

**CITY OF BASTROP, TX**  
**RESOLUTION NO. R-2024-98**

**EXTRATERRITORIAL JURISDICTION RELEASE**

**A RESOLUTION OF THE CITY OF BASTROP, TEXAS FOR  
THE RELEASE OF LAND FROM THE CITY'S  
EXTRATERRITORIAL JURISDICTION UPON REQUEST  
AND PROVIDING FOR FINDINGS OF FACT, REPEALER,  
SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE,  
AND MEETING.**

- WHEREAS,** pursuant to Texas Local Government Code Section 51.001, the City of Bastrop ("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 88<sup>th</sup> Legislative Session, Texas Local Government Code Chapter 42 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,** pursuant to Texas Local Government Code Section 42.152, a resident of an area in the City's ETJ may request the City to hold an election to vote on the question of whether to release the area from the City's ETJ by filing a petition with the City Secretary; and
- WHEREAS,** the City Council has received petitions for multiple properties to be released from the ETJ, a list of which is included in **Exhibit A**; and
- WHEREAS,** the City Council received a petition from Cedar Creek East, LP on June 13, 2024, for the release of a certain tract of land ("Property"), which Property is more accurately described in **Attachment 1**, which is attached hereto and incorporated herein; and
- WHEREAS,** the City Council received a petition from CTX SPE 3, LP on June 13, 2024, for the release of a certain tract of land ("Property"), which Property is more accurately described in **Attachment 2**, which is attached hereto and incorporated herein; and

**WHEREAS,** the City Council received a petition from Jangam Vikram, the designated representative of Westside Mesa, LLC, on May 13, 2024, for the release of a certain tract of land ("Property"), which Property is more accurately described in **Attachment 3**, which is attached hereto and incorporated herein; and

**WHEREAS,** the City Council received a petition from Jason Alley on June 12, 2024, for the release of a certain tract of land ("Property"), which Property is more accurately described in **Attachment 4**, which is attached hereto and incorporated herein; and

**WHEREAS,** the City Council received a petition from SPE 3 MH, LP on June 13, 2024, for the release of a certain tract of land totaling 19.231 acres ("Property"), which Property is more accurately described in **Attachment 5**, which is attached hereto and incorporated herein; and

**WHEREAS,** the City Council received a petition from SPE 3 MH, LP on June 13, 2024, for the release of a certain tract of land totaling 14.911 acres ("Property"), which Property is more accurately described in **Attachment 6**, which is attached hereto and incorporated herein; and

**WHEREAS,** having received verification from the City Clerk, the City Council finds the attached ETJ Release Petitions for the Property ("Petitions"), which are attached as **Attachments 1-6** and incorporated herein, are valid and this Resolution is necessary and proper for the good government, peace, or order of the City to release the Properties from the City's ETJ.

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bastrop, Texas:**

**Section 1. Findings of Fact:** The foregoing recitals are incorporated into this resolution ("Resolution") by reference as findings of fact as if expressly set forth word-for-word herein.

**Section 2. Release:** The Petitions are hereby considered verified; therefore, the Properties as described in the Petitions included as **Attachments 1-6** are hereby released from the City's ETJ.

**Section 3. Filing:** The City Secretary is hereby directed to file a certified copy of this Resolution and an updated map of the City's ETJ boundary with the County Clerk of Bastrop County, Texas.

**Section 4. Repealer:** To the extent reasonably possible, resolutions are to be read together in harmony. However, all resolutions, or parts thereof, that are in

conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters regulated.

**Section 5. Severability:** Should any of the clauses, sentences, paragraphs, sections, or parts of this Resolution be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Resolution.

**Section 6. Effective Date:** This Resolution shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, its Code of Ordinances, and the laws of the State of Texas.

**Section 7. Proper Notice & Meeting:** It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED & APPROVED on First Reading** by the City Council of the City of Bastrop, on this, the 23<sup>rd</sup> day of July 2024.

**APPROVED:**

by: \_\_\_\_\_  
Lyle Nelson, Mayor

**ATTEST:**

\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Alan Bojorquez, City Attorney

## Exhibit "A"

### List of Property Owners and Legal Description of Properties to Be Released

Property Owner(s)	Legal Description of Property	Attachment
Cedar Creek East, LLP	A 575.264-acre tract of land out of the Reuben Gage Survey, Abstract No. 31 and the Atauacio Garcia Survey, Abstract No. 32 both of Bastrop County Texas; being a portion of a called 806.994-acre tract of land as conveyed to Travis Moore Roberts and Clay Walton Roberts by Bastrop County Probate Case Number 7549, and as described by Individual Partition Deed conveyed to Nicky Lynn Roberts recorded in Volume 357, Page 369 of the Official Public Records of Bastrop County Texas, being a portion of a called 231.763-acre tract of land described as second tract as conveyed to Cathy Moore Hunter by Partition Deed recorded in Volume 692, page 65 of the Official Public Records of Bastrop County, Texas, and being a portion of Lots 5, 8 and 11 of Mark Young Ranch, a Subdivision as referenced in Volume 59, Page 351 of the Deed Records of Bastrop County, Texas.	Attachment 1
CTX SPE 3, LP; Cedar Creek East, LP; 5Star Family Holdings, LP; Hogsbreath Investments, LP; CABO 35 Street Developments, LP; Boring Accountant, LP; Real 812 Holdings, LP; Rio Grande Equity, LP; Ancho Development Holdings, LP; 812 Commercial Investments, LP	A 582.444-acre tract of land out of the Hiram Beales Survey, Abstract No. 12, the Ruben Gage Survey, Abstract No. 31, and the L.C. Cunningham Survey, Abstract No. 24, all of Bastrop County, Texas; being all of a called 35.759-acre tract of land as conveyed to Austin14 SAI Investments, LLC, by Special Warranty Deed recorded in Document Number 202207706 of the Official Public Records of Bastrop County, Texas, being all of the remainder of called 78.934-acre tract of land described as Tract 1, all of the remainder of a called 43.231-acre tract of land described as Tract 2, and all of a called 21.838-acre tract of land described as Tract 3, all as conveyed to 5Star Family Holdings, LP, by Special Warranty Deed recorded in Document Number 202114069 of the Official Public Records of Bastrop County, Texas, being all of a called 100.842-acre tract of land described as Tract 1, a portion of the remainder of a called 121.00-acre tract of land described as Tract 2, and a portion of the remainder of a called 587.274-acre tract of land described as Tract 3, all as conveyed to Cedar Creek East, LP, by Special Warranty Deed recorded in Document Number 202114074 and Correction Instruments as	Attachment 2

	to the recorded Original Instrument recorded in Document Numbers 202216447 and 202216495, all of the Official Public Records of Bastrop County, Texas, being all of the remainder of a called 184.561-acre tract of land described as Tract 1, and a portion of the remainder of a called 231.318-acre tract of land described as Tract 2, both as conveyed to CTX SPE 3, LP, by Special Warranty Deed recorded in Document Number 202114039 of the Official Public Records of Bastrop County, Texas, being a portion of the remainder of a called 810.512-acre tract of land as conveyed to CTX SPE 3, LP, by General Warranty Deed recorded in Document Number 202114026 and corrected by General Warranty Deed recorded in Document Number 202115827, both of the Official Public Records of Bastrop County, Texas, being a portion of a called 141.079-acre tract of land as conveyed to NEU Community Creekside, LLC, by Special Warranty Deed recorded in Document Number 202207532 of the Official Public Records of Bastrop County Texas, being a portion of a 100-foot wide unimproved Right-Of-Way as dedicated to the Public by Volume 427, Page 848 of the Official Public Records of Bastrop County, Texas, and being a portion of Lots 1, 2, 4, 5, 7 and 8 of Mark Young Ranch, a subdivision as referenced in Volume 52, Page 351 of the Dee Records of Bastrop County, Texas.	
Westside Mesa, LLC (Vikram Jangam)	A399 Green, M., Acres 337.727; 488 Mesa Dr., Del Valle, TX 78617; Property ID: 46486	Attachment 3
Jason Alley	A 424.402 acres tract in the Lubel Leverage Survey and Jacob Walters Survey, Bastrop County, Texas; 424.402 acre tract or parcel of land out of the Lubel Leverage Survey, A-225 in Bastrop County, Texas, and a part of that certain 756.08 acre tract described in a deed to RED Partners, Ltd, and RED Partners Management, LLC, dated February 24, 2021, recorded in Document No. 202103316, Bastrop County Official Public Records <b>AND</b> 325.20 acres of land out of the Jacob Walter Survey, Abstract No. 338, Bastrop County, Texas and being a part or portion of the land described in a conveyance to thu [sic] Robert E. Duff Descendants Trust in the Deed of Record in Document 201914108 of the Official Public Records of Bastrop County, Texas.	Attachment 4
SPE 3 MH, LP	A 19.231-acre tract of land out of the Reuben Gage Survey, Abstract No. 31, and the LC Cunningham Survey, Abstract No. 24, both of Bastrop County, Texas; being a portion of a called 810.512-acre tract	Attachment 5

	of land as conveyed to CTX SPE 3, LP, by General Warranty Deeds recorded in Doc. No. 202114026 and corrected in Doc. No. 202115827, both of the Official Public Records of Bastrop County, Texas, and being a portion of Lots 2 and 5 of Mark Young Ranch, a subdivision as referenced in Volume 59, Page 351 of the Deed Records of Bastrop County, Texas.	
SPE 3 MH, LP	A 14.911-acre tract of land out of the Reuben Gage Survey, Abstract No. 31, and the LC Cunningham Survey, Abstract No. 24, both of Bastrop County, Texas; being a portion of a called 810.512-acre tract of land as conveyed to CTX SPE 3, LP, by General Warranty Deeds recorded in Doc. No. 202114026 and corrected in Doc. No. 202115827, both of the Official Public Records of Bastrop County, Texas, and being a portion of Lots 2, 4 and 5 of Mark Young Ranch, a subdivision as referenced in Volume 59, Page 351 of the Deed Records of Bastrop County, Texas.	Attachment 6