

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS GRANTING A PETITION FILED BY ROBERT FRANK PITALE UNDER SECTION 42.102 OF THE LOCAL GOVERNMENT CODE AND REMOVING APPROXIMATELY 12.005 ACRES OF LAND ADDRESSED AS 5201 CR 707, AND AS FURTHER DESCRIBED IN THE PETITION FROM THE CITY'S EXTRATERRITORIAL JURISDICTION.

WHEREAS, the City of Burleson, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, Subchapter D "Release of Area by Petition of Landowner or Resident from Extraterritorial Jurisdiction" of Chapter 42 of the Local Government Code became effective on September 1, 2023; and

WHEREAS, on October 20, 2023, the City received a petition in accordance with Subchapter D from Robert Pitale, a copy of said petition being attached to this resolution as Exhibit "A" and incorporated herein by reference for all purposes; and

WHEREAS, the petition requests the City release the real properties commonly known and addressed as 5201 CR 707 and that is more fully described in the petition from the City's extraterritorial jurisdiction (the "Property"),

WHEREAS, the City Council finds that Subchapter D applies to the Property, that the petitioner has the authority to file the petition, and that the petition meets all of the requirements of Subchapter D; and

WHEREAS, in accordance with Section 42.105 of the Local Government Code, the City Council desires to release the real property described in the petition from the City's extraterritorial jurisdiction.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS, THAT:

Section 1.

In accordance with Section 42.105 of the Local Government Code, the City hereby grants the petition and releases the Property from the City's extraterritorial jurisdiction.

Section 2.

The City Manager is hereby directed to amend the official city map to reflect the removal of real property from the City's extraterritorial jurisdiction, in accordance with Section 41.001 of the

Local Government Code. Additionally, the City Manager is hereby further directed to deliver a copy of this resolution to the petitioner, in accordance with Section 42.105 of the Local Government Code.

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Section 3.

The foregoing recitals are adopted and incorporated herein for all purposes.

Section 4.

This resolution shall take effect immediately from and after its passage.

PASSED, APPROVED, AND SO RESOLVED by the City Council of the City of Burleson, Texas, on the _____ day of _____, 20_____.

Chris Fletcher, Mayor
City of Burleson, Texas

ATTEST:

APPROVED AS TO FORM:

Amanda Campos, City Secretary

E. Allen Taylor, Jr., City Attorney

Exhibit A**LEGAL DESCRIPTION**

Being a 12.005 acre tract of land situated in the James Billingsley Survey, Abstract No. 45, Johnson County, Texas, being all that certain tract of land described in deed to Robert Frank Pitale and Tanya Marie Nevarov as recorded in Document No. 2016-18637, Deed Records Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found as the common east corner of said Pitale & Nevarov Tract and that certain tract of land described in Deed to James E. Pearce and wife, Mary E. Pearce, as recorded in Book 2217, page 674, said Deed records, said iron rod being on the west line of that certain tract of land described in deed as Tract three to Alvarado Sand and Gravel, LLC as recorded in Instrument No. 2015-18566, said Deed records;

THENCE South 89°59'22" West, a distance of 260.29 feet along the common line of said Pitale & Nevarov and Pearce Tracts to a 3/8 inch iron rod found at the common corner of said Pitale & Nevarov and Pearce Tracts and that certain Tract of land described in deed to James Earl Pearce and wife, Mary Elizabeth Pearce, as recorded in Volume 1013, Page 431, said deed records;

THENCE North 53°46'00" West, a distance of 646.29 feet along the common line of said Pitale & Nevarov and Pearce (1013/431) Tracts to a 1/2 inch iron rod found at the Northwest corner of said Pearce Tract (1013/431);

THENCE South, passing a 3/8 inch iron rod found at a distance of 787.95 feet and continuing a total distance of 834.85 feet along said common line to the common South corner of said Pitale & Nevarov and Pearce (1013/431) Tracts, being in County Road 707;

THENCE North 53°25'12" West, a distance of 157.12 feet along said County Road 707 to the Southwest corner of said Pitale & Nevarov Tract;

THENCE North 01°49'57" East, along the most Westerly West line of said Pitale & Nevarov Tract, passing the Southeast corner of that certain Tract of land described in Book 4043, page 59, aforesaid Deed Records at a distance of 16.26 feet and continuing along the common line of said Pitale & Nevarov and Earls Tracts a total distance of 881.20 feet to a point from which a metal post bears South 05° 09' 07" East, 29.05 feet, said point being the most Southerly Northwest corner of said Pitale & Nevarov Tract;

THENCE North 89°57'32" East, a distance of 219.18 feet along said common line to a point from which a 1/2 inch iron rod found bears North 34° 24' 15" East 1.54 feet, said point being the most Northerly Southeast corner of said Earls Tract;

THENCE North 00°08'12" East, a distance of 339.77 feet along said common line to a point from which a T-Post bears North 12°55'22" West 0.67 of one foot, said point being the common North corner of said Pitale & Nevarov and Earls Tracts, and being on the South line of that certain Tract of land described in deed to Justin W. Barton, as recorded in Instrument No. 2014-26767, aforesaid deed records;

THENCE South 89°01'45" East, a distance of 313.09 feet along the common line of said Pitale & Nevarov and Barton Tracts to a 1/2 inch iron rod found at the common East corner of said Pitale & Nevarov and Barton Tracts, said iron rod being on the Southwest line of that certain tract of land described as Tract one in aforesaid Alvarado Sand and Gravel Deed;

THENCE South 28°19'57" East, a distance of 730.25 feet along the common line of said Pitale & Nevarov Tract and said Tract One to a 1/2 inch iron rod found at the common corner of said Pitale & Nevarov Tract and said Tract one and aforesaid Tract Three;

THENCE South 00°00'06" West, a distance of 213.24 feet along the common line of said Pitale & Nevarov Tract and said Tract three to the point of beginning and containing 522,920 square feet or 12.005 acres of land.



NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B hereof.

Parcel/APN/Tax ID: 126.0045.00570

OCT 20 2023

Release from Extraterritorial Jurisdiction (ETJ) Petition


APPLICANT / OWNER

Applicant or Authorized Agent	Owner
Name: <u>ROBERT FRANK PITALE</u>	Name: <u>ROBERT FRANK PITALE</u>
Company:	Company:
Address: <u>5201 CR 707</u> <u>ALVARADO, TX 76009</u>	Address: <u>5201 CR 707</u> <u>ALVARADO, TX 76009</u>
Telephone: <u>949-606-3473</u>	Telephone: <u>949-606-3473</u>
Email: <u>PAPA.PITALE@GMAIL.COM</u>	Email: <u>PAPA.PITALE@GMAIL.COM</u>
Signature: 	Signature: 

SITE INFORMATION



Number of properties within the area to be released:	<u>1</u>
General location or address of area to be released:	<u>5201 CR 707 ALVARADO</u>
Total Acres to be released:	<u>12.005</u>
County of Request	<u>JOHNSON</u>

REQUIRED ITEMS FOR PETITION
 (Applicant must initial next to each item)

<input type="checkbox"/>	Completed Application
<input type="checkbox"/>	Exact Property description in the form of: 1) Metes and Bounds, or 2) Identification of the property (Lot and Block) on a Recorded Plat
<input type="checkbox"/>	Signed "Release from ETJ Petition" (see next page) 50% of all owners within the area to be released must provide a NOTARIZED signature
<input type="checkbox"/>	If property is owned by an entity, estate, trust, etc. – provide proof of authority to sign on behalf of the entity, estate, trust, etc.
<input type="checkbox"/>	If current ownership differs from data available on the Appraisal District website provide deed(s) as proof of ownership
<input type="checkbox"/>	Owner of the property acknowledges that with the submittal of this petition, that they may no longer assume they will have the ability to receive City of Burleson utility or emergency services for the property being removed for the extraterritorial jurisdiction (ETJ) of the City of Burleson. This petition may also trigger CCN discountenance efforts by the City of Burleson.
<input type="checkbox"/>	Owners signature required: 

CITY OF BURLESON RELEASE FROM ETJ PETITION

By signing this petition, I hereby request to be removed from the City of Burleson Extraterritorial Jurisdiction (ETJ). I hereby affirm that I am the legal owner of the property identified below (attach additional pages as required).

Tax ID # and Physical Address	Property Owners Signature	Notary
<p>126.0045.00780 126.0045.00781 126.0045.00570 S201 CR707 ALCORNADO, TX 76009</p>		<p>State of <u>Texas</u> County of <u>Tarrant</u></p> <p>The instrument was signed or acknowledged before me on <u>October 19, 2025</u> By <u>Robert Fitale</u> Print name of signer(s)</p> <div data-bbox="771 1123 917 1543" data-label="Image"> </div> <p> Notary Signature</p> <p>State of _____ County of _____ The instrument was signed or acknowledged before me on _____ By _____ Print name of signer(s)</p> <p>_____ Notary Signature</p>