

RESOLUTION NO. 2024-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANOR, TEXAS, REQUESTING THE RELEASE OF A PORTION OF THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF AUSTIN, TEXAS TO THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF MANOR, TEXAS.

WHEREAS, the Cities of Austin, Texas and Manor, Texas are located within Travis County Texas and are adjacent or otherwise share certain common boundaries of extraterritorial jurisdiction and corporate limits; and

WHEREAS, a tract of land consisting of approximately 155.050 acres is located within the extraterritorial jurisdiction of the City of Austin, Texas as more particularly described and depicted on Exhibit “A” attached hereto (the “**Property**”); and

WHEREAS, the owner of the Property desires to have the Property (the “**ETJ Tract**”) be released from the City of Austin, Texas’ extraterritorial jurisdiction and become a part of the extraterritorial jurisdiction of the City of Manor, Texas (the “**City**”) in order to develop the Property as an industrial park; and

WHEREAS, a release of the ETJ Tract from the City of Austin, Texas is necessary in order to develop the Property under the City’s rules and regulations; and

WHEREAS, the City Council of the City of Manor, Texas (the “**City Council**”) has determined that it is in the best interest of the City to have the development of the Property under the City’s rules and regulations by requesting the release of the ETJ Tract from the City of Austin, Texas and adjust the extraterritorial jurisdiction of the City so that the ETJ Tract becomes a part of the extraterritorial jurisdiction of the City.

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

SECTION 1. The City Council hereby approves the recitals contained in the preamble of this Resolution and finds that all the recitals are true and correct and incorporate the same in the body of this Resolution as findings of fact.

SECTION 2. The City Council hereby directs the City Manager of the City to request the release of the ETJ Tract from the City of Austin, Texas and adjust the extraterritorial jurisdiction of the City so that the ETJ Tract becomes a part of the extraterritorial jurisdiction and corporate limits of the City of Manor.

SECTION 3. If any section, article, paragraph, sentence, clause, phrase or word in this resolution or application thereof to any persons or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this resolution; and the City Council hereby declares it would have passed such remaining portions of the resolution despite such invalidity, which remaining portions shall remain in full force and effect.

PASSED AND ADOPTED by the City Council of Manor, Texas, at a regular meeting on the 3rd day of July 2024, at which a quorum was present, and for which due notice was given pursuant to Government Code, Chapter 551.

CITY OF MANOR, TEXAS

Dr. Christopher Harvey, Mayor

ATTEST:

Lluvia T. Almaraz, City Secretary

Exhibit "A"
Property
[attached]

METES AND BOUNDS DESCRIPTION

FOR A 155.050 ACRE TRACT OF LAND SITUATED IN THE TIMOTHY MCKANE SURVEY, ABSTRACT NO. 525 AND THE CALVIN BARKER SURVEY, ABSTRACT NO. 58, TRAVIS COUNTY, TEXAS, AND BEING ALL OF THE CALLED 155.07 ACRE TRACT OF LAND CONVEYED TO CORA E. KOETHER, RECORDED IN DOCUMENT NO. 2019062971 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 155.050 ACRE TRACT OF LAND BEING SURVEYED ON THE GROUND BY DIAMOND SURVEYING DURING THE MONTH OF MARCH 2024, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod set with cap marked "Diamond Surveying" on the northwest corner of said 155.07 acre Koether tract same being on an angle point in the south right-of-way line of the Capital Metropolitan Transportation Authority Railroad, recorded in Volume 13817, Page 3118, Real Property Records of Travis County, Texas. (a.k.a. Austin Western Railroad and Southern Pacific Railroad), for the northwest corner and **POINT OF BEGINNING** hereof, from which a Coast Geodetic Survey Marker found, bears N 60°33'29" W for a distance of 23.92 feet;

THENCE, **S 72°54'36" E** with the north boundary line of said 155.07 acre Koether tract and said south right-of-way of the Capital Metropolitan Transportation Authority Railroad, for a distance of **2780.05 feet** to a 1/2" iron rod set with cap marked "Diamond Surveying" on the northeast corner of said 155.07 acre Koether tract, same being on the northwest corner of that certain tract of land conveyed to Travis County, recorded in Volume 707, Page 551 of the Deed Records of Travis County, Texas, same being on an angle point in said south right-of-way line of the Capital Metropolitan Transportation Authority Railroad, for the northeast corner hereof, from which an iron rod found with cap marked "KOCH & KOCH SURVEYING" monumenting the northwest corner of the called 216.509 acre tract of land conveyed to Oldcastle Materials Texas Production Assets Company, LLC, recorded in Document No. 2014082976 of the Official Public Records of Travis County, Texas, same being on a point in the east boundary line of said Travis County tract, same being on said south right-of-way line of the Capital Metropolitan Transportation Authority Railroad, bears S 06°10'56" E for a distance of 42.90 feet;

THENCE, with said east boundary line of the 155.07 acre Koether tract and said and said west boundary line of the Travis County tract, the following three (3) courses and distances:

1. **S 27°51'24" W** for a distance of **1258.65 feet** to an iron rod found with cap marked "RPLS 2218" monumenting an exterior ell corner of said 155.07 acre Koether tract and an interior ell corner of said Travis County tract;
2. **N 69°19'57" W** for a distance of **231.38 feet** to an iron rod with cap (illegible) monumenting an interior ell corner of said 155.07 acre Koether tract and an exterior ell corner of said Travis County tract, from which a 1/2" iron rod found monumenting an interior ell corner of said Travis County tract and an exterior ell corner of said 216.509 acre Oldcastle Materials Texas Production Assets Company, LLC tract, bears S 39°34'50" E for a distance of 84.43 feet;

- 3. **S 27°22'23" W** for a distance of **1658.69 feet** to an iron rod found with cap marked "RPLS 2218" monumenting the southeast corner of said 155.07 acre Koether tract and the southwest corner of said Travis County tract, same being on the north boundary line of Lot 79, Block E, Briar Creek Subdivision, recorded in Document No. 200600134 of the Official Public Records of Travis County, Texas, for the southeast corner hereof, from which a 1/2" iron pipe found monumenting the southeast corner of said Travis County tract and the southwest corner of said 216.0509 acre Oldcastle Materials Texas Production Assets Company, LLC tract, same being on said north boundary line of Lot 79, Block E, bears **S 62°34'33" E** for a distance of 32.90 feet;


THENCE, **N 62°29'54" W** with the south boundary line of said 155.07 acre Koether tract and said north boundary line of Lot 79, Block E, for a distance of **2323.90 feet** to a 1/2" iron pipe found monumenting the southwest corner of said 155.07 acre Koether tract and the northwest corner of said Lot 79, Block E, same being on an angle point in the east boundary line of the called 157.79 acre tract of land conveyed to Greenview Development 157 LP, recorded in Document No. 2002149152 of the Official Public Records of Travis County, Texas for the southwest corner hereof;

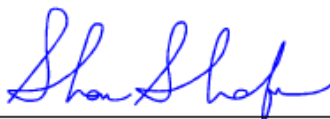
THENCE, **N 23°17'46" E** with the west boundary line of said 155.07 acre Koether tract and said east boundary line of the 157.79 acre Greenview Development 157 LP tract, for a distance of **2398.23 feet** to an iron rod found with cap (illegible) monumenting the northeast corner of said 157.59 acre Greenview Development 157 LP tract and an angle point in said south right-of-way line of Capital Metropolitan Transportation Authority Railroad, for an angle point hereof;

THENCE, **N 26°43'18" E** with said west boundary line of the 155.07 acre Koether tract and said south right-of-way line of the Capital Metropolitan Transportation Authority Railroad, passing at a distance of 50.24 feet an iron rod found with cap marked "RPLS 2218", in all a total distance of **50.66 feet** to the **POINT OF BEGINNING** hereof and containing 155.050 acres of land more or less.

Bearing Basis: NAD-83, Texas Central Zone (4203) State Plane System. Distances shown hereon are surface distances based on a combined surface adjustment factor of 1.00007.

A drawing has been prepared to accompany this metes and bounds description.

 **DIAMOND SURVEYING, INC.**
 116 SKYLINE ROAD, GEORGETOWN, TX 78628
 (512) 931-3100
 T.B.P.E.L.S. FIRM NUMBER 10006900



March 28, 2024

SHANE SHAFER, R.P.L.S. NO. 5281 DATE



