found continuing in all a total distance of 1508.44 feet along the south line of said 253.6 acre tract to a 2 inch pinched iron pipe found for an interior corner of said 253.6 acre tract and a corner hereof and from which a 3/8 inch iron rod found bears 3/8 inch iron rod found for an interior corner of said 253.6 acre tract and said 288.6 acre tract bears North 28°03'15" East a distance of 399.95 feet;

THENCE South $62^{\circ}00'01''$ East a distance of 1438.86 feet crossing said 288.6 acre tract to a 5/8 inch iron rod found for an interior corner of said 253.6 acre tract and a corner hereof and from which a 1/2 inch iron rod found for an interior corner of said 253.6 acre tract and said 288.6 acre tract bears North $28^{\circ}16'45''$ East a distance of 402.34 feet;

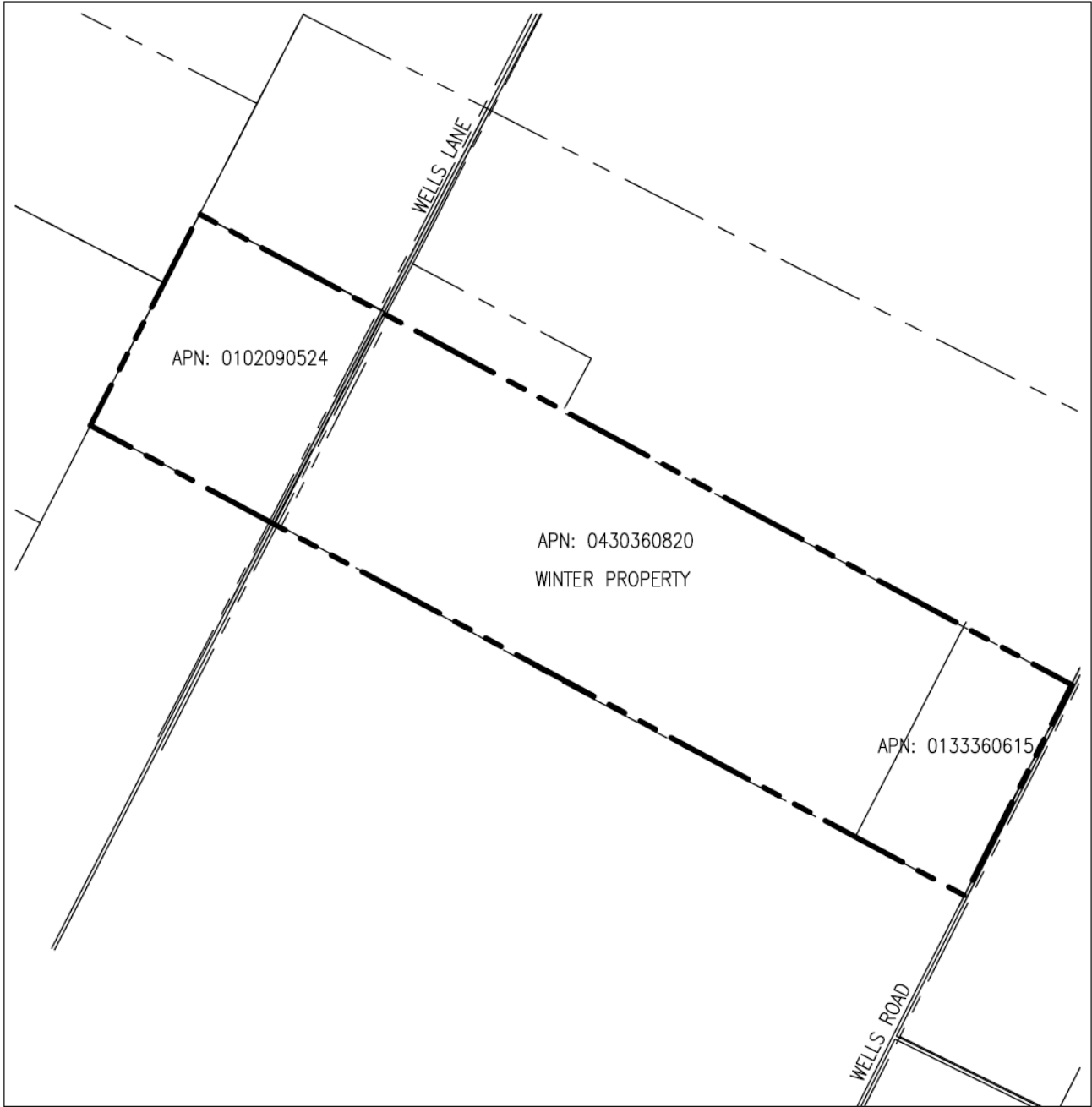
THENCE South $61^{\circ}58'17''$ East a distance of 4098.23 feet along the south line of said 253.6 acre tract to a 1/2 inch iron rod set in the west line of the H. Martin Survey No. 65, Abstract No. 518 for the southeast corner of said 253.6 acre tract and the northeast corner hereof and from which a 3/4 inch iron rod found for the northeast corner of said 253.6 acre tract bears North $26^{\circ}54'53''$ East a distance of 1714.40 feet;

THENCE South $26^{\circ}54'53''$ West a distance of 1711.29 feet along said west line to an 8 inch pine fence corner post found for the northeast corner of said 277.2 acre tract and the southeast corner hereof;

THENCE North $62^{\circ}00'36''$ West a distance of 7058.07 feet along the north line of said 277.2 acre tract to the **POINT OF BEGINNING** and containing 277.327 acres of land, more or less.

APNs: 0102090524, 0430360820, 0133360615

[Depiction of Property on Following Page]

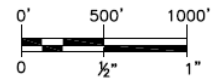


RECURRENT ENERGY

353 SACRAMENTO STREET, 21ST FLOOR
SAN FRANCISCO, CA 94111 USA

WINTER PROPERTY

10 MI EAST OF PFLUGERVILLE,
TRAVIS COUNTY, TX
02/16/18
SCALE: 1"=1000'



IF BAR IS NOT ONE INCH,
DRAWING IS NOT TO SCALE

2/16/2018 2:39 PM

EXHIBIT “B”

Petitions