

RESOLUTION NO. R2022-79

A RESOLUTION OF THE CITY COUNCIL OF BURNET, TEXAS TAKING ACTION PETITION FOR ANNEXATION OF A 151.11 ACRE TRACT OF LAND LOCATED WEST OF U.S. ROUTE 281 AND SOUTH OF RAMSEY'S WAY; AND AUTHORIZING THE INITIATION OF PROCEEDINGS TO ANNEX THE REAL PROPERTY.

WHEREAS, Honey Rock, L.P. , (hereinafter "petitioner") is the owner of 151/11 acres of real property located southwest of the city limits and west of US Route 281, and south of Ramsey's Way (hereinafter the "territory"); and

WHEREAS, city council finds the territory to be located within the city's extraterritorial jurisdiction and continuous with its corporate limits and otherwise qualified to be annexed pursuant to Texas Local Government Code Chapter 43 Subchapter C-3, and other applicable law; and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS. THAT:

Section one. Petition Accepted. The petition attached hereto to annex the territory described therein is hereby accepted.

Section two. Service Agreement. Pursuant to Texas Government Code Sec. 43.0672, the City Manager is hereby authorized and directed to negotiate the terms of a service agreement for the territory prior to the date of the public hearing referenced in section three.

Section three. Public Hearing. The City Manager is authorized and directed to set the date of public hearing and the City Secretary is hereby authorized and directed to cause notice of such public hearing to be published once in a newspaper having general circulation in the city and in the above-described territory not more than twenty days nor less than ten days prior to the date of such public hearing, and post such notice on the city's website from the same date until the day of public hearing; and provide notice by mail deliver to the school district and governmental entities serving the territory as prescribed by Texas Local Government Code Sec. 43.0905 and 43.9051.

Section four. Future City Council Action. At the conclusion of the Public Hearing, or at a public meeting held on a date thereafter, this Council shall consider the merits of the proposed annexation and take action either to annex, or not annex the above described territory.

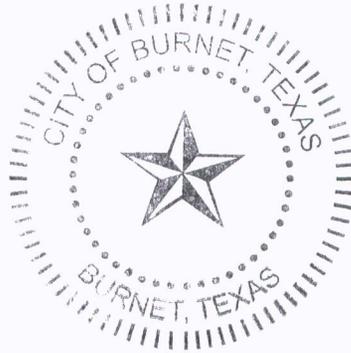
PASSED AND APPROVED this the 25th day of October 2022.

CITY OF BURNET


Crista Goble Bromley, Mayor

ATTEST:


Kelly Dix, City Secretary



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT:

The City of Burnet, Texas proposes to institute annexation proceedings to enlarge and extend the boundary limits of said city to include the following described territory, to-wit:

A 151.11-acre tract of land out of Francisco Ybarbo Sr. Survey Abstract No. 1018, and being located west of U. S. Route 281 and south of Ramsey's Way.

A map of the land and territory to be annexed is available for viewing in the office of the City Secretary during normal business hours.

A public hearing will be held by and before the City Council of the City of the City of Burnet, Texas on the ____ day of _____, 2022 at 6 o'clock, p.m., in _____ City of Burnet, Texas, for all persons interested in the above proposed annexation. At said time and place all such persons shall have the right to appear and be heard. Of all said matters and things, all persons interested in the things and matters herein mentioned, will take notice.

By order of the City Council of the City of Burnet, Texas this the day of December 2022.

CITY OF BURNET

Crista Goble Bromley, Mayor

ATTEST:

Kelly Dix, City Secretary

PETITION REQUESTING ANNEXATION BY LANDOWNER

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF BURNET, TEXAS:

Whereas, the land that is the subject to this petition is an approximately 151.11-acre tract of land out of FRANCISCO YBARBO SR. SURVEY, Abstract No. 1018, and being a part of the remainder of called 670.36-acre tract of land described as Tract 1 by deed to Honey Rock, L.P., Burnet County, Texas and is more fully described the metes and bounds and survey attached hereto as **Exhibit "A"**; and

Whereas, HONEY ROCK, L.P., is the fully vested owner of the land; and the undersigned is a General Partner of the owner authorized to file this petition; NOW THEREFORE:

The City of Burnet is hereby petitioned and requested to extend the present City Limits so as to include as part of the City the land described in Exhibit "A".

The undersigned petitioner avers as to the following:

- (1) The recitals to this petition are true and correct;
- (2) The land is located contiguous and adjacent to the city of Burnet's existing corporate limits;
- (3) The land is less than one mile in width; and
- (4) The land is vacant and without residents.

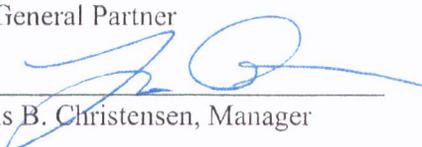
The undersigned petitioner asks this petition to be placed on the first available agenda of city council pursuant to Texas Government Code Chapter 43 Subchapter C-3 (entitled "Annexation on Request of Owners") or such other law that will facilitate the expeditious annexation of the land.

OWNER

HONEY ROCK, LP, a Texas limited partnership

By: HRR General Partner, LLC, a Texas limited liability company

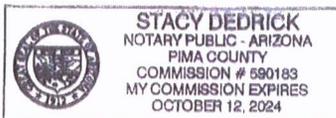
Its: General Partner

By: 
Louis B. Christensen, Manager

(ACKNOWLEDGEMENT)

STATE OF ARIZONA §
COUNTY OF Pima §

This instrument was acknowledged before me on the 27th day of SEPTEMBER 2022 by Louis B. Christensen, Manager of HRR General Partner, LLC a Texas limited liability company, general partner of HONEY ROCK, LP, a Texas limited partnership.



(Personalized Seal)

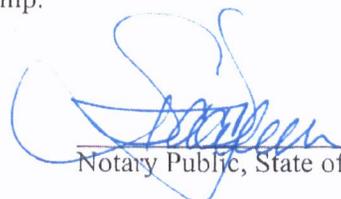

Notary Public, State of Texas ARIZONA

EXHIBIT A

FIELD NOTES 151.11 ACRES BURNET COUNTY, TEXAS

BEING 151.11 acres of land out of the FRANCISCO YBARBO SR. SURVEY, Abstract No. 1018, Burnet County, Texas, and being a part of the remainder of a called 670.36 acre tract of land described as Tract I by a deed to HONEY ROCK, LP, a Texas limited partnership, recorded in Volume 1458, Page 346, OPRBC (Official Public Records of Burnet County, Texas), and being more particularly described by metes and bounds as follows:

BEGINNING at a 60D nail found at a fence corner in the south boundary line of said Tract I, being at the northwest corner of a called 10.942 acre tract of land described in a deed to ROBERT L. CALDWELL and wife, JUDITH A. CALDWELL, recorded in Volume 849, Page 322, OPRBC, and being at the northeast corner of a called 25.174 acre tract of land described in a deed to the CALLAWAY-REMINGTON FAMILY TRUST, recorded in Document No. 2016-06233, OPRBC, for the southwest corner of the annexed portion of said Tract I and for the southeast corner of this tract;

THENCE S 70°45'14" W, 600.00 feet, with the south boundary line of said Tract I and along the north boundary line of said 25.174 acre tract, to an iron rod found;

THENCE S 70°46'54" W, 491.89 feet, continuing with the south boundary line of said Tract I and north boundary line of said 25.174 acre tract, to an iron rod found at the southeast corner of a called 67.82 acre tract of land described in a deed to MICKEY E. & ALISHA L. RICHNOW, recorded in Document No. 2012-06158, OPRBC, for the most southerly corner of this tract;

THENCE with the common boundary line of the remainder of said Tract I and said 67.82 acre tract, for the following calls:

1. N 14°28'14" W, 937.47 feet, to a capped iron rod found;
2. N 66°34'46" W, 2407.02 feet, to a 3-inch iron fence post at the northwest corner of said 67.82 acre tract and being in the east boundary line of a called 78.00 acre tract of land described in a deed to WILLIAM H. & CHRISTINE M. MCCARTNEY TRUSTEES, recorded in Document No. 2017-01962, OPRBC;

THENCE N 20°57'51" W, 594.85 feet, with the west boundary line of said Tract I and along the east boundary line of said 78.00 acre tract, to a cotton spindle found at the northeast corner of said 78.00 acre tract and being at the southeast corner of a called 16.28 acre tract of land described in a deed to RICK & RHONDA COLEMAN FAMILY TRUST, recorded in Document No. 2019-12715, OPRBC, for the most westerly corner of this tract;

THENCE N 05°18'13" E, 689.00 feet, continuing with the west boundary line of said Tract I and along the east boundary line of said 16.28 acre tract, to a cotton spindle found at the northeast corner of said 16.28 acre tract and being in the south boundary line of a called 43.39 acre tract of land described in a deed to RICK & RHONDA COLEMAN FAMILY TRUST, recorded in Document No. 2019-09218, OPRBC, for the most northwesterly corner of this tract;

THENCE N 76°19'34" E, 2413.76 feet, with the north boundary line of said Tract I and along the south boundary line of said 43.39 acre tract, to a calculated point in the middle of a creek, from which a capped iron rod found for reference bears S 76°19'34" W, 50.13 feet;

THENCE along the approximate centerline of said creek, with the common boundary line of the remainder of said Tract I and said 43.49 acre tract, for the following calls:

1. N 11°16'38" E, 231.27 feet, to a calculated point;
2. N 47°34'17" E, 121.45 feet, to a calculated point;
3. N 86°00'10" E, 99.62 feet, to a calculated point;
4. S 46°53'37" E, 140.96 feet, to a calculated point;
5. S 75°02'02" E, 106.18 feet, to a calculated point;
6. S 88°08'34" E, 203.09 feet, to a calculated point;
7. N 85°24'47" E, 172.17 feet, to a calculated point;

EXHIBIT A

8. N 75°05'55" E, 261.57 feet, to a calculated point;
9. N 45°50'03" E, 136.93 feet, to a calculated point;
10. N 15°32'13" E, 169.68 feet, to a cotton spindle found;
11. N 39°31'25" E, 89.16 feet, to a cotton spindle found;
12. N 01°20'22" E, 108.83 feet, to a cotton spindle found;
13. N 29°22'12" W, 207.75 feet, to an iron rod found at the southwest corner of HONEY ROCK RANCH PHASE TWO, an addition to the City of Burnet recorded in Document No. 2022-02743, OPRBC.

THENCE N 63°57'32" E, 103.29 feet, with the common boundary line of the remainder of said Tract 1 and said HONEY ROCK RANCH PHASE TWO, to a calculated point for the northwest corner of the said annexed portion of Tract 1 and for the northeast corner of this tract, from which a capped iron rod found bears N 63°57'32" E, 447.98 feet;

THENCE across and upon said Tract 1, with the west boundary line of said annexed portion of Tract 1, for the following calls:

1. S 39°21'07" E, 53.48 feet, to a calculated point;
2. S 29°23'00" E, 189.29 feet, to a calculated point;
3. S 03°28'24" W, 173.85 feet, to a calculated point;
4. S 25°35'28" W, 225.46 feet, to a calculated point;
5. S 43°13'29" W, 217.73 feet, to a calculated point;
6. S 77°22'57" W, 472.62 feet, to a calculated point;
7. N 83°27'01" W, 312.01 feet, to a calculated point;
8. N 56°30'40" W, 177.17 feet, to a calculated point;
9. S 87°11'00" W, 30.31 feet, to a calculated point;
10. S 52°21'53" W, 24.22 feet, to a calculated point;
11. S 28°06'46" W, 37.06 feet, to a calculated point;
12. S 10°03'08" W, 454.18 feet, to a calculated point;
13. S 02°26'34" W, 178.71 feet, to a calculated point;
14. S 09°11'08" E, 224.46 feet, to a calculated point;
15. S 33°03'04" W, 143.62 feet, to a calculated point;
16. S 03°13'50" E, 569.06 feet, to a calculated point;
17. S 26°17'31" E, 127.51 feet, to a calculated point;
18. N 68°24'10" E, 120.05 feet, to a calculated point;
19. N 89°08'28" E, 131.07 feet, to a calculated point;
20. S 55°04'57" E, 140.55 feet, to a calculated point;
21. S 15°27'13" E, 141.54 feet, to a calculated point;
22. S 06°08'40" E, 224.87 feet, to a calculated point;
23. S 10°25'29" E, 175.49 feet, to a calculated point;
24. S 24°15'06" E, 314.10 feet, to a calculated point;
25. S 20°30'02" E, 232.45 feet, to a calculated point;
26. S 60°19'22" E, 277.37 feet, to a calculated point;
27. S 46°12'14" E, 181.72 feet, to a calculated point;
28. S 23°28'32" E, 379.06 feet, to a calculated point;
29. S 04°14'26" W, 153.90 feet, to the **POINT OF BEGINNING** and containing **151.11 acres of land**, more or less.

NOTES:

The bearings recited herein are grid bearings derived from GPS observations based on the NAD 1983 (2011 datum) State Plane Coordinate System, Texas Central Zone (4203). All distances are horizontal ground distances. The average Combined Correction Factor (CCF) is 1.0001630.

Luther E. Frobish 09/19/2022
Luther E. Frobish
Registered Professional Land Surveyor
State of Texas No. 6200



