

## **RESOLUTION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLESON, TEXAS GRANTING A PETITION FILED BY PHILLIP WADDELL UNDER SECTION 42.102 OF THE LOCAL GOVERNMENT CODE AND REMOVING APPROXIMATELY 97.248 ACRES OF LAND ADDRESSED AS 7901 CR 802, 8001 CR 802, AND 1820 FM 731 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 18, 2023, the City received a petition in accordance with Subchapter D from Phillip Waddell, 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 7901 CR 802, 8001 CR 802, and 1820 FM 731 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.

**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\_\_\_\_.

ATTEST:

\_\_\_\_\_  
Chris Fletcher, Mayor  
City of Burleson, Texas

APPROVED AS TO FORM:

\_\_\_\_\_  
Amanda Campos, City Secretary

\_\_\_\_\_  
E. Allen Taylor, Jr., City Attorney

**Exhibit A**  
**Metes and Bounds Description 1 of 2**

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND out of the H.G. CATLETT SURVEY, No. 19, Abstract 184, Johnson County, Texas, being the same tract of land as conveyed by Riggs Pennington and wife, Rebecca S. Pennington, to W. I. Russell by Deed recorded in Volume 68, page 313, Deed Records, Johnson County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an iron rod lying on the Northwesterly line of County Road 802 that bears South 44 degrees 58 minutes 19 seconds West, a distance of 1357.0 feet from the East corner of said Catlett Survey;

THENCE South 44 degrees 58 minutes 19 seconds West, a distance of 677.87 feet along said Northwesterly line to a fence corner post for a corner;

THENCE North 44 degrees 59 minutes 54 seconds West leaving said West line, a distance of 979.61 feet to an iron rod for a corner;

THENCE South 46 degrees 08 minutes 34 seconds West, a distance of 671.27 feet to an iron rod for a corner;

THENCE North 44 degrees 53 minutes 54 seconds West, a distance of 2207.80 feet to an iron rod for a corner;

THENCE North 45 degrees 00 minutes East, a distance of 1307.83 feet to a fence corner post for a corner;

THENCE South 45 degrees 18 minutes East, a distance of 274.05 feet to an iron rod;

THENCE South 45 degrees 03 minutes 05 seconds East, a distance of 164.82 feet to an iron rod;

THENCE South 44 degrees 50 minutes 17 seconds East, a distance of 366.35 feet to an iron rod;

THENCE South 45 degrees 24 minutes 20 seconds East, a distance of 294.87 feet to an iron rod;

THENCE South 45 degrees 24 minutes 25 seconds East, a distance of 95.46 feet to a 1-inch iron pipe;

THENCE South 45 degrees 58 minutes 10 seconds East, a distance of 2005.21 feet to the POINT OF BEGINNING and containing approximately 82.06 acres of land.

## Metes and Bounds Description 2 of 2

BEING PART OF THE 160 ACRE TRACT CONVEYED BY R. TOOMBS. ET AL TO J.A. MORROW BY DEED RECORDED IN VOL. "K" PAGE 112 DEED RECORDS OF JOHNSON COUNTY, TEXAS.

BEGINNING at an iron pin on the West of N.W. line of Village Creek Road 961.64 yrs. S. 45 degrees W. and 5.94 yrs. N. 45 degrees 0' 43" W. from the East corner of the H.G. Catlett Survey Abst. #184 in Johnson County, Texas. Said Iron being 5.94 yrs. N. 45 degrees 0' 43" W. from the South corner of said J.A. Morrow 160 acre tract.

THENCE N. 43 degrees 0' 43" W. along and with fence line 993.7 ft. an iron pin and post on the West side of drainage ditch. Said post being the most Westerly South corner of the J. W. Haskew 80 acre tract as shown in Vol. "K" Page 126 D.R.J.C.T.

THENCE N. 45 degrees 45' 19" E. along and with fence line 671.52 ft. an iron pin and post.  
THENCE N. 44 degrees 50' 42" E. along and with fence line 981.19 ft. an Iron pin by P.O. stump in the North line of said road.

THENCE S, 44 degrees 41' 11" W. with said road 668.6 ft. to the place of beginning,  
CONTAINING 15.188 ACRES OF LAND MORE OR LESS.

OCT 18 2023

OCT18 23 11:43AM

**Release from Extraterritorial Jurisdiction (ETJ) Petition**

**APPLICANT / OWNER**

Applicant or Authorized Agent	Owner
Name: Phillip Waddell	Name: Phillip Waddell
Company::	Company:
Address:: 8021 cr 802	Address:: 8021 cr 802
Telephone: 817-228-1215	Telephone: 817-228-1215
Email:	Email: Phillip103@yahoo.com
Signature: <i>Phillip Waddell</i>	Signature: <i>Phillip Waddell</i>

**SITE INFORMATION**

Number of properties within the area to be released:	2
General location or address of area to be released:	7901 S 8001 cr 802
Total Acres to be released:	95
County of Request	Johnson

**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"/>	<b>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.</b>
<input type="checkbox"/>	Owners signature required: <i>Phillip Waddell</i>

**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
7901 & 8001 cr 802 Burleson, TX 76028		State of <u>Texas</u> County of <u>JOHNSON</u> The instrument was signed or acknowledged before me on <u>October 18, 2023</u> By <u>Phillip Waddell</u> Print name of signer(s)  <u>Kandi Daniel</u> Notary Signature
		State of _____ County of _____ The instrument was signed or acknowledged before me on _____ By _____ Print name of signer(s)  _____ Notary Signature

**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>7901 D 8001                      cr 902 Burleson TX                      76028</p>	<p>Phillip Wassell</p>	<p>State of <u>Texas</u>                      County of <u>Johnson</u>                      The instrument was signed or acknowledged before me on <u>October 18, 2023</u>                      By <u>Phillip Wassell</u>                      Print name of signer(s)    <u>Alicia Montes-Saavedra</u>                      Notary Signature</p>
		<p>State of _____                      County of _____                      The instrument was signed or acknowledged before me on _____                      By _____                      Print name of signer(s)                      _____                      Notary Signature</p>

**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
1816 Fm 731 Burleson 7876028		State of <u>Texas</u> County of <u>JOHNSON</u> The instrument was signed or acknowledged before me on <u>October 18, 2023</u> By <del>_____</del> <u>Melody Roberts</u> Print name of signer(s)   Notary Signature
		State of _____ County of _____ The instrument was signed or acknowledged before me on _____ By _____ Print name of signer(s)  _____ Notary Signature

**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>1816 Fm 731 Burleson TX 76028</p>	<p><i>Larry Roberts</i></p>	<p>State of <u>Texas</u> County of <u>JOHNSON</u></p> <p>The instrument was signed or acknowledged before me on <u>October 17, 2023</u></p> <p>By <del>_____</del> <u>Larry Roberts</u> Print name of signer(s)</p>  <p><i>Alicia Montes-Saavedra</i> Notary Signature</p>
		<p>State of _____ County of _____</p> <p>The instrument was signed or acknowledged before me on _____</p> <p>By _____ Print name of signer(s)</p> <p>_____ Notary Signature</p>

I Phillip Waddell petition myself and would like out of the ETJ of Burleson

Signature Phillip Waddell



Document Preview  
80012802

800 users

SUMMARY

**CONTRACT**

Document Nu... 1984-36969 Instrument Date:

Number of Pages: 3 Consideration: \$0.00

Recorded Date: 7/19/1984 0:00 AM Mail Back Date:

Book/Volume/P... RP/1030/117

Parties

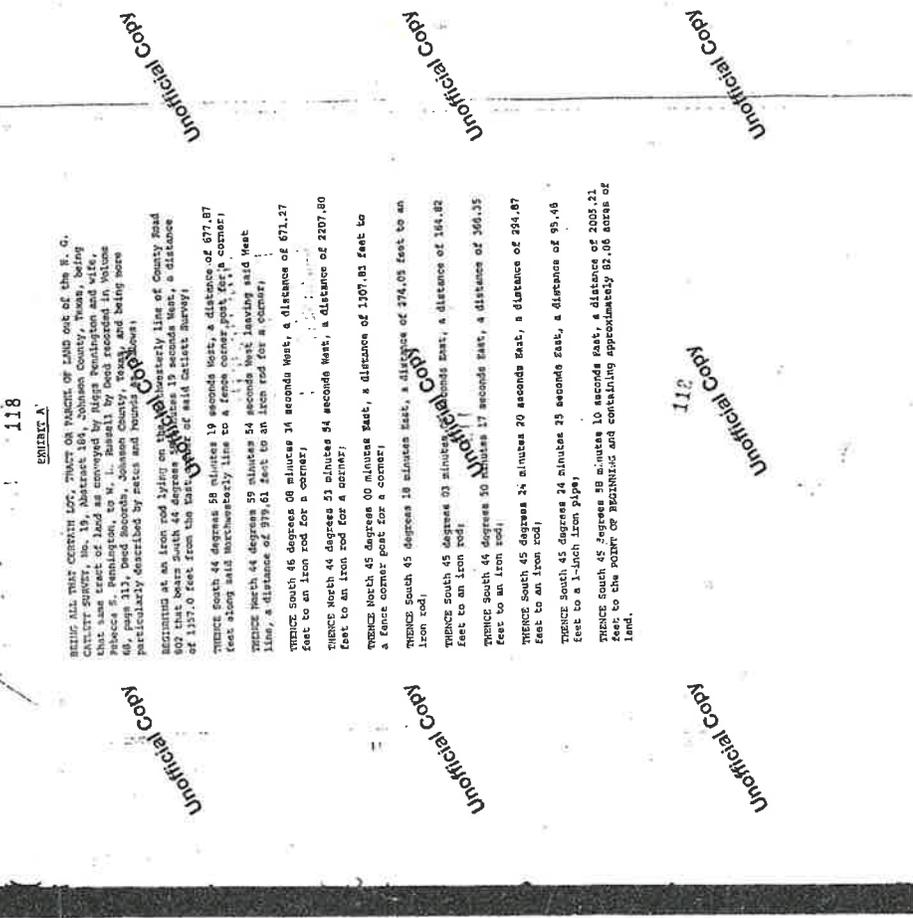
SIMMONS ALICE C	GRANTOR
SIMMONS WILTON W	GRANTOR
FAGAN BILL D TR	GRANTEE
FAGAN ROSA LEE TR	GRANTEE
WADDELL ROBIN FAGAN	GRANTEE

Legal Description

Subdivision- Lot: 184

82.06AC H G CATLETT SRVY NO 19

Marginal References



15 acres 7901 6802

Back to Results

Previous Result

Next Result

Express Checkout

Property Alert

Consolidate Copy

Hide Panel

4 of 4

SUMMARY

DEED

Document NU... 1992-10032 Instrument Date: 06/17/1992

Number of Pages: 4 Consideration: \$0.00

Recorded Date: 6/19/1992 0:00 AM Mail Back Date:

Book/Volume/P... RP/1626/535

Parties

CARAWAY A D GRANTOR

CARAWAY LILLIAN B GRANTOR

WADDELL PHIL GRANTEE

WADDELL ROBIN GRANTEE

Legal Description

15.188 ACRES

Marginal References

No records found.

