

RECEIVED

APR 29 2024

April 18, 2024

Alan J. Bojorquez
Bojorquez Law Firm
Bastrop City Attorney
11675 Jollyville Road, Suite 300
Austin, Texas 78759

Via: U.S. Postal Service Certified Mail 9589 0710 5270 0900 5443 28 – Return Receipt

Re: Petition for Release from the Extraterritorial Jurisdiction of the City of Bastrop

Dear Mr. Bojorquez,

1. Chris Humphreys (“Owner”) files this Petition pursuant to TEX. LOC. GOV’T CODE § 42.102.
2. Chris Humphreys owns property within the extraterritorial jurisdiction of the City of Bastrop, located at 781 North State Highway 95, Bastrop, Texas 78602, Bastrop County Appraisal District Property ID 34178 (the “Property”). *See* Exhibit A (Deed and Property Map).
3. Owner hereby Petitions the City of Bastrop to release of Owner’s Property from its extraterritorial jurisdiction.
4. Pursuant to TEX. LOC. GOV’T CODE § 42.102, an owner or owners of majority in value of an area in a municipality’s extraterritorial jurisdiction may file a petition with the municipality to be released from the extraterritorial jurisdiction, if the owner’s property in question meets the applicability requirements of TEX. LOC. GOV’T CODE § 42.101 and the petition requirements of TEX. LOC. GOV’T CODE § 42.104.
5. Owner’s Property meets the applicability requirements of TEX. LOC. GOV’T CODE § 42.101.
6. As set forth in Exhibit B, Affidavit of Owner, and as set forth in TEX. LOC. GOV’T CODE § 42.101, the undersigned swears that the Property is not:
 - (1) within five miles of the boundary of a military base, as defined by TEX. LOC. GOV’T CODE § 43.0117, at which an active training program is conducted;
 - (2) in an area that was voluntarily annexed into the extraterritorial jurisdiction that is located in a county:
 - (A) in which the population grew by more than 50 percent from the previous federal decennial census in the federal decennial census conducted in 2020, and
 - (B) that has a population greater than 240,000;
 - (3) within the portion of the extraterritorial jurisdiction of a municipality with a population of more than 1.4 million that is:

- (A) within 15 miles of the boundary of a military base, as defined by TEX. LOC. GOV'T CODE § 43.0117, at which an active training program is conducted, and
- (B) in a county with a population of more than 2 million;
- (4) in an area designated as an industrial district under TEX. LOC. GOV'T CODE § 42.044; or
- (5) in an area subject to a strategic partnership agreement entered into under TEX. LOC. GOV'T CODE § 43.0751.
7. This Petition meets the requirements of TEX. LOC. GOV'T CODE § 42.104.
8. As required by TEX. LOC. GOV'T CODE § 42.104(a)(2), Owner's value in the Property constitutes more than 50% of the value of the Property, as indicated by the tax rolls of the Bastrop Central Appraisal District.
9. As required by TEX. LOC. GOV'T CODE § 42.104(a)(2), the signature page accompany this Petition includes the signatures of 100% of the Property's owners in value, which is more than 50%.
10. As required by TEX. LOC. GOV'T CODE § 42.103, the signature is valid pursuant to TEX. ELEC. CODE § 277.002.
11. This Petition contains, in addition to the signature:
- (A) the signer's printed name;
- (B) the signer's:
- (i) date of birth; or
- (C) the signer's residence address; and
- (D) the date of signing.
12. As required by TEX. LOC. GOV'T CODE § 42.104(b), Owner filing this Petition satisfied the signature requirement within 180 days after the date the first signature for the Petition was obtained.
13. As required by TEX. LOC. GOV'T CODE § 42.104(c), the signature collected under this section is in writing.
14. As required by TEX. LOC. GOV'T CODE § 42.104(d), this Petition includes the deed for the land to be released in Exhibit A, which describes the boundaries of the land to be released by: (1) metes and bounds; or (2) lot and block number, if there is a recorded map or plat. Exhibit A also includes a map of the land to be released.
15. As required by TEX. LOC. GOV'T CODE § 42.105(a), the City must verify this Petition upon receipt; shall notify the residents and landowners of the area described by the petition of the results of the petition, or shall notify Owner, who filed this Petition under Section 42.102.

16. Pursuant to TEX. LOC. GOV'T CODE § 42.105(c), because Owner has obtained the number of signatures on the Petition required under Section 42.104 to release the area from the extraterritorial jurisdiction of the City of Bastrop, the City must immediately release the area—Owner's Property—from the City's extraterritorial jurisdiction.

17. Pursuant to TEX. LOC. GOV'T CODE § 42.105(d), if the City fails to take action to release Owner's Property from the City's ETJ by the later of the 45th day after the date the municipality receives the petition or the next meeting of the City's governing body that occurs after the 30th day after the date the City receives this petition, the area—Owner's Property—is released by operation of law.

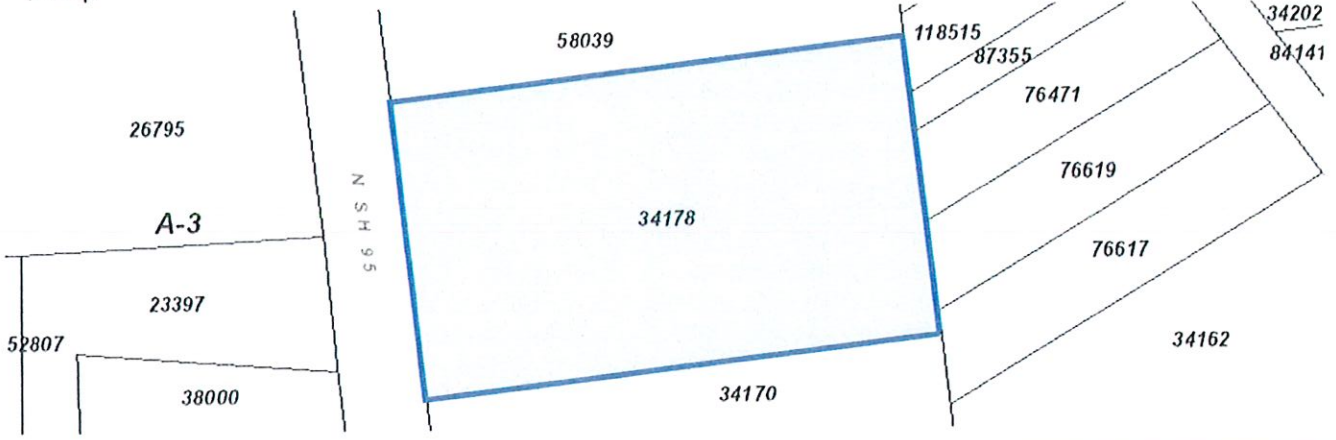
**EXHIBIT A
DEED AND PROPERTY MAP**

(INSERT DEED AND CAD MAP HERE.)

Bastrop CAD Property Search

Property ID: 34178 For Year 2023

Map



Property Details

Account

Property ID: 34178 Geographic ID: R34178
 Type: Real Zoning:

Property Use:

Location

Situs Address: 781 N SH 95 BASTROP, TX 78602

Map ID: 00 Mapsco:

Legal Description: GREEN OAKS, LOT 28, ACRES 5.0100

Abstract/Subdivision: S6120 - Green Oaks

Neighborhood: NBHD0213

Owner

Owner ID: 808241
 Name: HUMPHREYS, PHILLIP & SONDR A &

Agent:

Mailing Address: CHRISTOPHER D HUMPHREYS
 781 N SH 95
 BASTROP, TX 78602

% Ownership: 100.0%

Exemptions: For privacy reasons not all exemptions are shown online.

Property Values

Improvement Homesite Value:	\$0 (+)
Improvement Non-Homesite Value:	\$203,638 (+)
Land Homesite Value:	\$0 (+)
Land Non-Homesite Value:	\$183,002 (+)

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

WARRANTY DEED

DATE: May 19, 2022

GRANTORS: Phillip A. Humphreys and Sondra S. Humphreys

GRANTORS MAILING ADDRESSES:

Phillip A. Humphreys
781 N State Highway 95
Bastrop, TX 78602

Sondra S. Humphreys
781 N State Highway 95
Bastrop, TX 78602

GRANTEE: Christopher D. Humphreys, as to undivided 1/3 interest

GRANTEE'S MAILING ADDRESS:

Christopher D. Humphreys
781 N State Highway 95
Bastrop, TX 78602

PROPERTY (legal description):

LOT TWENTY EIGHT (28) OF GREEN OAKS SUBDIVISION, AN ADDITION IN BASTROP COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT CABINET #1, PAGE 178B OF THE PLAT RECORDS OF BASTROP COUNTY, TEXAS, SAID TRACT CONTAINING 5.100 ACRES OF LAND, MORE OR LESS.

CONSIDERATION:

This conveyance is made for the following consideration, the receipt and sufficiency of which is acknowledged:

Cash of ten dollars or more and other good and valuable consideration.

RESERVATIONS FROM CONVEYANCE: NONE

EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This conveyance is made subject to the following exceptions:

Liens described or referenced above relating to the Consideration;

Valid and enforceable easements and prescriptive rights of record or which are open and obvious;

Valid and enforceable matters of record, including restrictions, reservations of interest, covenants, conditions, leases (including but not limited to oil, gas and mineral leases), reservations or conveyances of water interests, and any other instruments (other than a conveyance of a fee estate in the surface) affecting the property;

Standby fees, taxes, and assessments of any taxing authority for the current year and subsequent years; and

Taxes and assessments for prior years of any taxing authority due to a change in land ownership or usage, payment of which Grantee assumes and agrees to pay.

AS IS CONVEYANCE:

THIS CONVEYANCE CONVEYS THE PROPERTY IN ITS "AS IS" CONDITION THE PARTIES HAVE BARGAINED FOR AND HEREBY AGREE THAT THERE ARE NO WARRANTIES EITHER EXPRESS OR IMPLIED OTHER THAN ANY REPRESENTATIONS EXPRESSLY CONTAINED IN THE PURCHASE CONTRACT, THIS INSTRUMENT, OR THE CLOSING DOCUMENTS.

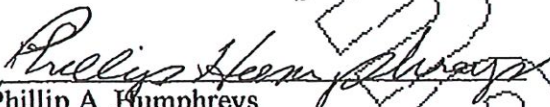
CONVEYANCE:

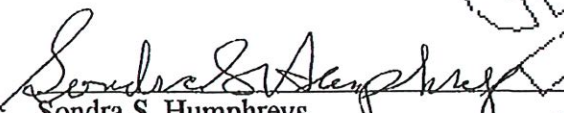
For the consideration stated above, the receipt and sufficiency of which is acknowledged, Grantors grant, sell and convey an undivided 1/3 interest in the Property, together with all and singular any improvements, rights and appurtenances belonging thereto, to Grantee and Grantee's heirs and assigns, TO HAVE AND TO HOLD FOREVER. This conveyance, however, is made subject to all Exceptions and Reservations stated herein.

Grantors assign to Grantee all funds, if any, on deposit for payment of property taxes and insurance premiums due or coming due against the property.

WARRANTY:

Except for the Reservations and Exceptions stated above, Grantors bind Grantors and Grantors' heirs, executors, and administrators to WARRANT AND FOREVER DEFEND all and singular title to the Property for the benefit of Grantee and Grantee's heirs, executors and assigns, against any and all claims of every person lawfully claiming or to claim the Property or any part thereof


Phillip A. Humphreys


Sondra S. Humphreys

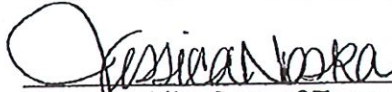
ACKNOWLEDGMENT

STATE OF TEXAS

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§
§

COUNTY OF Bastrop

This instrument was acknowledged before me on May 19, 2022, by Phillip A. Humphreys.


Notary Public, State of Texas



ACKNOWLEDGMENT

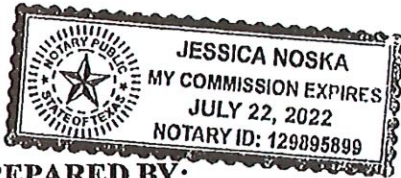
STATE OF TEXAS

§
§
§

COUNTY OF Bastrop

This instrument was acknowledged before me on May 19, 2022, by Sondra S. Humphreys


Notary Public, State of Texas



PREPARED BY:

Collie & Wolfshohl, PLLC
1407 N Water St.
Burnet, TX 78611

AFTER RECORDING RETURN TO:

781 N State Highway 95
Bastrop, TX 78602

**FILED AND RECORDED
OFFICIAL PUBLIC RECORDS**




KRISTA BARTSCH County Clerk

Bastrop Texas

August 11, 2022 11 19 34 AM

STERLYNGCURLS

FEE \$34.00

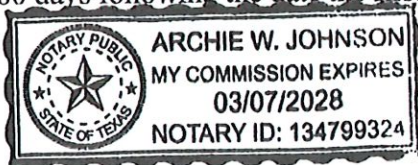
DEED

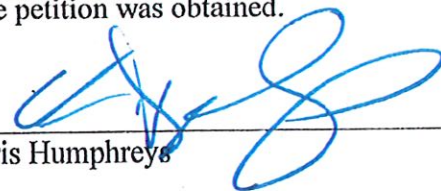
202217682

EXHIBIT B
AFFIDAVIT OF (NAME OF LANDOWNER) IN SUPPORT OF
PETITION FOR RELEASE FROM THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF (CITY
NAME)

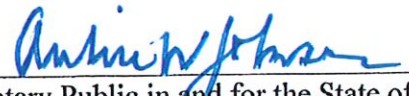
Before me, the undersigned authority, on this day personally appeared, (Name of Landowner), who under oath stated as follows:

1. My name is Chris Humphreys. I am over eighteen (18) years of age and am legally competent to make this affidavit, which is true and correct, and is made voluntarily and not under duress.
2. There are three (3) owners of the Property: Chris Humphreys, Phillip Humphreys and Sondra Humphreys, own 100% of the interest in the Property.
3. I swear that the Property is not: (1) within five miles of the boundary of a military base, as defined by Tex. Loc. Gov't Code § 43.0117, at which an active training program is conducted; (2) in an area that was voluntarily annexed into the extraterritorial jurisdiction that is located in a county: (a) in which the population grew by more than 50 percent from the previous federal decennial census in the federal decennial census conducted in 2020, and (b) that has a population greater than 240,000; (3) within the portion of the extraterritorial jurisdiction of a municipality with a population of more than 1.4 million that is: (a) within 15 miles of the boundary of a military base, as defined by Tex. Loc. Gov't Code § 43.0117, at which an active training program is conducted, and (b) in a county with a population of more than 2 million; (4) in an area designated as an industrial district under Tex. Loc. Gov't Code § 42.044; or (5) in an area subject to a strategic partnership agreement entered into under Tex. Loc. Gov't Code § 43.0751.
4. I swear that the petition contains my valid and true (1) signature, (2) printed name, (3) date of birth; (4) residence address, and (5) date of which I signed such petition.
5. I swear that I satisfied the signature requirement of Tex. Loc. Gov't Code § 42.104(b) within 180 days following the date the first signature for the petition was obtained.




Chris Humphreys

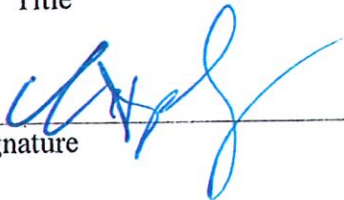
Sworn and subscribed to before me on this the 23 day of April, 2024.


Notary Public in and for the State of Texas

Owner Name: (Name of Owner)

By: Christopher Humphreys
Printed Name

Its: Owner
Title


Signature

04/03/1984
Date of birth

781 N State Highway 95, Bastrop Tx 78602
Residence address

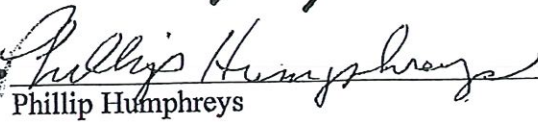
4-23-24
Date of signing

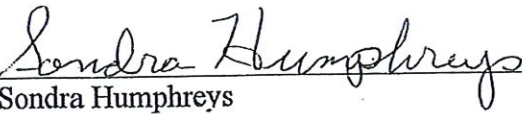
CONSENT FOR PETITION

We, the members of the Humphrey Family, do hereby carry out the following agreement.

NOW THEREFORE BE IT RESOLVED that Chris Humphreys is authorized on our behalf to execute a petition for removal of our real property at 781 North State Highway 95 from the extraterritorial jurisdiction of the City of Bastrop, Texas.

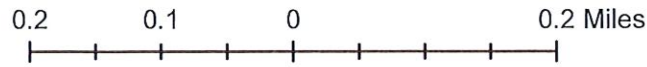
By: 
Chris Humphreys

By: 
Phillip Humphreys

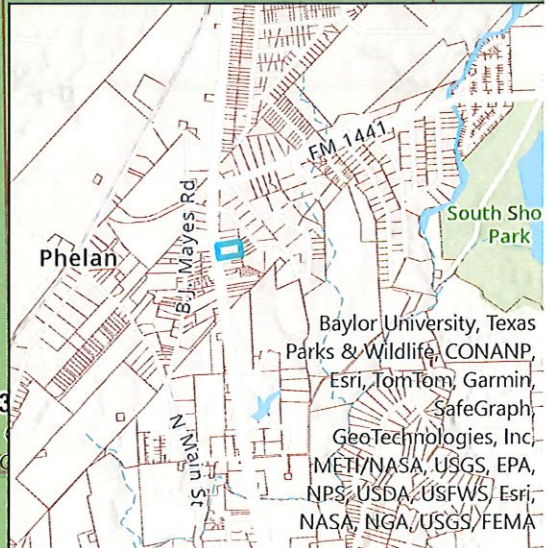
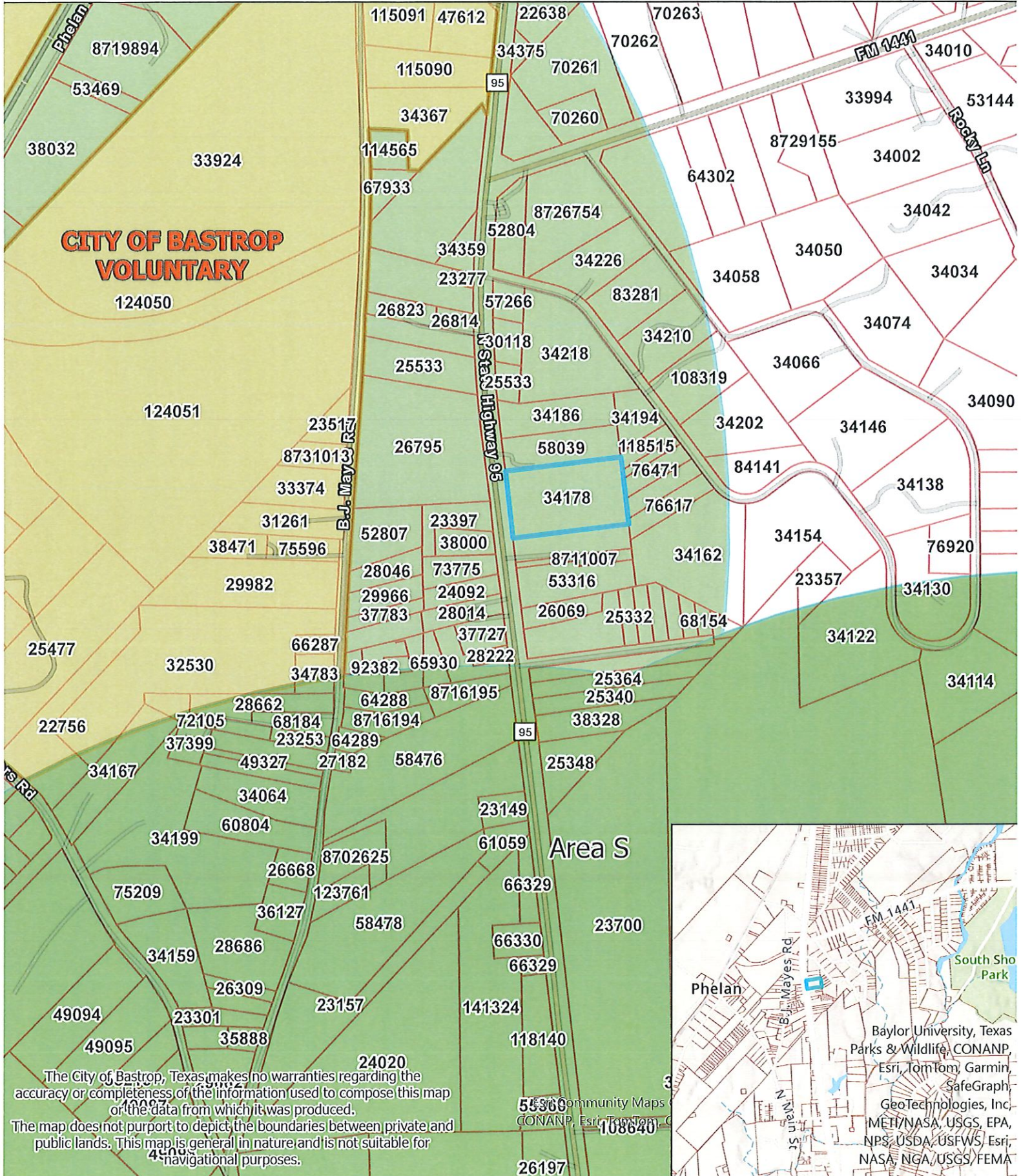
By: 
Sondra Humphreys



RELEASE OF PROPERTY FROM CITY OF BASTROP ETJ



Current Time: 5/2/2024 4:08 PM



The City of Bastrop, Texas, makes no warranties regarding the accuracy or completeness of the information used to compose this map or the data from which it was produced. The map does not purport to depict the boundaries between private and public lands. This map is general in nature and is not suitable for navigational purposes.

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CONANP, Esri, TomTom

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