

**CITY OF KERRVILLE, TEXAS  
ORDINANCE NO. 2022-10**

**AN ORDINANCE ANNEXING AN APPROXIMATE 82.831 ACRE TRACT OF LAND, BEING MADE UP OF A 62.062 AND 20.769 ACRE TRACTS OF LAND, BOTH LOCATED WITHIN THE COMANCHE TRACE RESIDENTIAL DEVELOPMENT, INTO THE CITY OF KERRVILLE, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF THE CITY SO AS TO INCLUDE SUCH PROPERTY WITHIN THE CITY LIMITS; APPROVING A SERVICE AGREEMENT FOR THE ANNEXED PROPERTY; AND ADOPTING THE ZONING FOR THE ANNEXED PROPERTY AS A MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2)**

**WHEREAS**, the owner of an area made up of two tracts of land has requested annexation of the area by the City of Kerrville, Texas ("City"), pursuant to Local Government Code Section 43.0671; and

**WHEREAS**, all of the herein-described property lies within the extraterritorial jurisdiction of the City; and

**WHEREAS**, in conjunction with the approval of this Ordinance, City Council also approves a Service Agreement for the subject property; and

**WHEREAS**, Section 60-37 of the City's Zoning Code creates procedures for initial zoning of newly annexed areas; and

**WHEREAS**, the City has complied with all prerequisites of state law and the City Charter as to the annexation and the application of zoning to the area;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:**

**SECTION ONE.** City Council finds and declares the facts and recitations contained in the preamble of this Ordinance true and correct.

**SECTION TWO.** City Council annexes into the City limits for all legal purposes all of a certain tracts or parcels of land, which when combined contain 82.862 acres, more or less; and being 62.062 acres located in the William Watt Survey No. 64, Abstract 363; the William Watt Survey No. 65, Abstract 364; the Thomas Jackson Survey No. 394, Abstract 212; and, 20.769 acres located

in the William Watt Survey No. 66, Abstract 365; and the William Watt Survey No. 65, Abstract 364, Kerr County, Texas; being a portion of a called 1131.78 acre tract of land as recorded in Volume 971, Page 698 of the Real Property Records of Kerr County, Texas; and generally located adjacent to and north of the intersection of Comanche Trace Drive and Lower Turtle Creek Road; generally located within the Comanche Trace Residential Development; and being more particularly described and depicted in **Exhibit A** (the "Property").

**SECTION THREE.** City Council authorizes and directs the City Manager, or designee, to amend the City's official boundary map in accordance with the annexation taken in Section Two.

**SECTION FOUR.** The petition for annexation concerning the Property is attached as **Exhibit B** and incorporated herein by reference, said petition, which triggered the process specified in Subchapter C-3, Chapter 43, Texas Local Government Code, authorizing the annexation of the Property.

**SECTION FIVE.** Pursuant to Section 43.0672 of the Texas Local Government Code, the City has negotiated and hereby enters into a Service Agreement (the "Agreement") with the owner of land for the provision of services in the area. The Agreement is attached to this Ordinance as **Exhibit C** and by this reference is incorporated into it. Upon annexation of the Property, the City shall provide the Property with the municipal services set forth in the Agreement pursuant to the schedule set forth therein, such services making up the City's full municipal services. The City shall have no obligation to provide services to the Property not listed in the Agreement.

**SECTION SIX.** Upon the adoption of this Ordinance, and in accordance with Section 60-37 of the City's Zoning Code, the Property is zoned as a Medium Density Residential District (R-2).

**SECTION SEVEN.** The provisions of this Ordinance are to be cumulative of all Ordinances or parts of Ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

**SECTION EIGHT.** If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this Ordinance. The Council of the City of Kerrville, Texas, hereby declares that it would have passed this Ordinance and each section, subsection,

sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

**SECTION NINE.** In accordance with the Texas Local Government Code and other applicable laws, the City Secretary is directed to file a certified copy of this Ordinance together with a copy of the petition requesting annexation with the Kerr County Clerk, Kerr Central Appraisal District, and the Texas Comptroller.

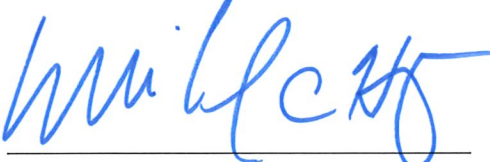
**PASSED AND APPROVED ON FIRST READING, this the 08**  
**day of FEBRUARY A.D., 2022.**

**PASSED AND APPROVED ON SECOND READING, this the**  
**22 day of FEBRUARY A.D., 2022.**

  
Bill Blackburn, Mayor

APPROVED AS TO FORM:

ATTEST:

  
Michael C. Hayes, City Attorney

  
Shelley McElhannon, City Secretary

# **Exhibit A**



**FIELD NOTES FOR A 62.062 ACRE TRACT OF LAND**

A **62.062 acre** tract of land, located in the William Watt Survey No. 64, Abstract 363, the William Watt Survey No. 65, Abstract 364, the Thomas Jackson Survey No. 394, Abstract 212, Kerr County, Texas, being a portion of a called 1131.78 acre tract of land of record in Volume 971, Page 698 of the Official Public Records of Kerr County, Texas. Said **62.062 acre** tract being more particularly described by metes and bounds as follows:

**BEGINNING** at a found 10" cedar fence post in the northwest right-of-way line of F.M. 2771, also known as Lower Turtle Creek Road, a 100' wide public right-of-way, in the westerly line of said 1131.78 acre tract, at the southeast corner of a called 779.30 acre tract of land as described in Document No. 14-02564 of the Official Public Records of Kerr County, Texas and for the southwest corner of the tract described herein;

**THENCE:** Departing said right-of-way line, and with the common line between said 1131.78 acre tract and said 779.30 acre tract, the following seven (7) courses:

1. **N 34° 32' 03" W**, a distance of **1489.16 feet** to a point for corner,
2. **N 29° 58' 57" W**, a distance of **274.57 feet** to a found ½" iron rod for corner,
3. **N 41° 26' 02" E**, a distance of **234.92 feet** to a found ½" iron rod for corner,
4. **N 13° 02' 19" W**, a distance of **143.85 feet** to a found ½" iron rod for corner,
5. **N 29° 17' 48" W**, a distance of **1438.74 feet** to a found ½" iron rod for corner,
6. **N 45° 19' 24" W**, a distance of **506.34 feet** to a found ½" iron rod for corner, and
7. **N 44° 57' 14" E**, a distance of **315.01 feet** to a found ½" iron rod with a yellow plastic cap stamped "Grogan" at the west corner of a 20' Wide Greenbelt & Pedestrian Trail as shown on the Comanche Trace, Phase 10 Subdivision Plat of record in Volume 7, Pages 366-367 of the Plat Records of Kerr County, Texas and for a northwesterly corner of the tract described herein;

**THENCE:** With the westerly, southerly and easterly lines of said Phase 10 Plat, the following nine (9) courses:

1. **S 45° 01' 09" E**, a distance of **20.00 feet** to a found ½" iron rod with a yellow plastic cap stamped "Grogan" for corner,
2. **S 32° 49' 59" E**, a distance of **589.85 feet** to a found ½" iron rod with a yellow plastic cap stamped "Grogan" for corner,
3. **S 27° 28' 33" E**, a distance of **300.64 feet** to a found ½" iron rod with a red plastic cap stamped "Voelkel" for corner,
4. **S 27° 50' 16" E**, a distance of **311.07 feet** to a found ½" iron rod with a yellow plastic cap stamped "Grogan" for corner,
5. **S 66° 59' 03" E**, a distance of **237.01 feet** to a found ½" iron rod with a yellow plastic cap stamped "Grogan" for corner,
6. **N 64° 13' 13" E**, a distance of **221.14 feet** to a found ½" iron rod with a yellow plastic cap stamped "Grogan" for corner,
7. **N 05° 18' 03" E**, a distance of **618.97 feet** to a found ½" iron rod with a yellow plastic cap stamped "Grogan" for corner,
8. **N 17° 17' 29" E**, a distance of **1049.75 feet** to a found ½" iron rod for corner, and
9. **N 51° 11' 24" E**, a distance of **40.02 feet** to a found ½" iron rod in the southwesterly right-of-way line of Comanche Trace Drive, a 60' wide public right-of-way, as shown on said Phase 10 Plat and on the Comanche Trace, Phase 11 Subdivision Plat of record in Volume 8, Pages 57-58 of the Plat Records of Kerr County, Texas and for the most northerly corner of the tract described herein;

**THENCE:** With the southwesterly right-of-way line of Comanche Trace Drive as shown on said Phase 11 Plat, the following two (2) courses:

1. **S 38° 49' 01" E**, a distance of **23.35 feet** to a found ½" iron rod in concrete for a point of curvature, and

2. With a curve to the left having a radius of **430.00 feet**, an arc length of **151.67 feet**, a delta angle of **020° 12' 34"** and a chord bears, **S 48° 55' 18" E**, a distance of **237.95 feet** to a point of non-tangency, and a northeasterly corner of the tract described herein;

**THENCE:** Departing said right-of-way line, into said 1131.78 acre tract, the following twenty-two (22) courses:

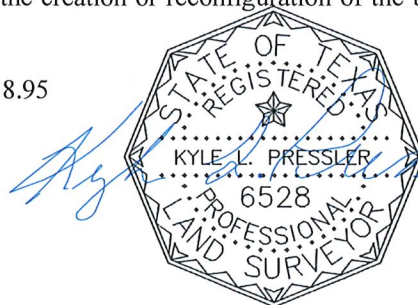
1. **S 02° 30' 20" W**, a distance of **400.94 feet** to a point for a corner,
2. **S 03° 51' 17" W**, a distance of **549.65 feet** to a point for a corner,
3. **S 06° 58' 51" W**, a distance of **575.36 feet** to a point for a corner,
4. **S 35° 59' 03" W**, a distance of **367.17 feet** to a point for a corner,
5. **S 17° 21' 35" W**, a distance of **415.19 feet** to a point for a corner,
6. **S 21° 38' 36" W**, a distance of **248.26 feet** to a point for a corner,
7. **S 15° 53' 07" W**, a distance of **331.66 feet** to a point for a corner,
8. **S 35° 32' 31" W**, a distance of **624.14 feet** to a point for a corner,
9. **N 51° 44' 25" E**, a distance of **397.73 feet** to a point for a corner,
10. **N 26° 18' 15" E**, a distance of **58.24 feet** to a point for a corner,
11. **S 62° 25' 39" E**, a distance of **27.47 feet** to a point of curvature;
12. With a curve to the right having a radius of **680.00 feet**, an arc length of **166.78 feet**, a delta angle of **014° 03' 09"** and a chord bears, **S 55° 24' 05" E**, a distance of **166.36 feet** to a point of reverse curvature,
13. With a curve to the left having a radius of **15.00 feet**, an arc length of **23.19 feet**, a delta angle of **088° 35' 07"** and a chord bears, **N 87° 19' 56" E**, a distance of **20.95 feet** to a point of non-tangency,
14. **S 43° 57' 57" E**, a distance of **50.07 feet** to a point of curvature,
15. With a non-tangent curve to the left having a radius of **15.00 feet**, an arc length of **22.22 feet**, a delta angle of **084° 53' 11"** and a chord bears, **S 00° 40' 13" W**, a distance of **20.25 feet** to a point of reverse curvature,
16. With a curve to the right having a radius of **680.00 feet**, an arc length of **284.34 feet**, a delta angle of **023° 57' 30"** and a chord bears, **S 29° 47' 37" E**, a distance of **282.27 feet** to a point of reverse curvature,
17. With a curve to the left having a radius of **15.00 feet**, an arc length of **22.24 feet**, a delta angle of **084° 56' 06"** and a chord bears, **S 60° 16' 56" E**, a distance of **20.26 feet** to a point of non-tangency,
18. **S 13° 00' 40" E**, a distance of **88.00 feet** to a point for corner,
19. **N 77° 15' 01" E**, a distance of **49.82 feet** to a point for a corner,
20. **S 14° 35' 48" E**, a distance of **48.17 feet** to a point for corner,
21. **S 01° 17' 53" W**, a distance of **406.42 feet** to a point for a corner, and
22. **S 12° 12' 04" W**, a distance of **30.31 feet** to a point in the northerly right-of-way line of F.M. 2771, the southerly line of said 1131.78 acre tract, for a point of curvature and the southeast corner of the tract described herein;

**THENCE:** With the northerly right-of-way line of F.M. 2771, the following two (2) courses:

1. With a non-tangent curve to the left having a radius of **955.13 feet**, an arc length of **591.58 feet**, a delta angle of **035° 29' 14"** and a chord bears, **S 84° 27' 58" W**, a distance of **582.17 feet** to a point of tangency, from which a TxDOT R.O.W. monument, Type I, bears, **S 79° 11' 32" E**, a distance of 1.47 feet, and
2. **S 66° 43' 20" W**, a distance of **226.08 feet** to the **POINT OF BEGINNING** and containing **62.062 acres** of land situated in Kerr County, Texas.

Note: This document was prepared under 22 Texas Administrative Code § 138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests 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.

22 Tex. Admin. Code § 138.95



Job # 17-4029 62.062 ac

Date: October 29, 2021



THIS SURVEY DOES NOT CONSTITUTE A BOUNDARY SURVEY AND SHALL NOT BE RECORDED FOR ANY PURPOSE.  
THIS EXEMPT IS FOR INFORMATIONAL PURPOSES AND SHALL NOT BE RECORDED FOR ANY PURPOSE.  
THIS DOCUMENT WAS PREPARED UNDER THE TEXAS ADMINISTRATIVE CODE § 104.05, DOES NOT REFLECT THE RESULTS OF AN  
ON-LEADHOLD INVESTIGATION IN A PROPERTY EXCEPT THOSE RIGHTS  
THE COUNCIL SURVEY, AND IS NOT TO BE USED TO CONVEY OR ON-LEADHOLD INVESTIGATION IN A PROPERTY EXCEPT THOSE RIGHTS  
AND INTERESTS IMPROVED OR ESTABLISHED BY THE CREATION OR ON-LEADHOLD INVESTIGATION IN A PROPERTY EXCEPT THOSE RIGHTS  
SECTION FOR WHICH IT WAS PREPARED. - 22 TEXAS ADMIN. CODE § 104.05

A 62.062 ACRE TRACT OF LAND, LOCATED IN THE WILLIAM WATT SURVEY NO. 65,  
ABSTRACT 364, THE THOMAS JACKSON SURVEY NO. 394, ABSTRACT 212, KERR COUNTY, TEXAS, BEING A PORTION OF A CALLED  
1131.78 ACRE TRACT OF LAND OF RECORD IN VOLUME 971, PAGE 698 OF THE OFFICIAL PUBLIC RECORDS OF KERR COUNTY, TEXAS.



SCALE: 1" = 200'



CURVE TABLE					
	CURVE	RADIUS	LENGTH	DELTA	CHORD LENGTH
	C1	430.02	51.87	20°12'34"	548.58 @ 18"
		000.02	166.78	14°03'07"	N257°24'05"W
		000.02	15.97	81°30'57"	N07°19'25"E
		15.97	21.17	81°30'57"	N07°19'25"E
	C4	15.97	22.82	44°30'11"	S000°48'13"W
	C5	000.02	244.24	27°57'20"	N257°47'37"W
	C6	000.02	214.24	27°57'20"	N257°47'37"W
	C8	15.97	21.24	84°45'06"	S060°16'56"E
		000.02	15.97	84°45'06"	S060°16'56"E

**MATKINHOVER**  
ENGINEERING  
& SURVEYING

10001 KILPATRICK BLVD. SUITE 300  
DALLAS, TX 75243-4600 FAX 972 330 0500

SHEET 1 OF 2  
JOB NO. 17-4029

**FIELD NOTES FOR A 20.769 ACRE TRACT OF LAND**

A **20.769 acre** tract of land, located in the William Watt Survey No. 66, Abstract 365 and the William Watt Survey No. 65, Abstract 364, Kerr County, Texas, being a portion of a called 1131.78 acre tract of land of record in Volume 971, Page 698 of the Official Public Records of Kerr County, Texas. Said **20.769 acre** tract being more particularly described by metes and bounds as follows:

**BEGINNING** at a found  $\frac{1}{2}$ " iron rod with a yellow plastic cap stamped "Grogan" in the northerly right-of-way line of Comanche Trace Drive, a 60' wide public right-of-way, as shown on the Comanche Trace, Phase 11 Subdivision Plat of record in Volume 8, Pages 57-59 of the Plat Records of Kerr County, Texas, at the southwest corner of Lot 1, Block A of said Phase 11 Plat, for a point of curvature and the southeast corner of the tract described herein;

**THENCE:** With the northerly right-of-way line of Comanche Trace Drive, as shown on said Phase 11 Plat and on the Comanche Trace Phase 10 Subdivision Plat of record in Volume 7, Pages 366-367 of the Plat Records of Kerr County, Texas, the following two (2) courses:

1. With a non-tangent curve to the right having a radius of **370.00 feet**, an arc length of **159.71 feet**, a delta angle of **024° 43' 53"** and a chord bears, **N 51° 10' 58" W**, a distance of **158.47 feet** to a found  $\frac{1}{2}$ " iron rod with a yellow plastic cap stamped "Grogan" for a point of tangency, and
2. **N 38° 49' 01" W**, a distance of **190.61 feet** to a found  $\frac{1}{2}$ " iron rod with a yellow plastic cap stamped "Grogan" at the southeast corner of Lot 19, Block A of the Comanche Trace Phase 9 Subdivision Plat of record in Volume 7, Pages 326-327 of the Plat Records of Kerr County, Texas and for the southwest corner of the tract described herein;

**THENCE:** Departing said right-of-way line, and with the easterly lines of said Phase 9 Subdivision, the following five (5) courses:

1. **N 42° 35' 17" E**, a distance of **236.10 feet** to a found  $\frac{1}{2}$ " iron rod for corner,
2. **N 17° 22' 01" E**, a distance of **306.42 feet** to a found  $\frac{1}{2}$ " iron rod with a yellow plastic cap stamped "Grogan" for corner,
3. **N 02° 15' 57" E**, a distance of **586.54 feet** to a found  $\frac{1}{2}$ " iron rod with a yellow plastic cap stamped "Grogan" for corner,
4. **N 16° 43' 28" W**, a distance of **154.31 feet** to a found  $\frac{1}{2}$ " iron rod with a yellow plastic cap stamped "Grogan" for corner, and
5. **N 07° 22' 36" E**, a distance of **265.46 feet** to a found  $\frac{1}{2}$ " iron rod (bent) for the northwest corner of the tract described herein;

**THENCE:** Into said 1131.78 acre tract, the following two (2) courses:

1. **S 04° 06' 18" E**, a distance of **66.84 feet** to a point for corner, and
2. **S 73° 23' 28" E**, a distance of **1000.12 feet** to a point in the westerly right-of-way line of Club House Road, a variable width public right-of-way, as shown on the Comanche Trace, Phase 13 Subdivision Plat of record in Document No. 18-07562 of the Plat Records of Kerr County, Texas and for the northeast corner of the tract described herein;

**THENCE:** With the westerly right-of-way line of said Club House Road, the following five (5) courses:

1. **S 06° 00' 23" E**, a distance of **25.93 feet** to a found  $\frac{1}{2}$ " iron rod (bent) for a point of curvature,
2. With a curve to the right having a radius of **15.00 feet**, an arc length of **23.99 feet**, a delta angle of **091° 37' 18"** and a chord bears, **S 39° 48' 16" W**, a distance of **21.51 feet** to a found  $\frac{1}{2}$ " iron rod with a red plastic cap stamped "Matkin Hoover Eng. & Survey" for a point of non-tangency,
3. **S 06° 53' 24" E**, a distance of **50.04 feet** to a point of curvature,



4. With a non-tangent curve to the right having a radius of **15.00 feet**, an arc length of **23.21 feet**, a delta angle of **088° 40' 23"** and a chord bears, **S 50° 20' 35" E**, a distance of **20.97 feet** to a found ½" iron rod with a red plastic cap stamped "Matkin Hoover Eng. & Survey" for a point of tangency, and
5. **S 06° 00' 23" E**, a distance of **13.91 feet** to a found ½" iron rod with a red plastic cap stamped "Matkin Hoover Eng. & Survey" at the northeast corner of Lot 7, Block A of said Phase 13 Plat and for an easterly corner of the tract described herein;

**THENCE:** Departing said right-of-way line and with the westerly lines of said Phase 13 Plat, the following four (4) courses:

1. **S 83° 59' 37" W**, a distance of **97.93 feet** to a found ½" iron rod for corner,
2. **S 28° 24' 15" W**, a distance of **173.47 feet** to a found ½" iron rod (bent) for corner,
3. **S 38° 26' 32" W**, a distance of **714.41 feet** to a found ½" iron rod with a red plastic cap stamped "Matkin Hoover Eng. & Survey" for corner, and
4. **S 30° 57' 03" W**, a distance of **247.74 feet** to a point at the southwest corner of said Phase 13 Plat, the northwest corner of Lot 4, Block A of said Phase 11 Plat and for an angle of the tract described herein;

**THENCE:** With the westerly lines of said Phase 11 Plat, the following two (2) courses:

1. **S 30° 58' 26" W**, a distance of **203.34 feet** to a point for corner, and
2. **S 47° 12' 10" W**, a distance of **191.78 feet** to the **POINT OF BEGINNING** and containing **20.769 acres** of land situated in Kerr County, Texas.

Note: This document was prepared under 22 Texas Administrative Code § 138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests 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.

22 Tex. Admin. Code § 138.95



Job # 17-4029 20.769 ac

Date: October 29, 2021

A 20.769 ACRE TRACT OF LAND, LOCATED IN THE WILLIAM WATT SURVEY NO. 66, ABSTRACT 365 AND THE WILLIAM WATT SURVEY NO. 65, ABSTRACT 364, KERR COUNTY, TEXAS, BEING A CALLED 131.78 ACRE TRACT OF LAND OF RECORD IN VOLUME 971, PAGE 698 OF THE OFFICIAL PUBLIC RECORDS OF KERR COUNTY, TEXAS.



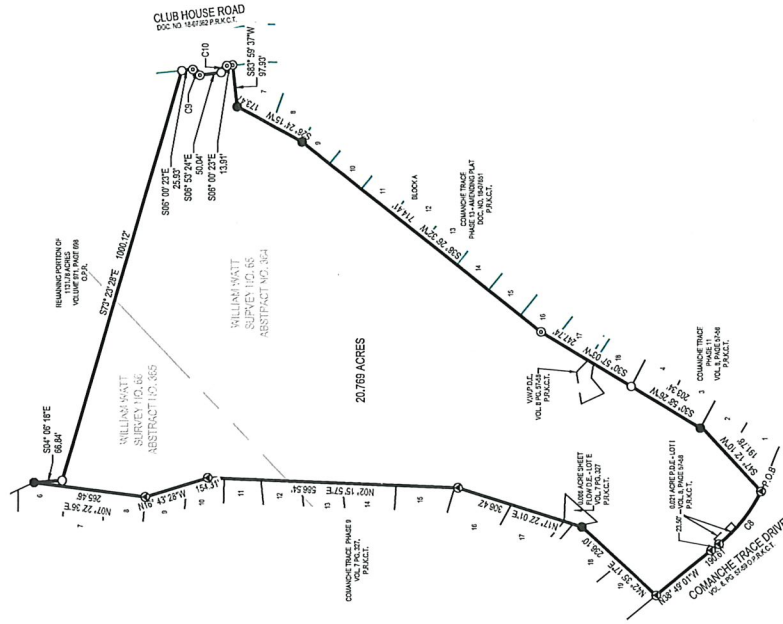
## LOCATION MAP

SCALE: 1" = 200'



POINT OF BEGINNING  
FOUND 1 1/2" IRON ROD - "MATKIN HOOVER"  
FOUND 1 1/2" IRON ROD  
FOUND 1 1/2" IRON ROD - "CROGAN"  
FOUND 600 NAIL  
FOUND TXDOT MONUMENT  
FOUND 10" CEDAR POST  
POINT

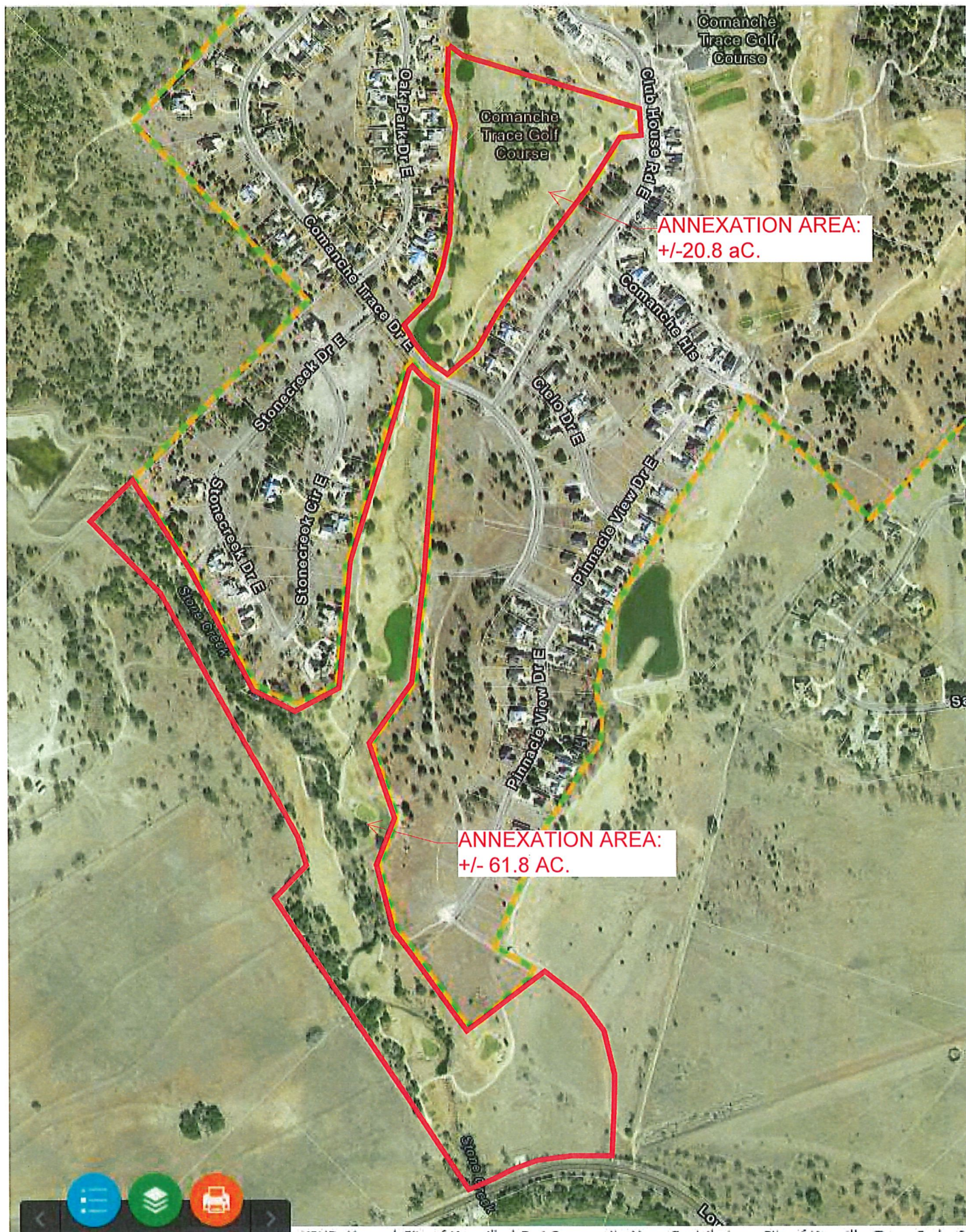
**LEGEND**  
**P.O.B.**



CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C8	205.00'	150.71'	24°43'53"	S55°10'59"E	158.84'
C9	15.00'	21.89'	91°37'18"	N07°48'19"E	21.51'
C10	15.00'	22.21'	88°46'23"	N07°22'52"W	20.57'

**"PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT".**





Comanche  
Trace Golf  
Course

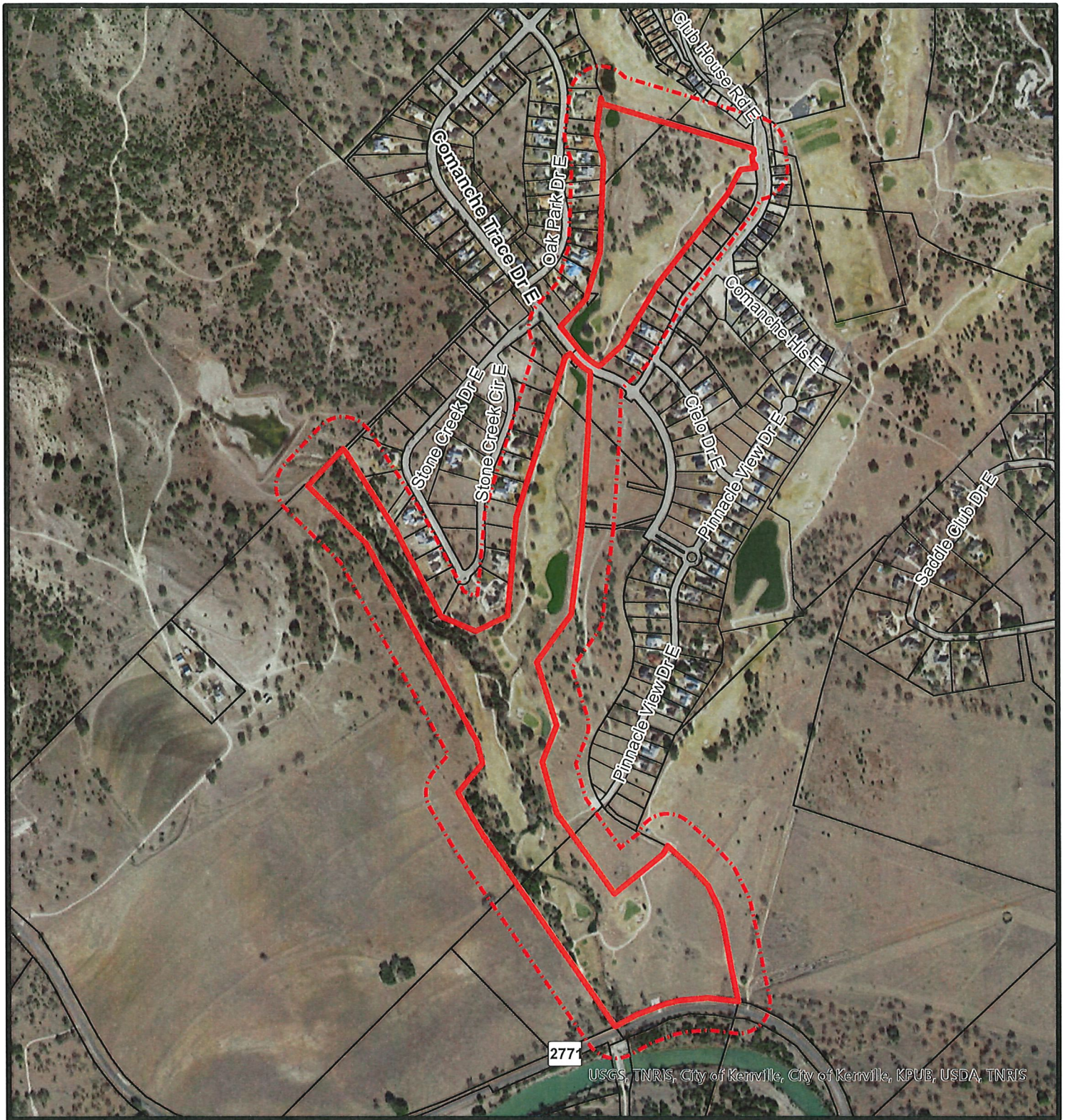
Comanche  
Trace Golf  
Course

ANNEXATION AREA:  
+/- 20.8 aC.

ANNEXATION AREA:  
+/- 61.8 AC.







## Location Map

**Case # PZ-2021-34**

### Location:

20.8-acres out of ABS A0364

WATT SUR 65, ABS A0365 WATT SUR 66 &

62.1-acres out of ABS A0212 JACKSON SUR 394, ABS A0212 JACKSON SUR 394

### Legend

200' Notification Area  
Subject Properties



0 300 600 1,200

Scale In Feet



## **Exhibit B**

PETITION REQUESTING ANNEXATION TO THE CORPORATE LIMITS OF THE CITY OF KERRVILLE, TEXAS, OF TEXAS ACRES OUT OF THE WILLIAM WATT NO. 64 Survey, Abstract Number 363, THE WILLIAM WATT NO. 65 Survey, Abstract Number 364, and THE THOMAS JACKSON NO. 394 Survey, Abstract Number 212, KERR COUNTY TEXAS

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

Comanche Trace Ranch & Golf Club, LLLP is the sole owner of an approximately 61.8 acre tract of land and an approximately 20.8 acre tract of land, both located adjacent to the incorporated limits of the City of Kerrville which is more particularly described as follows:

SEE ATTACHED SURVEY AND METES & BOUNDS DESCRIPTION.

In accordance with Texas Local Government Code §43.028, Comanche Trace Ranch & Golf Club, LLLP hereby respectfully requests and petitions that the above-described property be annexed into the incorporated limits of the City of Kerrville, Texas. SUBMITTED THIS 8<sup>th</sup> day of November.

By: \_\_\_\_\_

Legally authorized signature

# ACKNOWLEDGEMENT

THE STATE OF TEXAS

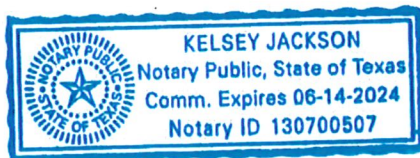
§

COUNTY OF KERR

§

§

This instrument was acknowledged before me on the 8<sup>th</sup> day of November, by Trevor Hyde for and on behalf of Comanche Trace Ranch & Golf Club, LLLP.



\_\_\_\_\_  
NOTARY PUBLIC, STATE OF TEXAS

Printed Name: Kelsey Jackson

My Commission Expires: 06/14/2024

# EXHIBIT C

## SERVICE AGREEMENT

This Services Agreement (the "Agreement") is entered into between the City of Kerrville, a Texas Home-Rule Municipal Corporation (the "City") and the Comanche Trace Ranch & Golf Club, LLLP (the "Owner"). The City and the Owner are collectively referred to as the Parties.

**WHEREAS**, pursuant to a lawfully submitted petition for annexation from Owner, City intends to institute annexation proceedings for a tract(s) of land described more fully hereinafter (referred to herein as the "Subject Property"); and,

**WHEREAS**, *Section 43.0672 of the Tex. Loc. Gov't Code* requires a written agreement for the provision of services in the area first be entered into between City and Owner of the Subject Property; and,

**WHEREAS**, City and Owner agree each will benefit from the City's development restrictions and zoning requirements, as well as other municipal services provided by City which are good and valuable consideration for the Owner to request annexation and for the Parties to enter into this Agreement for City to provide the listed services upon annexation and in accordance with this Agreement; and,

**WHEREAS**, it is found that the statutory requirements have been satisfied and City is authorized by *Chapter 43, Tex. Loc. Gov't. Code*, to annex the Subject Property into the City;

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein, the Parties hereto agree as follows:

**Section 1. Property Description.** The legal description of the Subject Property is as set forth in **Exhibit 1**, attached hereto and incorporated herein.

**Section 2. Services.** City will provide the services listed and specified in **Exhibit 2**, attached hereto and incorporated herein, for the Subject Property on the effective date of annexation of the Subject Property.

**Section 3. Owner's Obligations.** Owner shall not file for approval a subdivision plat, site plan, or related development document with City for the Subject Property or portion thereof; or construct, or allow to be constructed, any building or structure on the Subject Property or portion thereof until City has obtained authorization.

**Section 4. Term.** The term of this Agreement (the "Term") is ten (10) years from the Effective Date.



**Section 5. Vested Rights Claims.** This Agreement is not a permit for the purposes of Chapter 245, Texas Local Government Code.

**Section 6. Authorization.** All parties and officers signing this Agreement warrant to be duly authorized to execute this Agreement.

**Section 7. Covenant Running with the Land.** This Agreement shall run with the Subject Property, and this Agreement may be recorded in the Official Public Records of Kerr County, Texas. Owner and City acknowledge and agree that this Agreement is binding upon City and Owner and their respective successors, executors, heirs, and assigns, as applicable, for the term of this Agreement.

**Section 8. Severability.** If any provision of this Agreement is held by a court of competent and final jurisdiction to be invalid or unenforceable for any reason, then the remainder of the Agreement shall be deemed to be valid and enforceable as if the invalid portion had not been included.

**Section 9. Amendment and Modifications.** This Agreement may be amended or modified only in a written instrument that is executed by both City and Owner after it has been authorized by the City Council.

**Section 10. Gender, Number and Headings.** Words of any gender used in this Agreement shall be held and construed to include any other gender, and words in the singular number shall be held to include the plural, unless the context otherwise requires. The headings and section numbers are for convenience only and shall not be considered in interpreting or construing this Agreement.

**Section 11. Governmental Immunity; Defenses.** Nothing in this Agreement shall be deemed to waive, modify, or amend any legal defense available at law or in equity to either City or Owner, including governmental immunity, nor to create any legal rights or claims on behalf of any third party.

**Section 12. Enforcement; Waiver.** This Agreement may be enforced by Owner or the City by any proceeding at law or in equity. Failure to do so shall not be deemed a waiver to enforce the provisions of this Agreement thereafter.

**Section 13. Effect of Future Laws.** No subsequent change in the law regarding annexation shall affect the enforceability of this Agreement.

**Section 14. Venue and Applicable Law.** Venue for this Agreement shall be in Kerr County, Texas. This Agreement shall be construed under and in accordance with the laws of the State of Texas.



**Section 15. Counterparts.** This Agreement may be separately executed in individual counterparts and, upon execution, shall constitute one and same instrument.

**Section 16. Effective Date.** This Agreement shall be in full force and effect as of the date of approval of this Agreement by the City Council, from and after its execution by the parties.

**Section 17. Sections to Survive Termination.** This Agreement shall survive its termination to the extent necessary for the implementation of the provisions related to water service to the Subject Property by the City.

EXECUTED this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Trevor Hyde, \_\_\_\_\_,  
Comanche Trace Ranch & Golf  
Club, LLLP

STATE OF TEXAS           §  
                                     §  
COUNTY OF KERR       §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 2022, by Trevor Hyde, \_\_\_\_\_, Comanche Trace Ranch & Golf Club.

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
E.A. Hoppe, City Manager, City  
of Kerrville, Texas

STATE OF TEXAS           §  
                                     §  
COUNTY OF KERR       §

          This instrument was acknowledged before me on the \_\_\_\_ day of  
\_\_\_\_\_, 2022, by E.A. Hoppe, City Manager, City of Kerrville, Texas.

\_\_\_\_\_  
Notary Public, State of Texas

**Upon Recording, Return to:**  
**City of Kerrville, Texas**  
**City Secretary**  
**City Hall, 701 Main Street**  
**Kerrville, Texas 78028**

**EXHIBIT 1**  
**LEGAL DESCRIPTION OF SUBJECT PROPERTY**

(NOTE: *see* Exhibit A to Ord. No. 2022-10 for description; description to be included as an attachment to this agreement prior to execution)



The Kerrville

DAILY TIMES

# CLASSIFIEDS

Tuesday, March 1, 2022

Call: **896-7777**

Fax: (830)896-1150

E-mail: [classifieds@dailytimes.com](mailto:classifieds@dailytimes.com)

View your ad online at [www.dailytimes.com](http://www.dailytimes.com)



**ADVERTISING**  
**LINEAR AND**  
**DISPLAY ADS:**

• Tuesday Deadline | Monday 10:30 am

• Thursday Deadline | Wednesday 10:30 am

• Weekend Deadline | Friday 10:30 am

**OFFICE HOURS:**

8 a.m. to 5 p.m.

Monday through Friday

429 Jefferson Street, Kerrville

830-896-7000

Answering machine is in use  
after hours

**All Classified and  
Service Directory Ads  
will need to be prepaid.**

Public Notice

Public Notice

Public Notice

Full-time  
Employment

Cars

Full-time  
Employment

Full-time  
Employment

## CITY OF KERRVILLE, TEXAS

### ORDINANCE NO. 2022-10

AN ORDINANCE ANNEXING AN APPROXIMATE 82.831 ACRE TRACT OF LAND, BEING MADE UP OF A 62.062 AND 20, 769 ACRE TRACTS OF LAND, BOTH LOCATED WITHIN THE COMANCHE TRACE RESIDENTIAL DEVELOPMENT, INTO THE CITY OF KERRVILLE, TEXAS AND EXTENDING THE BOUNDARY LIMITS OF THE CITY SO AS TO INCLUDE SUCH PROPERTY WITHIN THE CITY LIMITS; APPROVING A SERVICE AGREEMENT FOR THE ANNEXED PROPERTY; AND ADOPTING THE ZONING FOR THE ANNEXED PROPERTY AS A MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2).

**FULL TIME  
HANDYMAN POSITION**  
for 5 properties in the Medina - Bandera area and one in San Antonio. Must be skilled at and willing to perform small remodels, mow, weed eat, landscape, preventative maintenance, small mechanics and repairs. Basic computer skills for scheduling and communication required. Salary insurance, 401K for the right candidate.  
Send resume to [resume@bartonlogistics.com](mailto:resume@bartonlogistics.com)

1997 BMW  
Z3 Roadster  
2.8L 6 cyl. 69K;  
New Manual Top,  
\$10,000  
830-864-5200,  
361-533-2022 (c)

**Buy It!  
Sell It!  
Trade It!**  
in the  
**CLASSIFIEDS**

DAILY TIMES

## ENGINEER-IN-TRAINING

Entry-level, Civil EIT at engineering firm in Fredericksburg. Plan, design subdivisions, multi-family, commercial development, water/septic/sewer/storm water/drainage systems, due diligence environmental, etc.

Includes some field work.

Bachelor's degree or equivalent in Engineering and EIT. Up to 2-year of experience preferred. Ability to use AutoCAD Civil 3D and Microsoft Office suite.

Full-time position with benefits (Health Ins., Dental, Vision, IRA, PTO)

Job Application available at <http://vei-tx.com/employment/>

Or send résumé with references to [jobs@vei-tx.com](mailto:jobs@vei-tx.com).

507 E. Highway St.  
Fredericksburg, TX 78624

EEOE

Roommate  
Wanted

Roommate wanted!  
Would like  
female companion,  
share expenses,  
size 12 dress  
size, shoe size 8  
210-296-5475

Unfurnished  
Apartments

**Hunter's Ridge**  
1-2-3 Bedroom  
1-1/2 Bath  
**830-377-3396**  
No Pets  
Water & Trash  
3355 Legion Dr., Kerrville

Full-time  
Employment

Welders, \$16hr.  
starting; based  
on experience  
welding test on  
site required.  
40hrs  
Mon-Thurs  
Apply in Person  
259 Graceland St

Full-time  
Employment

**KERRVILLE  
GOODWILL**  
is hiring:



STATE OF TEXAS

COUNTY OF KERR

I, Kesha Franchina, hereby certify that I am the Deputy City Secretary of the City of Kerrville, Kerr County, Texas, and that the minutes, resolutions, ordinances, regulations, codes, and laws of the City of Kerrville are kept under my custody and control, and that the attached is a true and correct copy of Ordinance No. 2022-10 as the original appears on file in the Office of the City Secretary, City of Kerrville, Texas.

In Testimony Whereof, I have hereunto set my hand and seal and affixed the official Seal of the City of Kerrville, Texas, this the 3<sup>rd</sup> day of March, 2022.

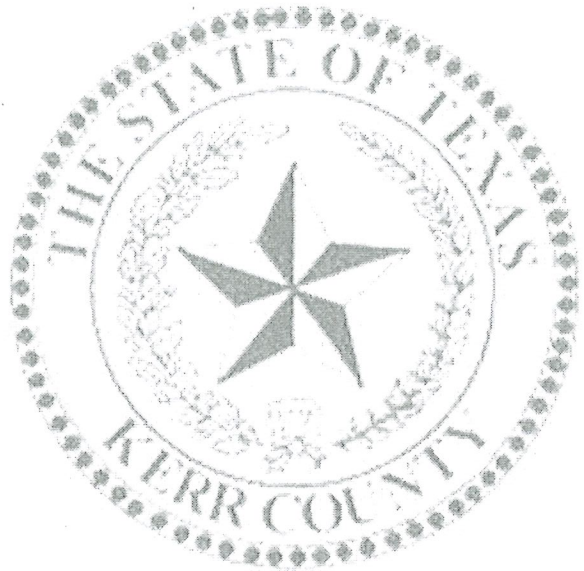


Kesha Franchina  
Deputy City Secretary  
City of Kerrville, Texas  
701 Main Street  
Kerrville, Texas 78028



**FILE AND RETURN TO:**

✓ KESHA FRANCHINA  
CITY OF KERRVILLE  
701 Main Street  
KERRVILLE, TX 78028



Complete this form and return to:

Kerr County Clerk  
Attn: Land Records  
700 Main Street, RM 122  
Kerrville, TX 78028

**INCLUDE THIS FORM WITH YOUR RECORDS AND PAYMENT.**

**Call us with questions: 830-792-2255.**



**FILED AND RECORDED**  
At 9:08 o'clock A M  
**STATE OF TEXAS**  
**COUNTY OF KERR**  
March 3, 2022

I hereby certify that this instrument was filed in the  
numbered sequence on the date and time  
stamped above by me and was duly recorded in  
the Official Public Records of Kerr County Texas.  
Jackie Dowdy County Clerk

*Ana Keller*

Deputy