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Received by
City Secretary's Office

SEP 04 2024

August 26, 2024

Via CMRRR 9414 7266 9904 2223 5321 34

The City of Burleson
City Secretary's Office
141 W Renfro Street
Burleson, TX 76028-4296

RE: **PETITION BY LANDOWNER OR RESIDENT FOR RELEASE OF AREA FROM
EXTRATERRITORIAL JURISDICTION SIGNED BY TR SCOTT CAPITAL, LLC**

To: The City of Burleson, City Secretary Amanda Campos

Pursuant to Texas Local Government Code Section 42.105, the attached Petition for removal shall be verified by the municipal secretary or other person from the municipality responsible for verifying signatures. The municipality shall notify the residents and landowners of the area described by the Petition of the results of the Petition. The municipality may satisfy this requirement by notifying the person who filed the petition under Texas Local Government Code Section 42.102. If a resident or landowner obtains the number of signatures on the petition required under Texas Local Government Section 42.104 to release the area from the municipality's extraterritorial jurisdiction, the municipality *shall* immediately release the area from the municipality's extraterritorial jurisdiction.

If the municipality fails to take action to release the Area 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 this Petition, the Area is released by operation of law.

Sincerely,

/s/ Robert Miklos

rmiklos@fbfk.law

(972) 378-9111

ATTACHMENTS

Petition by Landowner or Resident for Release of Area From Extraterritorial Jurisdiction
Signed by TR Scott Capital LLC

PETITION BY LANDOWNER OR RESIDENT FOR RELEASE OF AREA FROM EXTRATERRITORIAL JURISDICTION

This petition (“Petition”) is submitted and filed with the City Secretary of the City of Burleson, Texas (“City”), by **TR SCOTT CAPITAL, LLC, a Texas limited liability company** (the “Petitioner”), owner of the majority in value of an area consisting of one or more parcels of land in a municipality’s extraterritorial jurisdiction in the area described by this Petition (the “Area”) located within the extraterritorial jurisdiction of the City. The Petitioner petitions the City to release the Area from the extraterritorial jurisdiction of the City, more particularly described by a metes and bounds description in **Exhibit A** and a map of the Area in **Exhibit B** (the “Property”). In support of this Petition, the Petitioner presents the following:

Section 1. Applicability. The Area is eligible for release from the extraterritorial jurisdiction, pursuant to Texas Local Government Code Section 42.101, because it is not located (1) within five miles of the boundary of a military base, as defined by Texas Local Government Code 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 of the Texas Local Government Code, at which an active training program is conducted; and (B) in a county with a population of more two million; (4) in an area designated as an industrial district under Section 42.044 of the Texas Local Government Code; or (5) in an area subject to a strategic partnership agreement entered into under Section 43.0751 of the Texas Local Government Code.

Section 2. Authority to File Petition for Release. Petitioner has authority to file this Petition with the municipality in accordance with Chapter 42 of the Texas Local Government Code for release because Petitioner is either a resident of an area in a municipality’s extraterritorial jurisdiction, or, Petitioner is the owner of the majority in value of an area consisting of one or more parcels of land in a municipality’s extraterritorial jurisdiction.

Section 3. Requirements Met. This Petition meets the requirements of Texas Local Government Code Section 42.104 because (a) it is 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; (b) the above signature requirements were met not later than the 180th day after the date the first signature for the petition was obtained; (c) the signature is in writing; (d) 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 (2) lot and block numbers, if there is a recorded map or plat. The included metes and bounds description, and accompanying map of the Area to be released, are hereby attached respectively as **Exhibit A** and **Exhibit B**.

Section 4. Results of Petition, Verification Required. Pursuant to Texas Local Government Code Section 42.105, this Petition for removal shall be verified by the municipal secretary or other

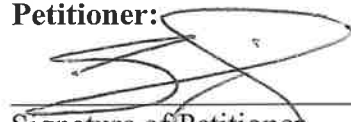
person from the municipality responsible for verifying signatures. The municipality shall notify the residents and landowners of the area described by the Petition of the results of the Petition. The municipality may satisfy this requirement by notifying the person who filed the petition under Texas Local Government Code Section 42.102. If a resident or landowner obtains the number of signatures on the petition required under Texas Local Government Section 42.104 to release the area from the municipality's extraterritorial jurisdiction, the municipality *shall* immediately release the area from the municipality's extraterritorial jurisdiction.

Section 5. Municipality's Failure to Take Action. If the municipality fails to take action to release the Area 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 this Petition, the Area is released by operation of law.

This Petition is hereby filed with the City Secretary of the City, or other officer performing the functions of the municipal secretary, in support of the release of the areas described herein from the extraterritorial jurisdiction of the municipality.

RESPECTFULLY SUBMITTED, on this the _____ day of _____, 2024.

Petitioner:



Signature of Petitioner
TR SCOTT CAPITAL, LLC
a Texas limited liability company
by Scott Theeringer, its President

8/16/2024

Date

SCOTT THEERINGER

Printed Name

10-4-1970

Date of Birth

1800 N. FIELD ST
DALLAS, TX 75202

Residence Address

EXHIBIT A

Metes and Bounds Description

BEING a tract of land situated in the Hiram Lewis Survey, Abstract No. 517, City of Burleson, Johnson County, Texas, being all of Lots 2 and 3, Block A of the TRSC Highpoint Addition according to the plat recorded in Document No. 2023-115 of the Plat Records of Johnson County, Texas, with the subject tract being more particularly described as follows:

BEGINNING at a 1/2" capped iron rod stamped "SPIARSENG" found at a southwest corner of Lot 2, and being the northwest corner of Lot 1, Block A TRSC Highpoint Addition, and also lying in the northeast right-of-way line of Briar Oaks Road (County Road No. 809) (variable width right-of-way);

THENCE, N 26°12'24" W, 437.79 feet along said northeast line of Briar Oaks Road to a point for corner at the intersection of said Briar Oaks Road and southeast right-of-way line of Highpoint Parkway (100 foot right-of-way)

THENCE, N 59°20'16" E, 609.67 feet, along said southeast line of Highpoint Parkway to the northwest corner of Lot 2R1, Block 7 of Highpoint Business Park of Burleson, an addition to the City of Burleson, Johnson County, Texas, according to the plat thereof recorded in Document No. 2015-2 of the Plat Records of Johnson County, Texas;

THENCE, S 37°44'28" E, 233.82 feet to a 5/8" iron rod found at the southwest corner of said Lot 2R1, Block 7;

THENCE, S 85°15'15" E, 909.88 feet;

THENCE, S 86°31'50" E, 292.54 feet to a 1/2" capped iron rod found at the most northwest corner of a tract of land conveyed to TCRG Opportunity XXII, LLC, by deed recorded in Document No. 2021-45773 of the Deed Records of Johnson County, Texas;

THENCE, S 00°18'22" W, 148.82 feet to a 1/2" capped iron rod found at an interior ell corner of said TCRG Opportunity XXII tract;

THENCE, N 86°16'34" W, 291.05 feet to a 1/2" capped iron rod found the most western northwest corner of said TCRG Opportunity XXII tract;

THENCE, S 00°20'09" W, 576.14 feet to a 1/2" capped iron rod found along the western line of said TCRG Opportunity XXII tract;

THENCE, S 04°53'47" E, 182.06 feet along the western line of said TCRG Opportunity XXII tract to the northeastern line of a tract of land conveyed to Mario Marquez, by deed recorded in Document No. 2020-3176 of the Deed Records of Johnson County, Texas;

THENCE meandering along the centerline of a creek, the following courses and distances:

N 55°15'15" W, 92.80 feet; N 69°52'15" W, 62.25 feet;

N 43°09'31" W, 76.00 feet; N 73°27'30" W, 73.60 feet;

N 18°12'15" W, 24.40 feet; N 63°32'50" W, 54.00 feet;

N 21°22'30" E, 52.00 feet; N 38°24'30" W, 68.80 feet;

N 77°28'15" W, 52.50 feet; N 33°19'00" E, 51.50 feet;

N 60°48'00" W, 60.60 feet; N 18°05'50" W, 47.50 feet;

N 50°33'50" W, 66.63 feet; N 05°32'15" W, 46.25 feet;

N 55°58'32" W, 124.10 feet to the southeast corner of a tract of land conveyed to Ronald B. Ball, by deed recorded in Book 2487, Page 741 of the Deed Records of Johnson County, Texas;

THENCE, N 29°38'00" W, 130.25 feet to the northeast corner of said Ball tract;

THENCE, S 60°26'54" W, passing a 1/2" capped iron rod found at a distance of 36.67 feet, thence passing at a distance of 309.18 feet a T Post found, thence continuing a total distance of 494.63 feet to a 1/2" iron rod with plastic cap found for the southeast corner of Lot 1, Block A TRSC Highpoint Addition;

THENCE N 29°33'06" W, 158.77 feet to a 1/2" iron rod with plastic cap found for the northeast corner of Lot 1;

THENCE S 60°26'54" W, 269.59 feet to the POINT OF BEGINNING with the subject tract containing 846,423 square feet or 19.431 acres of land.

Map of the Area



