

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 26-2024**

**A RESOLUTION FOR THE RELEASE OF AN AREA FROM
THE CITY'S EXTRATERRITORIAL JURISDICTION,
SUCH PROPERTY GENERALLY LOCATED SOUTH OF
LOWER TURTLE CREEK RD. AND CONSISTING OF
APPROXIMATELY 163.2 ACRES**

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City of Kerrville, Texas ("City") has general authority to adopt an ordinance, resolution, or police regulation that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Texas Senate Bill 2038 passed by the Texas State Legislature in the 88th Legislative Session, Texas Local Government Code Chapter 42 now allows for the release of an area from the City's extraterritorial jurisdiction ("ETJ") by petition of landowners or by election; and

WHEREAS, pursuant to Texas Local Government Code Section 42.102, a resident of an area or the owners of the majority in value of an area in the City's ETJ may file a petition with the City Secretary for the area to be released from the ETJ; and

WHEREAS, the City has received a petition for the release of a tract of land generally located south of Lower Turtle Creek Rd., which petition and property description is found at **Exhibit A** and references a tract that contains 214.23 acres; and

WHEREAS, of the 214.23 acres, only 163.2 acres, more or less, currently exists within the City's ETJ and will be subject of a release; and

WHEREAS, City Council finds the attached *Petition of Landowner for Release of Area from City of Kerrville Extraterritorial Jurisdiction* (the "Petition") is valid and this Resolution is necessary and proper for the good government, peace, or order of the City to release the Property from the City's ETJ;

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

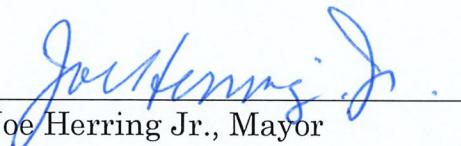
SECTION ONE. The foregoing recitals are incorporated into this Resolution by reference as findings of fact.

SECTION TWO. The Petition is hereby considered verified, and after adoption of this Resolution, the property described in the Petition and which currently exists within the City's ETJ and consists of approximately 163.2 acres, shall be released from the City's ETJ.

SECTION THREE. The City Secretary is directed to file a certified copy of this Resolution and an updated map of the City's ETJ boundary with the County Clerk of Kerr County, Texas.

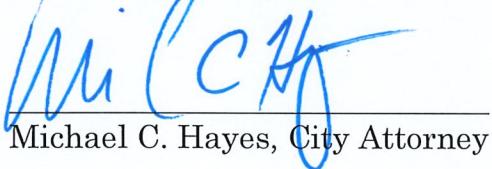
SECTION FOUR. This Resolution shall take effect upon the date of final passage noted below.

PASSED AND APPROVED on this 25 day of June, 2024,
A.D.



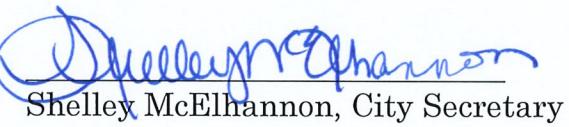
Joe Herring Jr.
Joe Herring Jr., Mayor

APPROVED AS TO FORM:



Michael C. Hayes, City Attorney

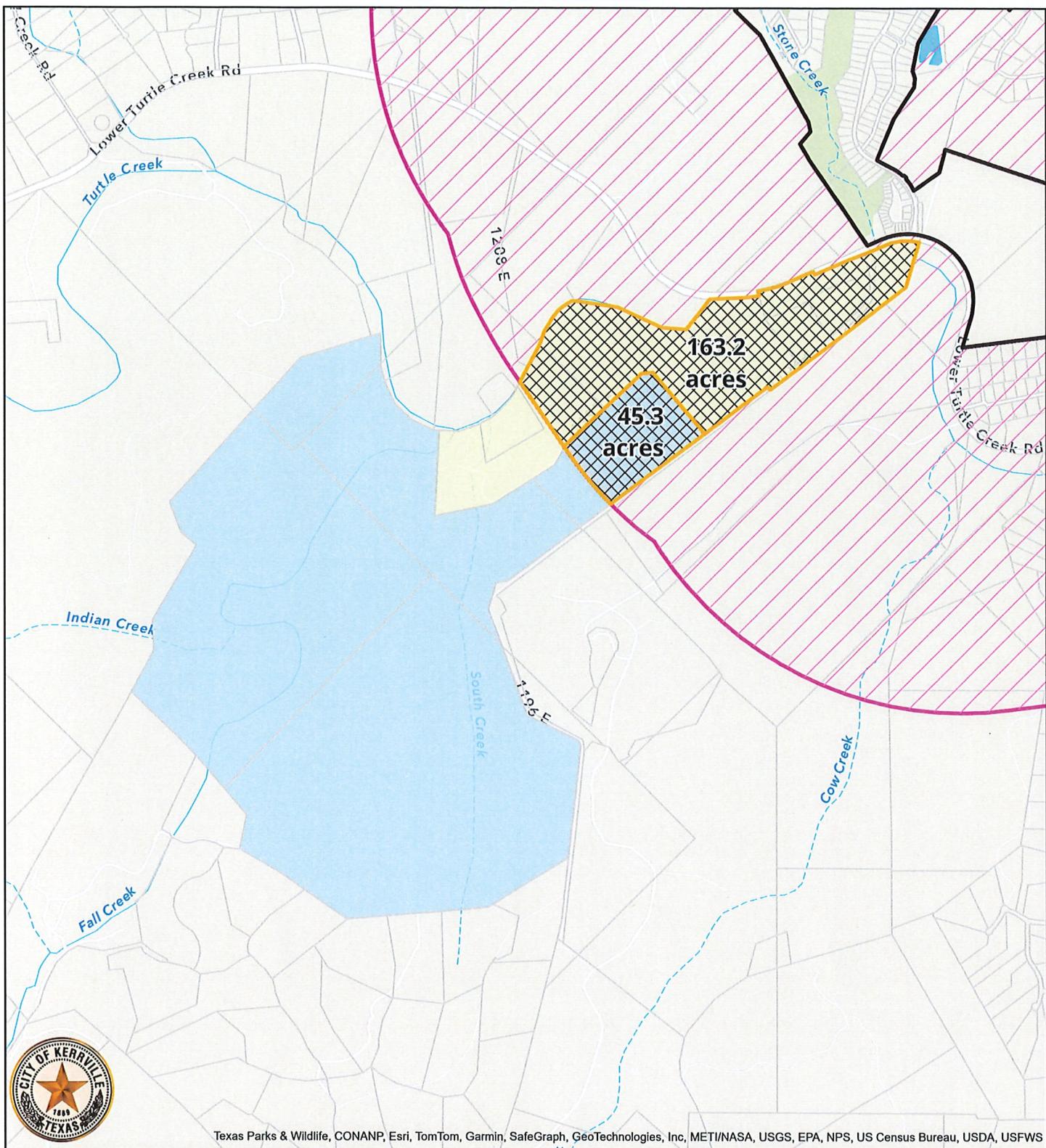
ATTEST:



Shelley McElhannon
Shelley McElhannon, City Secretary

ETJ Removal Request

845 Lower Turtle Creek Road



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes.
It does not represent an on-the-ground survey and represents only approximate relative locations.

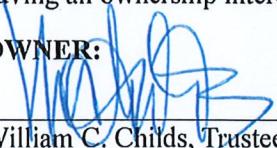
**PETITION OF LANDOWNER FOR RELEASE OF AREA FROM CITY OF KERRVILLE
EXTRATERRITORIAL JURISDICTION**

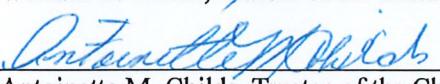
TO: THE MAYOR AND CITY COUNCIL MEMBERS OF THE CITY OF KERRVILLE, TEXAS:

I, William C. Childs, acting on behalf of Childs Family Trust, whose address is 845 Lower Turtle Creek Road, Kerrville, Texas 78028, the owner of the tract or parcel of land described in the deed attached hereto as Exhibit "A" for all purposes, containing 214.23 acres (the "Property"), hereby petition the City Council of the City of Kerrville, Texas, to release the Property from the extraterritorial jurisdiction of the City of Kerrville, Texas.

I certify that this petition is signed and duly acknowledged by each and every person, corporation, or entity having an ownership interest in said Property.

OWNER:


William C. Childs, Trustee of the Childs Family Trust


Antoinette M. Childs, Trustee of the Childs Family Trust

STATE OF TEXAS

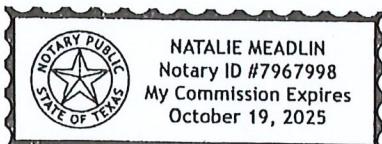
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COUNTY OF KENDALL

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This instrument was acknowledged before me on June 3, 2024 by WILLIAM C. CHILDS as Grantor and as Trustee of the CHILDS FAMILY TRUST.



STATE OF TEXAS

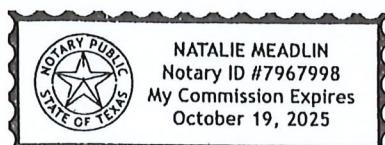
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COUNTY OF KENDALL

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This instrument was acknowledged before me on June 3, 2024 by ANTOINETTE M. CHILDS as Grantor and as Trustee of the CHILDS FAMILY TRUST.



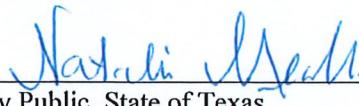

Notary Public, State of Texas

Exhibit A

FIELD NOTES DESCRIPTION PL ***.23 ACRES OF
THE SHONTO RANCH IN KERR COUNTY, TEXAS

Being all of a certain tract or parcel of land comprising, approximate acreage out of various Original Patent Surveys in Kerr County, Texas as follows:

Survey No.	Survey	Abstract No.	Acres
64	Wm. Watt	363	15.70
393	John W. Hinch	184	91.20
394	Thomas Jackson	212	38.00
396	John Cronkrite	93	69.33

part of 1072.60 acres conveyed to William C. Childs from Dorothy Dean Tate by a Warranty Deed executed the 18th day of September, 1992 and recorded in Volume 656 at Page 793 of the Real Property Records of Kerr County, Texas; and being more particularly described by notes and bounds as follows:

BEGINNING at a 4" iron stake set in the southerly right-of-way line of F. M. Highway No. 2771 at the northerly common corner of said 1072.60 acres and 156 acres described in a Warranty Deed from Eddie Irene Noll, et al., to Mata Neal Aldordice executed the 20th day of August, 1952 and recorded in Volume 110 at Page 631 of the Deed Records of Kerr County, Texas, the easterly terminus of a Boundary Agreement between D. L. Hazelhurst, Jr., et ux, and Mrs. J. A. Aldordice, et al., executed the 24th day of November, 1973 and recorded in Volume 169 at Page 318 of the Deed Records of Kerr County, Texas; which point bears, approximately, 2173 ft. N.45°E. from the south corner of said Survey No. 394;

THENCE, along the common line between said 1072.60 acres and said 156 acres along said Boundary Agreement: S.44°55'08"W., at 2.2 ft. passing a fence cornerpost, then with or near a fence for a total distance of 281.97 ft. to a cornerpost; with or near a fence S.44°57'27"W. 143.01 ft. to an iron stake at the base of a 22" diameter Live Oak tree; and southeast of and diverging from said fence, S.44°59'10"W. 171.44 ft. to an unmarked point in the approximate center of Turtle Creek;

THENCE, continuing along the common line between said 1072.60 acres and said 156 acres along said Boundary Agreement, up the approximate center of said Turtle Creek: N.84°40'01"W. 362.83 ft.; N.65°18'06"W. 704.75 ft. to a point in a fence crossing said Turtle Creek; N.81°41'02"W. 575.98 ft.; S.60°49'08"W. 300.20 ft. to an existing 4" iron stake; S.35°25'42"W. 298.35 ft. to an existing 4" iron stake; S.21°02'11"W. 291.19 ft.; S.28°20'11"W. 825.51 ft.; S.44°51'11"W. 398.15 ft. to an existing 4" iron stake; S.62°00'25"W. 235.43 ft. to a point on the west side of a concrete bridge; S.71°27'30"W. 304.65 ft. to an existing 4" iron stake; and N.87°18'25"W. 306.08 ft. to the westerly northwest corner of the herein described tract;

THENCE, upon, over and across said 1072.60 acres, each point marked with a 4" iron stake [set]: S.02°52'30"W. 1284.75 ft. to the westerly southwest corner of the herein described tract; N.78°25'08"E. 878.46 ft.; N.60°40'48"E. 395.92 ft.; N.56°49'19"E. 667.01 ft.; N.34°58'45"E. 445.68 ft.; N.47°00'49"E. 1373.50 ft.; N.80°53'36"E. 189.17 ft.; and S.40°32'15"E. 1127.20 ft. to a fencepost in the common line between said 1072.60 acres and 324.62 acres conveyed as TRACT II to H. L. Risinger from W. F. Roden by a Warranty Deed with Vendor's Lien executed the 7th day of June, 1985 and recorded in Volume 328 at Page 401 of the Real Property Records of Kerr County, Texas;

THENCE, along the common line between said 1072.60 acres and said 324.62 acres, each point being an anglepost marked with a 4" iron stake unless stated otherwise: with or near a fence, N.53°39'13"E. 1139.00 ft. to a cornerpost for a reentrant corner of the herein described tract and said 1072.60 acres, the most northerly corner of said 324.62 acres; and southeast of and diverging from a fence, S.33°32'47"E. 59.77 ft. to an existing 4" iron stake for the southeasterly common corner of said 1072.60 acres and said 324.62 acres in a fence along the northwest line of 1294.816 acres conveyed to Hubert Lee Risinger, et ux, from Boyd L. Farr, et ux, by a Deed of Exchange executed the 13th day of December, 1973 and recorded in Volume 169 at Page 295 of the Deed Records of Kerr County, Texas;

THENCE, with or near a fence along the common line between said 1072.60 acres and said 1294.816 acres: N.53°56'11"E. 2473.11 ft. to an anglepost marked with a 4" iron stake; and N.16°42'11"E., at 692.1 ft. passing a cornerpost, then continuing not along a fence for a total distance of 696.40 ft. to a 4" iron stake set for the northeast corner of the herein described tract, the northerly common corner of said 1072.60 acres and said 1294.816 acres, in the southwesterly right-of-way line of said F. M. Highway No. 2771, in a 06°41'17" curve concave to the south having a radius of 856.74 ft.;

THENCE, with or near a fence along the north line of said 1072.60 acres, the southerly right-of-way line of said F. M. Highway No. 2771; 522.75 ft. along an arc of said 06°41'17" curve subtended by a central angle of 34°57'35" (long chord = 8.84°35'50"W. 514.68 ft.) to a concrete right-of-way marker at its end; and S.67°07'02"W. 1101.50 ft. to a reentrant corner of the herein described tract and said 1072.60 acres;

THENCE, continuing along the north line of said 1072.60 acres; N.31°06'58"W. 50.52 ft. to the centerline of said F. M. Highway No. 2771; along the centerline of said F. M. Highway No. 2771, S.67°07'02"W. 392.85 ft. to the beginning of a 03°00'24" curve concave to the north having a radius of 1905.78 ft.; and continuing along the centerline of said F. M. Highway No. 2771, 459.60 ft. along an arc of said 03°00'24" curve subtended by a central angle of 13°49'03" (long chord = 3.74°01'36"W. 458.49 ft.); and S.09°03'55"E. 50.00 ft. to the south right-of-way line of said F. M. Highway No. 2771, in a 02°55'47" curve concave to the north having a radius of 1955.78 ft.;

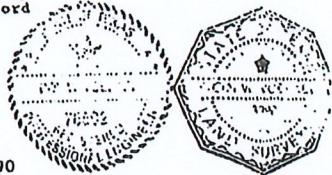
THENCE, with or near a fence continuing along the north line of said 1072.60 acres, the south right-of-way line of said F. M. Highway No. 2771; 237.22 ft. along an arc of said 02°55'47" curve subtended by a central angle of 06°56'58" (long chord = 8.84°24'35"W. 237.07 ft.) to a concrete right-of-way marker at its end; S.67°53'04"W. 409.01 ft. to a concrete right-of-way marker at the beginning of a 04°47'14" curve concave to the north having a radius of 1196.92 ft.; and 47.79 ft. along an arc of said 04°47'14" curve subtended by a central angle of 02°17'10" (long chord = 8.89°01'42"W. 47.79 ft.) to the PLACE OF BEGINNING containing 214.23 acres of land, more or less, within those metes and bounds, INCLUDING 1.0 acre within the right-of-way of F. M. Highway No. 2771.

I hereby certify that these field notes are an accurate description of the property contained therein as determined by a survey made on the ground under my direction and supervision, except no survey was made to reestablish Patent Survey lines or corners; and that all property corners are as stated. (bearing basis - record bearing)

Dated this 5th day of May, 1995

Don W. Voelkel

Don W. Voelkel
Registered Professional Engineer No. 76502
Registered Professional Land Surveyor No. 3990



Probation Agent shall be given 10-15 days to review this instrument and file a written objection if any. If no objection is filed, this instrument will be recorded.

STATE OF TEXAS
COUNTY OF KERR

I hereby certify that this instrument was FILED on the date and time recorded in the

Official Public Records of Real Property of Kerr County, Texas in

Official Public Records of Real Property of Kerr County, Texas in

RECORDED *Carl Lopez*
VOL *8C* PG *100*

RECORDED DATE

JUN 21 1995



Patricia Dye
COUNTY CLERK, KERR COUNTY, TEXAS



Patricia Dye
COUNTY CLERK, KERR COUNTY

FILED AND RECORDED

At 3:30 o'clock P.M.

STATE OF TEXAS

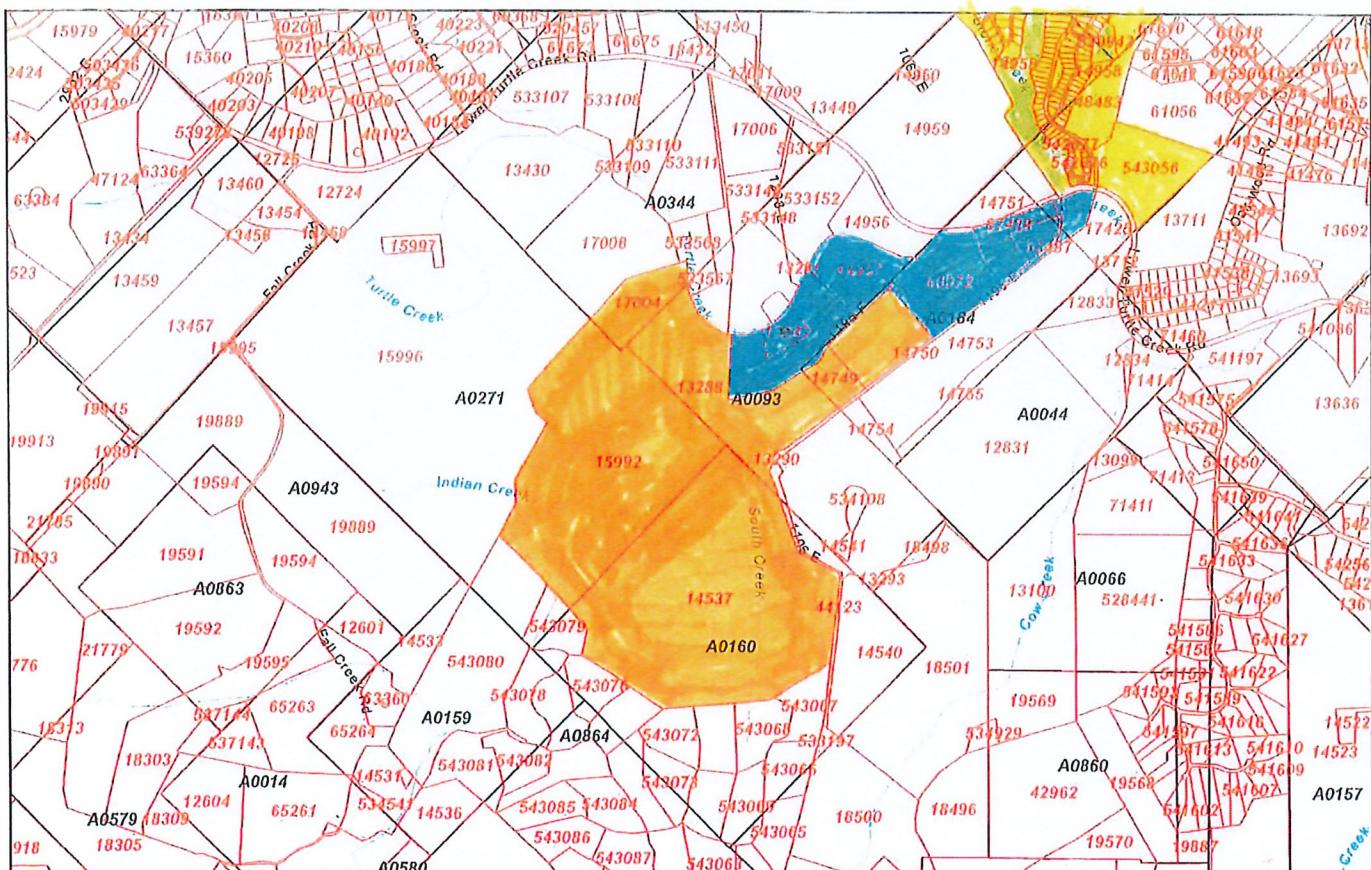
COUNTY OF KERR

June 14, 2015

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,
Republic Bank County Clerk.

M. DeRome, Esq. Deputy

Kerr CAD Web Map



5/30/2024, 12:56:57 PM

Parcels

Abstracts

214 Chicos Family TRUST

858 CHILDS Family Limited Part. 0

0 0.28 0.55 1.1 mi
0 0.42 0.85 1.7 km
Texas Parks & Wildlife, CONANP, Esri, TomTom, Garmin, SafeGraph,

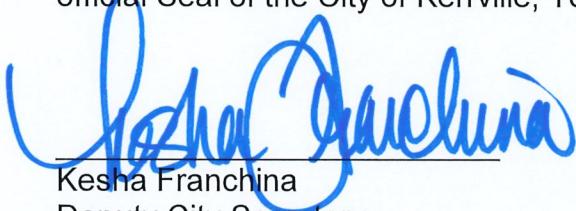
Disclaimer: This product is for informational purposes only and has not been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of boundaries.

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 records of the City of Kerrville, Texas are kept under my custody and control, and that the attached is a true and correct copy of Resolution 26-2024 as the original appears in the records kept in the office of the City Secretary for the 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 3rd day of July, 2024.



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



FILED AND RECORDED

Document Number: 24-03818

Document Type: RESOLUTION

Filing and Recording Date: 7/3/2024 8:58:24 AM

Number of Pages: 10

GRANTOR CITY OF KERRVILLE

GRANTEE PUBLIC, THE

Returned To: CITY OF KERRVILLE
701 MAIN ST
KERRVILLE, TX 78028

I hereby certify that this instrument was FILED on the date and times stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Kerr County, Texas.



Nadene Alford

Nadene Alford, Clerk
Kerr County, Texas
By: KIM GATLIN DEPUTY CLERK

NOTICE: It is a crime to intentionally or knowingly file a fraudulent court record or instrument with the Clerk.

DO NOT DESTROY - This document is part of the Official Public Record.

**All Transactions Approved**

Bureau: 8088171 - Kerr County, TX Clerk

Invoice Item	Amount	Qty	Conv.	Result
			Fee	
Court Fees and Fines:	\$175.00	1	\$4.99	Approved
Payment ID: 100301437485				
Recordings				
Total Amounts + All Fees:	\$179.99			

BILLING INFORMATION**Payment will be billed to:****KESHA FRANCHINA****Card ending in ...0300 (Visa)****Processed at 07/03/2024 8:57:05 AM CDT**

LEGAL NOTICE

Certified Payments provides a service for consumers and businesses to make payments via their credit card for various types of services and taxes. By utilizing Certified Payments, you, the cardholder, are subject to the following terms and conditions. By submitting your payment through Certified Payments, you are agreeing to the terms and conditions listed in the Legal Notices link below. Please read all terms and conditions carefully.

Privacy Statement - www.certifiedpayments.net/PrivacyStatement.aspx
Legal Notice - www.certifiedpayments.net/LegalNotices.aspx



Kerr County Clerk
700 Main Street
Kerrville TX 78028
830-792-2255

Customer CITY OF KERRVILLE
CITY OF KERRVILLE

TxId 4018900 7/3/2024 8:49 AM
Description

Doc Number	GF Number	Document Type	Pages	Doc Fee Total
24-03818		RESOLUTION	10	\$57.00
24-03819		RESOLUTION	13	\$69.00
24-03820		RESOLUTION	8	\$49.00

Total Paid: **\$175.00**

Tender Information

Check #	Name on Check	Tender Type	Amount
0300	KESHA FRANCHINA (CITY OF	CREDIT CARD	\$175.00

Total Paid: **\$175.00**