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OCT 23 2023

STATE OF TEXAS §
 §
COUNTY OF Bastrop §

PETITION FOR RELEASE FROM EXTRATERRITORIAL JURISDICTION (“ETJ”) AREA BY LANDOWNER PURSUANT TO CHAPTER 42.101 SUBCHAPTER D, TEXAS LOCAL GOVERNMENT CODE

The undersigned **JMA Entity LLC** (“Petitioner”) hereby petitions the City of Bastrop, Bastrop County, Texas (the “Municipality”), to remove the below-described property from the ETJ boundaries of the Municipality as allowed by Texas Local Government Code §42.101, Subchapter D (the “Statute”).

The Property is described in the attached Exhibit D” being the Recorded Deed and map to the Property designating such territory which are incorporated herein by reference for all purposes.

1. THE STATUTE APPLIES TO THE PETITIONER’S PROPERTY

The Property is not area located:

- (1) within five miles of the boundary of a military base, as defined by Section 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 Section 43.0117, at which an active training program is conducted; and
 - (B) in a county with a population of more than two million;
- (4) in an area designated as an industrial district under Section 42.044; or
- (5) in an area subject to a strategic partnership agreement entered into under Section 43.0751.

2. PETITION REQUIREMENTS

The petition requesting release under the Statute has been signed by:

- (1) more than 50 percent of the registered voters of the area described by the petition as of the date of the preceding uniform election date; or
 - (2) a majority in value of the holders of title of land in the area described by the petition, as indicated by the tax rolls of the applicable central appraisal district.
 - (3) All signature requirements under SB 2038 have been satisfied.
 - (4) The petition includes a map of the land to be released and describes the boundaries of the land to be released by (1) metes and bounds or lot/block number if there is a recorded map or plat.
- Petitioner requests that the Municipality shall immediately release the area from the Municipality's extraterritorial jurisdiction.

4. MUNICIPALITY'S ACTIONS ONCE THE PETITION IS FILED

The municipal secretary or other person responsible for verifying signatures shall verify the signatures contained in the Petition and notify the residents and landowners of the area described within this petition of the results of the petition.

If a resident or landowner obtains the number of signatures on the petition required under Texas Local Govt. Code Section 42.104, the municipality shall immediately release the area from the municipality's extraterritorial jurisdiction.

3. MUNICIPALITY'S FAILURE TO TAKE ACTION

If a Municipality fails to take action to release the Property by the later of the 45th day after the date the Municipality receives the petition or the next meeting of the Municipality's governing body that occurs after the 30th day after the date the Municipality receives the petition, the area is released by operation of law.

PETITIONER: Dated October 20, 2023

JMA Entity LLC

Signed: _____

By: John Muhich – Manager

By: John Muhich date of birth 8/16/1954

By: John Muhich, 4203 Spinnaker Cove, Austin, TX 78731



Krista Bartsch

KRISTA BARTSCH, County Clerk
Bastrop Texas

November 15, 2022 12:21:01 PM **202223755**
FEE: \$38.00
DEED

STATE OF TEXAS)
)
COUNTY OF BASTROP)

KNOW ALL MEN BY THESE PRESENTS:

GENERAL WARRANTY DEED

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER

THAT JMA LAND LLC, a Delaware limited liability company, an owner of the below-described property hereby declares that it has good and full power to sell and dispose of the said property ("Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to Grantor paid by JMA ENTITY LLC, a Delaware limited liability company, 4203 Spinnaker Cove, Austin, Texas 78731 ("Grantee"), the receipt of which is hereby acknowledged and confessed;

Grantor has GRANTED, SOLD, and CONVEYED, and by these presents does GRANT, SELL, and CONVEY unto said Grantee the following described property:

SEE EXHIBIT "A" LEGAL DESCRIPTION ATTACHED HERETO AND INCORPORATED BY REFERENCE.

TO HAVE AND TO HOLD the above-described premises, together with all and singular, the rights and appurtenances thereunto in anywise belonging unto said Grantee, his heirs and assigns, forever. And Grantor does hereby bind himself, his heirs, executors, and administrators, to warrant and forever defend all and singular the said premises unto said Grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This conveyance is made subject to any and all valid and subsisting restrictions, easements, rights of way, reservations, maintenance charges together with any lien securing said maintenance charges, zoning laws, ordinances of municipal and/or other governmental authorities, conditions and covenants, if any, applicable to and enforceable against the above-described property as shown by the records of the County Clerk of said County.

Current ad valorem taxes on the Property having been prorated, as of and through the Effective Date of this deed, the payment thereof is assumed by Grantee.

The use of any pronoun herein to refer to Grantor or Grantee shall be deemed a proper reference even though Grantor and/or Grantee may be an individual (either male or female), a corporation, a partnership, or a group of two or more individuals, corporations and/or partnerships, and when this Deed is executed by or to a corporation, or trustee, the words "heirs, executors and

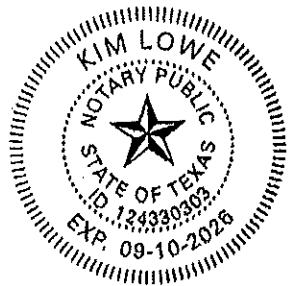
administrators” or “heirs and assigns” shall, with respect to such corporation or trustee, be construed to mean “successors and assigns”.

JMA LAND LLC,
a Delaware limited liability company

By: *John Muhich*
JOHN MUHICH, its manager

STATE OF TEXAS)
)
COUNTY OF TRAVIS)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 15 DAY OF NOVEMBER 2022 BY JOHN MUHICH, MANAGER OF JMA LAND LLC, A DELAWARE LIMITED LIABILITY COMPANY ON BEHALF OF SAID COMPANY.



Kim Lowe
NOTARY PUBLIC – STATE OF TEXAS

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EXHIBIT "A"
LEGAL DESCRIPTION

Real property in Bastrop County, Texas, described as follows:

TRACT 1:

BEING a 2.333-acre tract, lot, or parcel of land out of and being a part of the Nancy Blakey Survey, A-98, in Bastrop County, Texas, and being a part of that certain 10.501-acre tract described in a deed from Herman Washington and Sharon J. Washington to George H. Arnold and wife, Janice Arnold, dated April 1, 1993, recorded in Volume 662, Page 346, Bastrop County Deed Records. Said 10.501-acre tract being a part of that certain 223-acre tract described in a deed from P.O. Eizmer to B.J. Taylor, recorded in Volume 3 I, Page 166, Bastrop County Deed Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod found at a fence corner in the north or northeast line of State Highway NO.7 J, the southwest corner of the said 10.501-acre tract, the southeast corner of that certain 5.296-acre tract described as second tract and set aside to B.J. Taylor, Jr., in a Partition Deed recorded in Volume 308, Page 427, Bastrop County Deed Records, for the southwest corner of this tract. THENCE with the common line of the said 10.501-acre tract and Taylor 5.296-acre tract, N 00 deg. 02 min. 03 sec. W, 524.23 feet to a 5/8-inch iron rod with survey cap marked "property corner" found for the northwest corner of this tract. THENCE N 89 deg. 57 min. 57 sec. E, 200.00 feet to a 5/8 iron rod with survey cap marked "property corner" found for the northeast corner of this tract.

THENCE S 00 deg. 02 min. 03 sec. E, 409.90 feet to a 5/8 iron rod found for an angle corner of this tract.

THENCE S 89 deg. 57 min. 57 sec. W, 75 .00 feet to a 5/8-inch iron rod found for an interior corner of this tract.

THENCE S 00 deg. 02 min. 03 sec. E, 200.00 feet to a 5/8-inch iron rod with survey cap marked "property corner" found in the north or northeast line of State Highway No. 71, the south or southwest line of the said 10.501-acre tract, for the southeast corner of this tract.

THENCE with the northeast line of State Highway No. 71, the southwest line of the said 10.501-acre tract, N 55 deg. 36 min. 33 sec. W, 151.54 feet the POINT OF BEGINNING, containing 2.333 acres of land, subject to a 30-foot X 50-foot access easement at the southeast corner and adjacent to the east line of the herein described tract.

TRACT 2:

BEING a 5.292-acre tract or parcel of land out of and being a part of the Nancy Blakey Survey, A-98, in Bastrop County, Texas, and being all of that certain tract said to contain 5.296 acres described as Second tract in a Partition Deed from F.D. Taylor, et al, to B. J. H. Taylor, Jr., dated April 28, 1982, recorded in Volume 308, Page 427, Bastrop County Deed Records. Said tract being a part of that certain 223.0-acre tract described in a deed from P. O. Elzner to B. J. Taylor, dated January 30, 1900, recorded in Volume 31, Page 166, Bastrop County Deed Records. Herein described tract or parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found near a fence corner in the north line of the said 223-acre tract and the south line of Block A, The Woodlands, a subdivision in said county as recorded in Plat Cabinet 2, Page 350A, Bastrop County Plat Records, the northwest corner of that certain 8.168-acre tract described in a deed from George H. Arnold, et al, to Saskalta, Inc., recorded in Volume 1069, Page 736, Bastrop County Deed Records, for the northeast corner of this tract.

THENCE with the west line of the Saskalta 8.168 acre tract, S 00 deg. 51 min. 57 sec. W, 199.89 feet to a 5/8 inch iron rod found, N 88 deg. 53 min. 39 sec. W, 99.69 feet to a 5/8 inch iron rod found; S 00 deg. 50 min. 41 sec. W, at 117.53 feet pass a 5/8-inch iron rod found at an upper southwest corner of the Saskalta 8.168 acre tract and the northwest corner of that Cretan 2.333 acre tract described in a deed from George H. Arnold, et ux, to Doyle F. Tory, et al, recorded in Volume 664, Page 569, Bastrop County Deed Records, continuing with the west line of the Tory 2.333 acre tract, a total distance of 641.35 feet to a 5/8 inch iron rod set for the southwest corner of the Tory tract in the northeast line of State Highway No. 71, for the southeast corner of this tract.

THENCE with the north line of State Highway No. 71, N 54 deg. 53 min. 25 sec. W, 339.24 feet to a 5/8-inch iron rod found at the southeast corner of that certain 5.296-acre tract designated as Tract No. 1-B in a deed from Floyd D. Taylor, et al, to Ulysses Johnson, et UX, recorded in Volume 481, Page 554, Bastrop County Deed Records, for the southwest corner of this tract.

THENCE with the east line of the Johnson 5.296-acre tract, N 00 deg. 48 min. 43 sec. E, 657.78 feet to the northeast corner of same, a 5/8-inch iron rod found in the north line of the said 223-acre tract and south line of the Woodlands Subdivision, for the northwest corner of this tract.

THENCE with the north line of the 223-acre tract and south line of the Woodlands Subdivision, S 87 deg. 57 min. 07 sec. E, 380.59 feet to the POINT OF BEGINNING, containing 5.292 acres of land.

TITLE COMMITMENT INFORMATION
SCHEDULE A DESCRIPTION

The following information is provided for your information only and does not constitute a warranty or representation of any kind. It is intended for your use only and should not be relied upon for any other purpose. The information is provided for your information only and should not be relied upon for any other purpose. The information is provided for your information only and should not be relied upon for any other purpose.

NOTES CORRESPONDING TO SCHEDULE B

- 1. THE POLYLINE WITHIN THE BOUNDARY OF THE PROPOSED LOTS OR TRACTS IS SUBJECT TO THE EASEMENT OF RECORD FOR THE PROPOSED LOTS OR TRACTS AS SHOWN ON THE PLAT OF RECORD FOR THE PROPOSED LOTS OR TRACTS.
- 2. THE POLYLINE WITHIN THE BOUNDARY OF THE PROPOSED LOTS OR TRACTS IS SUBJECT TO THE EASEMENT OF RECORD FOR THE PROPOSED LOTS OR TRACTS AS SHOWN ON THE PLAT OF RECORD FOR THE PROPOSED LOTS OR TRACTS.

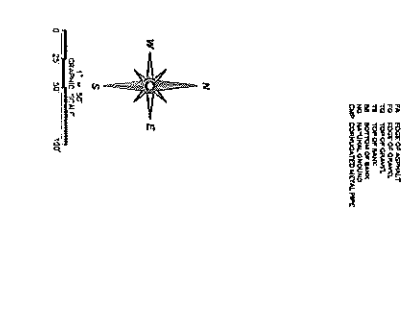
TEMPORARY BENCHMARK INFORMATION

- 1. THE BENCHMARK IS A 1/2" DIA. ALUMINUM ROD SETTING IN CONCRETE, WITH A BRASS DISK ON TOP, MARKED WITH THE NUMBER 1000.
- 2. THE BENCHMARK IS A 1/2" DIA. ALUMINUM ROD SETTING IN CONCRETE, WITH A BRASS DISK ON TOP, MARKED WITH THE NUMBER 1001.

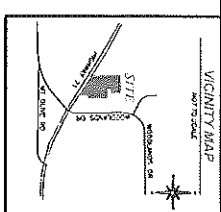
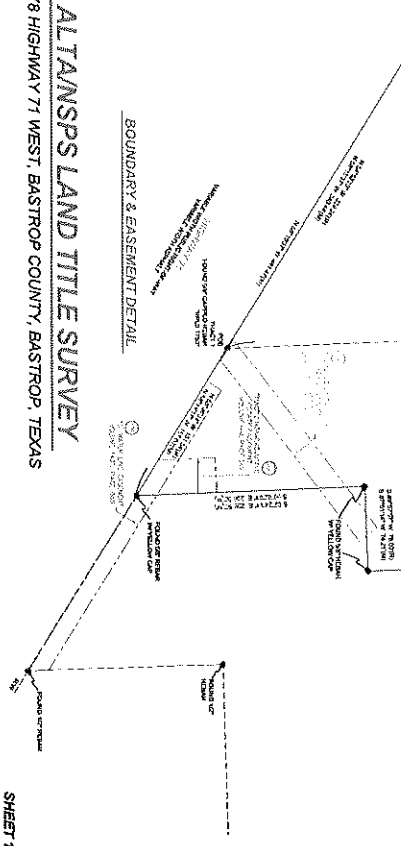
LEGEND & SYMBOLS

- 1. 1/4" DIA. ALUMINUM ROD SETTING IN CONCRETE, WITH A BRASS DISK ON TOP, MARKED WITH THE NUMBER 1000.
- 2. 1/4" DIA. ALUMINUM ROD SETTING IN CONCRETE, WITH A BRASS DISK ON TOP, MARKED WITH THE NUMBER 1001.

FLOOD ZONE INFORMATION
This survey was conducted in accordance with the requirements of the Flood Insurance Rate Map (FIRM) for the area shown on this plat. The flood zone information is provided for your information only and should not be relied upon for any other purpose.



BOUNDARY & EASEMENT DETAIL



GENERAL NOTES

1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS SURVEYING ACT AND THE RULES OF PROFESSIONAL CONDUCT FOR SURVEYORS.
2. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND NO OBSTRUCTIONS TO THE SURVEY.
3. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND NO OBSTRUCTIONS TO THE SURVEY.

SURVEYOR'S CERTIFICATE

I, the undersigned, being a duly licensed and qualified Surveyor under the laws of the State of Texas, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in my records.

PRELIMINARY
BLAW ENGINEERING & ASSOCIATES, P.A.
300 N. DALLAS ST. SUITE 200
DALLAS, TEXAS 75201
PH: 214.761.1234
WWW.BLAUENGINEERING.COM