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August 26, 2024

Received by
City Secretary's Office

SEP 04 2024

Via CMRRR 9414 7266 9904 2223 5321 27

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 ROBERT D. BRUNER**

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 Robert D. Bruner

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 **Robert D. Bruner** (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 15th day of August, 2024.

Petitioner:

Robert D. Bruner
Signature of Petitioner Melinda Bruner Jackson POA

8/15/2024
Date

Robert D. Bruner
Printed Name

12/02/1926
Date of Birth

1900 Acton Hwy
Dranbury TX
76049
Residence Address

EXHIBIT A

Metes and Bounds Description

BEING a tract of land situated in the W. Phipps Survey, Abstract No. 687, in Johnson County, Texas, being part of Tracts II and III, and all of Tracts IV, V, and VI, conveyed to Robert D. Bruner by deed recorded in Volume 573, Page 297, Deed Records, Johnson County, Texas (DRJCT), with the subject tract being more particularly described as follows:

BEGINNING in N. Cummings Road, a public road, being the most westerly corner of said Bruner tracts;

THENCE N 59°53'41" E, 2209.30 feet along the northwest line thereof, and of a tract conveyed to Ava Ayers-Spencer, recorded in Document No. 2023-7199, Real Property Records, Johnson County, Texas (RPRJCT), to the east corner thereof, being on the southwest line of a tract conveyed to Brian Nelson, recorded in Volume 3005, Page 602 RPRJCT;

THENCE S 25°22'46" E, 653.42 feet along the southwest line thereof;

THENCE N 60°38'20" E, 641.12 feet along the southeast line thereof to the southwest line of a tract conveyed to Robert Lee and Martha Lee Franklin, recorded in Volume 750, Page 478 DRJCT;

THENCE S 30°35'07" E, 661.21 feet along the southwest line thereof;

THENCE into said Bruner tracts, around a non-tangent curve to the left having a central angle of 16°45'14", a radius of 2500.00 feet, a chord of S 68°55'54" W - 728.43 feet, an arc length of 731.03 feet;

THENCE S 60°33'17" W, 1495.13 feet through said Bruner tracts;

THENCE continuing through said Bruner tracts, around a tangent curve to the left having a central angle of 13°38'20", a radius of 2500.00 feet, a chord of S 53°44'07" W - 593.71 feet, an arc length of 595.11 feet to N. Cummings Road;

THENCE N 29°59'08" W, 1252.77 feet along N. Cummings Road to the POINT OF BEGINNING with the subject tract containing 2,990,493 square feet or 68.652 acres of land.

"This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

EXHIBIT B
Map of the Area

