

**RESOLUTION NO. 2023-11**

**A RESOLUTION OF THE CITY OF MANOR, TEXAS, AUTHORIZING THE SALE AND CONVEYANCE TO ABUTTING PROPERTY OWNER OF A 0.176 ACRE OF LAND, MORE OR LESS, IN THE JAMES MANOR SURVEY NO. 40, ABSTRACT NO. 546, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A REMNANT TRACT OF THE TOWN OF MANOR, A SUBDIVISION RECORDED IN VOLUME V, PAGE 796 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; PROVIDING FINDINGS OF FACT; AUTHORIZING CONVEYANCE OF SUCH SMALL AREA REMNANT TRACT BY SPECIAL WARRANTY DEED; PROVIDING SEVERABILITY, AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the 0.176 acre tract of land as shown in Exhibit “A” is a small area of land that cannot be used independently under its current zoning or under applicable subdivision or other development control ordinances and not necessary for use by the City or the general public;

**WHEREAS**, Chapter 272 of the Texas Local Government Code authorizes political subdivisions to sell and convey small areas of land that cannot be used independently under its current zoning or under applicable subdivision or other development control ordinances to abutting owners at an appraised fair market value; and

**WHEREAS**, the City of Manor (“City”) has established the fair market value of the above-described remnant tract of land as being \$7.849 per square foot.

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

**SECTION ONE:** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council of Manor, Texas (“City Council”) and made a part hereof for all purposes as findings of fact.

**SECTION TWO:** The City Council authorizes the sale and conveyance to abutting property owner of the following described 0.176 acre of land, more or less, being a remnant tract located in Travis County, Texas:

Being a 0.176 acres, more or less (approximately 7,654 Sq. Ft.), in the James Manor Survey No. 40, Abstract No. 546, in Travis County, Texas, and being a portion of a remnant tract of the Town of Manor, a subdivision as recorded in Volume V, Page 796 of the Plat Records of Travis County, Texas, said 0.176 acre tract of land being more particularly described in Exhibit “A” attached hereto and incorporated herein for all purposes (“Property”).

**SECTION THREE:** The Mayor and the City Secretary are hereby authorized, empowered, instructed and directed to execute a special warranty deed, from time to time, in a form substantially similar to that set forth in Exhibit “B”, conveying the rights and interests of the City in the Property to abutting property owner; and provided that the purchase price to be paid for such property shall be \$7.849 per square foot of such remnant tract. Upon the payment of the purchase price, any surveying fees, and a proportionate amount of attorneys fees related to drafting and reviewing documents necessary to convey the Property, and the execution of such deed, such deed shall be and become a valid and binding act and deed of the City of Manor, Texas.

**SECTION FOUR:** Should any section or part of this Resolution be held unconstitutional, illegal, or invalid, or the application to any person or circumstance thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this Resolution are declared severable.

**SECTION FIVE:** It is hereby officially found and determined that the meeting at which this Resolution is passed was open to the public as required and that the public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

**PASSED AND APPROVED** this the 5<sup>th</sup> day of April 2023.

**ATTEST:**

**CITY OF MANOR, TEXAS:**

\_\_\_\_\_  
Lluvia T. Almaraz, City Secretary

\_\_\_\_\_  
Dr. Christopher Harvey, Mayor

**Exhibit "A"**  
**Property Description**  
**+/- 0.176 Acre**



Professional Land Surveying, Inc.  
Surveying and Mapping

Office: 512-443-1724  
Fax: 512-389-0943

3500 McCall Lane  
Austin, Texas 78744

PORTION OF  
TOWN OF MANOR  
(REMNANT TRACT)

**0.176 ACRES**

**JAMES MANOR SURVEY NO. 40, ABSTRACT NO. 546  
CITY OF MANOR, TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 0.176 ACRES (APPROXIMATELY 7,654 SQ. FT.) IN THE JAMES MANOR SURVEY NO. 40, ABSTRACT NO. 546, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A REMNANT TRACT OF THE TOWN OF MANOR, A SUBDIVISION RECORDED IN VOLUME V, PAGE 796 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.176 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 1/2" rebar with "Chaparral" cap found in the north right-of-way line of Townes Street (80' public right-of-way) for the southeast corner of Lot 5, Block 75, said Town of Manor subdivision and southwest corner hereof;

**THENCE North 10°11'18" East**, with the east line of said Lot 5, a distance of **100.00 feet** to a 1/2" rebar with "Chaparral" cap found in the south right-of-way line of Rector Street (58' public right-of-way) for the northeast corner of Lot 5;

**THENCE North 10°11'18" East**, with the east terminus of Rector Street, a distance of **46.18 feet** to a calculated point in the south line of a 12-foot portion of Rector Street dedicated by A.E. Lane's Addition, a subdivision of record in Volume 2, Page 223 of the Plat Records of Travis County, Texas, for the northeast corner hereof;

**THENCE South 79°48'42" East**, with the south line of said 12-foot portion of Rector Street, a distance of **74.74 feet** to a calculated point in the east right-of-way line of a 17' Alley, same being the west line of a called 5.0954 acre tract, known as the City of Manor Cemetery, for the northeast corner hereof, from which a 1/2" rebar found for the northwest corner of said 5.0954 acre tract, bears North 27°12'37" East a distance of 355.11 feet;

**THENCE South 27°12'37" West**, with the west line of the 5.0954 acre tract, a distance of **152.88 feet** to a calculated point for the southeast corner hereof, from which a mag nail found in stone with washer stamped "Manor Cemetery S/W Corner" for the southwest corner of the 5.0954 acre tract, bears South 27°12'37" West a distance of 74.16 feet;

1890-001-REM

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**THENCE North 79°48'42" East**, a distance of **29.98 feet** to the **POINT OF BEGINNING**, containing **0.176 acres** of land, more or less.

Surveyed on the ground February 8, 2022.

Bearing basis: The Texas Coordinate System of 1983 (NAD83), Central Zone (4203), based on GPS solutions from the National Geodetic Survey (NGS) On-line Positioning User System (OPUS).

Attachments: 1890-001-REM

*Paul J. Flugel 12-20-2022*

Paul J. Flugel  
Registered Professional Land Surveyor  
State of Texas No. 5096  
T.B.P.L.S. Firm No. 10124500



1890-001-REM

SKETCH TO ACCOMPANY A DESCRIPTION OF 0.176 ACRES (APPROXIMATELY 7,654 SQ. FT.) IN THE JAMES MANOR SURVEY NO. 40, ABSTRACT NO. 546, TRAVIS COUNTY, TEXAS, BEING A PORTION OF A REMNANT TRACT OF THE TOWN OF MANOR, A SUBDIVISION RECORDED IN VOLUME V, PAGE 796 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N10°11'18"E	46.18'
L2	N79°48'42"W	29.98'

LEGEND	
●	1/2" REBAR FOUND (OR AS NOTED)
● <sup>CH</sup>	1/2" REBAR WITH "CHAPARRAL" CAP FOUND
▲	MAG NAIL FOUND (OR AS NOTED)
△	CALCULATED POINT
R.O.W.	RIGHT-OF-WAY
P.O.B.	POINT OF BEGINNING
( )	RECORD INFORMATION

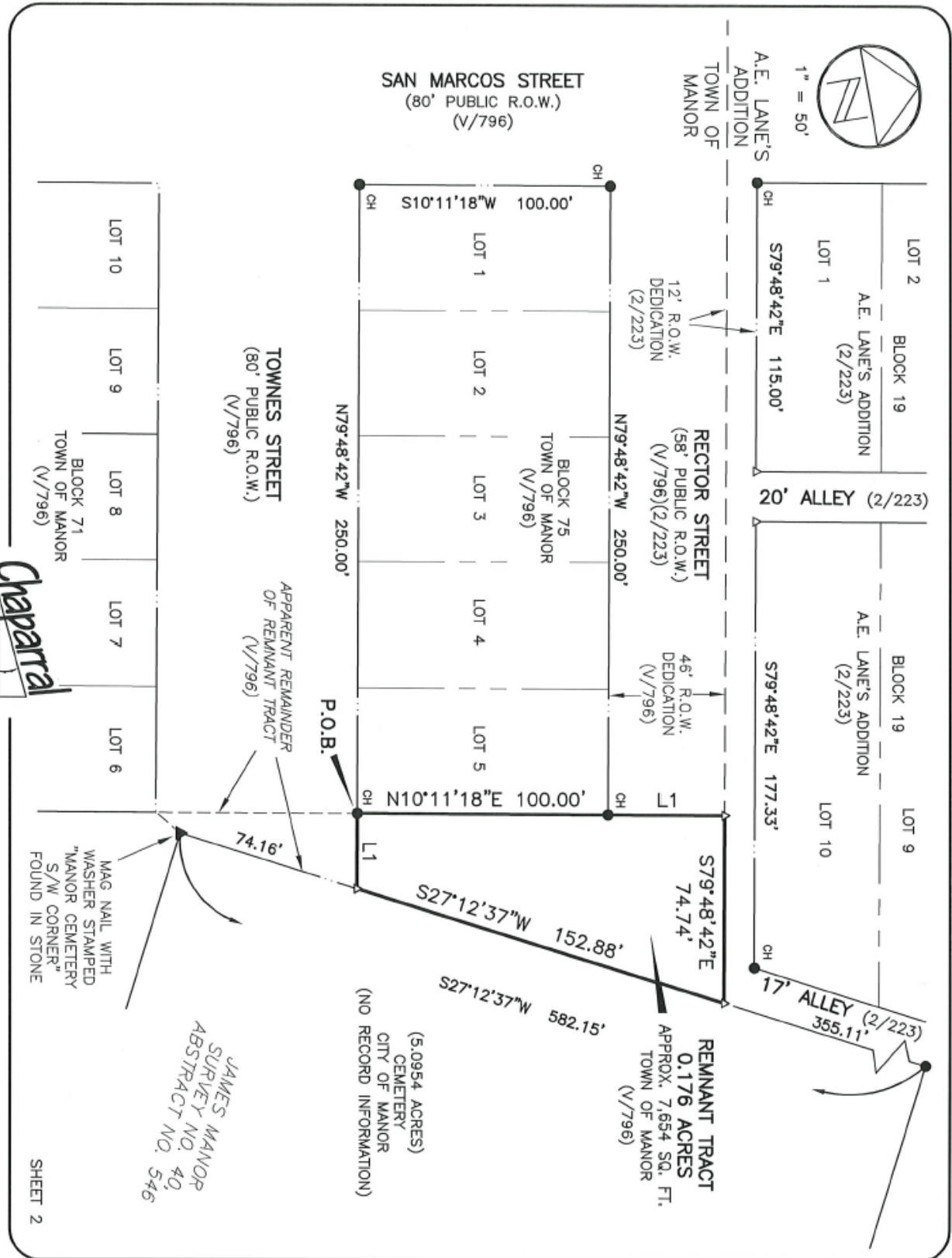


*Paul J. Flugel 12-20-2022*

DATE OF SURVEY: 02/08/2022  
 PLOT DATE: 12/20/2022  
 DRAWING NO.: 1890-001-REM  
 PROJECT NO.: 1890-001  
 T.B.P.E.L.S. FIRM NO. 10124500  
 DRAWN BY: PAQ  
 SHEET 1 OF 2



BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS).  
 ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1890-001-REM



**Exhibit "B"**

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

**SPECIAL WARRANTY DEED**

**THE STATE OF TEXAS §**

**COUNTY OF TRAVIS § KNOW ALL PERSONS BY THESE PRESENTS:**

That the **City of Manor, Texas**, a Texas municipal corporation, hereinafter called "**GRANTOR**," for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), together with other good and valuable consideration, to **GRANTOR** cash in hand paid by

\_\_\_\_\_ (*insert name(s) of buyer(s)*), hereinafter called "**GRANTEE**", the receipt of which is hereby acknowledged, has **GRANTED, SOLD** and **CONVEYED**, and by these presents does **GRANT, SELL** and **CONVEY** unto the said **GRANTEE**, all that certain lot, tract or parcel of land known and described as follows:

**PROPERTY:** (insert property description)

This conveyance is expressly made subject to the restrictions, covenants and easements, if any, apparent on the ground, in use or existing of record in the office of the County Clerk of Travis County, Texas, to which reference is here made for all purposes.

**TO HAVE AND TO HOLD** the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging, unto the said **GRANTEE**, the heirs, executors, successors and assigns forever, and **GRANTOR** does hereby bind its successors and assigns to **WARRANT AND FOREVER DEFEND**, all and singular, the said premises unto the said **GRANTEE**, the heirs, executors, successors and assigns, against every person whomsoever lawfully claiming or to claim the same by, through or under the City of Manor, Texas, but not otherwise.

*[signature page follows]*



**EXECUTED** at Manor, Travis County, Texas, this the \_\_\_ day of \_\_\_\_\_ 20\_\_.

Attest:

**City of Manor, Texas**

\_\_\_\_\_  
Lluvia T. Almaraz, City Secretary

\_\_\_\_\_  
Dr. Christopher Harvey, Mayor

**THE STATE OF TEXAS            §**

**COUNTY OF TRAVIS            §**

**BEFORE ME**, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Dr. Christopher Harvey, Mayor, of the City of Manor, Texas, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the \_\_\_ day of 20\_\_.

\_\_\_\_\_  
Notary Public-State of Texas

**AFTER RECORDING PLEASE RETURN TO:**

City of Manor  
Attn: City Secretary  
105 E. Eggleston Street  
Manor, Texas 78653