

**ORDINANCE NO. 635**

**AN ORDINANCE OF THE CITY OF MANOR, TEXAS ANNEXING 3.398 ACRES OF LAND, MORE OR LESS, LOCATED IN TRAVIS COUNTY, INCLUDING THE ABUTTING STREETS, ROADWAYS, AND RIGHTS-OF-WAY INTO THE CORPORATE LIMITS OF THE CITY, AT THE REQUEST OF THE PROPERTY OWNER; APPROVING AN AGREEMENT FOR THE PROVISION OF SERVICES FOR THE ANNEXED AREA; MAKING FINDINGS OF FACT; PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR OPEN MEETINGS AND OTHER RELATED MATTERS.**

**WHEREAS**, the City of Manor, Texas, is a home rule municipality authorized by State law to annex territory lying adjacent and contiguous to the City;

**WHEREAS**, the owners of the property, as hereinafter described, made written request for the City to annex such property in compliance with the *Tex. Loc. Gov't. Code*;

**WHEREAS**, the property is adjacent and contiguous to the present city limits;

**WHEREAS**, the City Council heard and has decided to grant the owners' request that the City annex said property;

**WHEREAS**, a public hearing was conducted prior to consideration of this Ordinance in accordance with §43.0673 of the *Tex. Loc. Gov't. Code*;

**WHEREAS**, notice of the public hearing was published not more than twenty (20) nor less than ten (10) days prior to the public hearing;

**WHEREAS**, the City intends to provide services to the property to be annexed according to the agreement for the provision of services attached hereto as Exhibit "B".

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

**SECTION 1.** That all of the above premises and findings of fact are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2.** All portions of the following described properties (hereinafter referred to as the "Annexed Property"), not previously annexed into the City, including the abutting streets, roadways and rights-of-way, are hereby annexed into the corporate limits of the City of Manor:

Being a 3.398, more or less, acre tract of land situated in the Greenbury Gates Survey No. 63, Abstract Number 315, in Travis County, Texas out of that certain tract of land called 15.00 acres in deed to Clide R. Nichols of record in Document No. 2000046322, Travis County Official Public Records and being that same tract of land described as one tract, 3.404 acres in Document No. 2005010269, Travis County Official Public Records, said 3.398 acres being more particularly shown and described in Exhibit "A" attached hereto and incorporated herein for all purposes.

**SECTION 3.** That the provision of services agreement submitted herewith is hereby approved as part of this Ordinance, made a part hereof and attached hereto as Exhibit “B”.

**SECTION 4.** That the future owners and inhabitants of the Annexed Property shall be entitled to all of the rights and privileges of the City as set forth in the provisions of services agreement attached hereto as Exhibit “B”, and are further bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be hereafter adopted.

**SECTION 5.** That the official map and boundaries of the City, heretofore adopted and amended be and hereby are amended so as to include the Annexed Property as part of the City of Manor.

**SECTION 6.** That the Annexed Property shall be temporarily zoned Agricultural District “A” as provided in the City Zoning Ordinance, as amended, until permanent zoning is established therefore.

**SECTION 7.** That if any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 8.** That this Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the *Tex. Loc. Gov't. Code*.

**SECTION 9.** That it is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code*.

**PASSED AND APPROVED** on First Reading this 5<sup>th</sup> day of January 2022.

**FINALLY PASSED AND APPROVED** on this 19<sup>th</sup> day of January 2022.

**THE CITY OF MANOR, TEXAS**

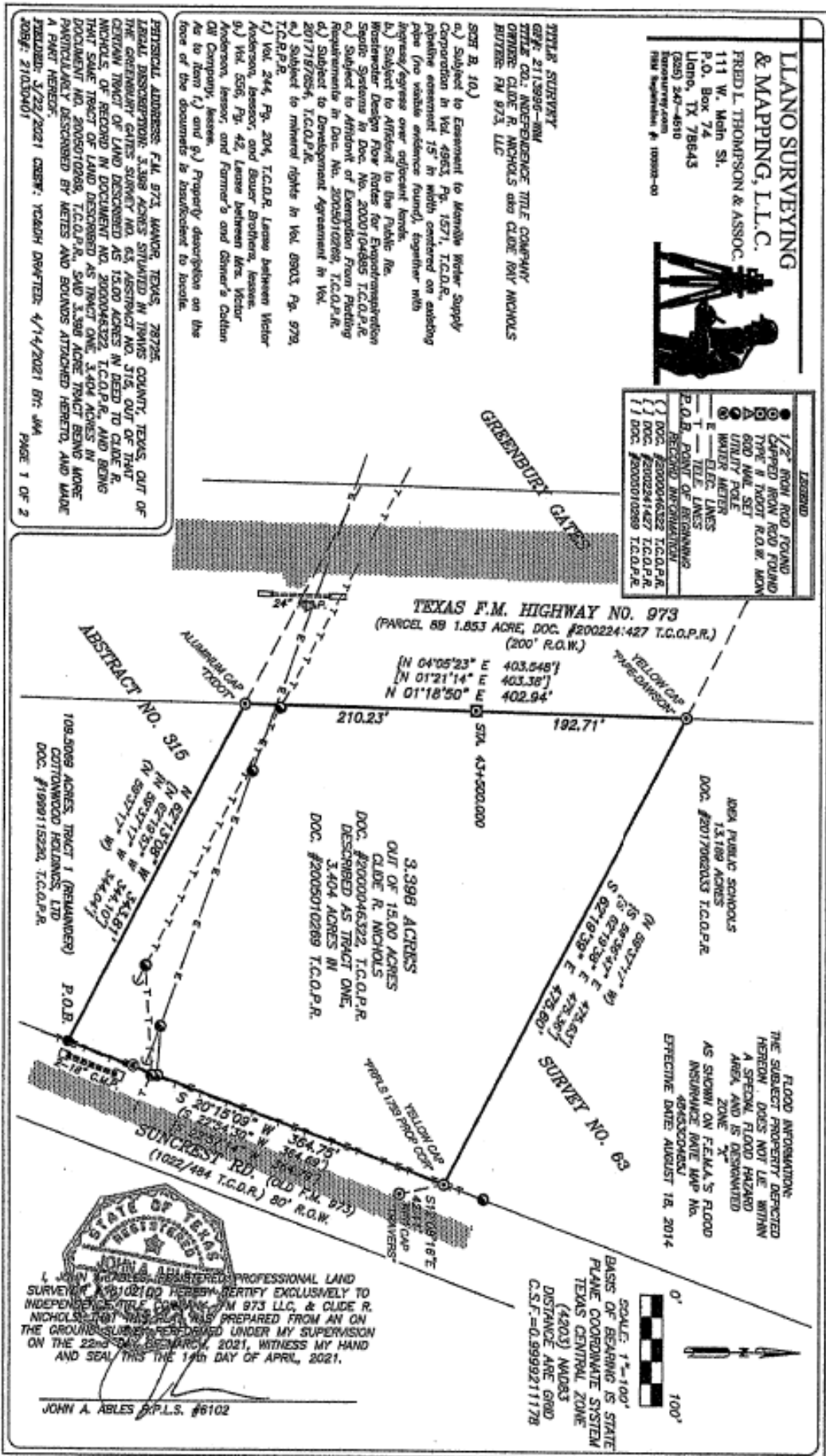
\_\_\_\_\_  
Dr. Christopher Harvey,  
Mayor

**ATTEST:**

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

**Exhibit "A"**

**ANNEXED PROPERTY DESCRIPTION**



**LLANO SURVEYING & MAPPING, L.L.C.**

FRED L. THOMPSON & ASSOCIATES  
P. O. BOX 74 LLANO, TEXAS 78643-0074  
328-247-4510 info@llanosurvey.com  
FIRM Registration #: 100602-00

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**FIELD NOTES DESCRIBING 3.398 ACRES OF LAND IN TRAVIS COUNTY, TEXAS**

BEING A 3.398 ACRE TRACT OF LAND SITUATED IN TRAVIS COUNTY, TEXAS, OUT OF THE GREENBURY GATES SURVEY NO. 63, ABSTRACT NO. 315, OUT OF THAT CERTAIN TRACT OF LAND CALLED 15.00 ACRES IN DEED TO CLIDE R. NICHOLS OF RECORD IN DOCUMENT NO. 2000046322, TRAVIS COUNTY OFFICIAL PUBLIC RECORDS (T.C.O.P.R.), AND BEING THAT SAME TRACT OF LAND DESCRIBED AS TRACT ONE, 3.404 ACRES IN DOCUMENT NO. 2005010269 T.C.O.P.R., SAID 3.398 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron rod found in the northwest right of way of Suncrest Road (Old Texas State F.M. Highway No. 973), an 80 foot wide right of way of record in Volume 1022, Page 484, Travis County Deed Records (T.C.D.R.), for the northeast corner of that certain tract of land described as 109.5069 acres, Tract 1, in deed to Cottonwood Holdings, LTD, of record in Document No. 1999115220, T.C.O.P.R., the southeast corner of said Nichols tract, the southeast corner of said 3.404 acre Tract One, the southeast corner, and **POINT OF BEGINNING** hereof;

THENCE with the northeast line of said Cottonwood Holdings Tract 1, being the southwest line of said Nichols tract, and the southwest line of said 3.404 acre Tract One, N 62°13'08" W 343.81 feet to a 1/2" iron rod found with aluminum cap inscribed "TXDOT", in the east right of way of Texas State F.M. Highway No. 973, a 200 foot wide right of way of record in Document No. 2002241427 T.C.O.P.R., for the southwest corner of said 3.404 acres Tract One, and the southwest corner hereof;

THENCE with the east line of said F.M. 973, the west line of said 3.404 acre Tract One, over and across said Nichols Tract, N 01°18'50" E, at 210.23 feet pass a Type II TxDOT right of way monument found opposite Sta. 43+500.000, and continuing for a total distance of 402.94 feet to a 1/2" iron rod found with yellow plastic cap inscribed "PAPE-DAWSON" in the northeast line of said Nichols tract, for the southwest corner of that certain tract of land described as 13.189 acres in deed to Idea Public Schools, of record in Doc. No. 2017062033, T.C.O.P.R., the northwest corner of said 3.404 acre Tract One, and the northwest corner hereof;

THENCE with the northeast line of said Nichols tract, the southwest line of said Idea Public Schools tract, and the northeast line of said 3.404 acre Tract One, S 62°19'39" E 475.60 feet to a 1/2" iron rod found with yellow plastic cap inscribed "RPLS 1753 PROP COR" in the northwest right of way of Suncrest Rd. (Old F.M. 973), for the southeast corner of said Idea Public Schools tract, the northeast corner of said Nichols tract, the northeast corner of said 3.404 acre Tract One, and the northeast corner hereof, from which a 1/2" iron rod found with red plastic cap inscribed "TRAVERSE" bears S 12°08'16" E 42.11 feet;

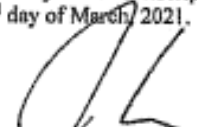
THENCE with the northwest line of said Suncrest Rd. (Old F.M. 973), the southeast line of said Nichols tract, and the southeast line of said 3.404 acre Tract One, S 20°15'09" W 364.75 feet to the **POINT OF BEGINNING** hereof and containing an area of 3.398 acres of land as surveyed by Llano Surveying & Mapping, L.L.C., under the supervision of John A. Ables R.P.L.S. No. 6102.

Basis of Bearing for this tract is State Plane Coordinate System, Texas Central Zone 4203. Distances are Grid. CSF=0.9999211178.

This description is to be used in conjunction with the accompanying survey plat attached hereto and made a part hereof.

I, John A. Ables, Registered Professional Land Surveyor #6102 do hereby certify that this description was prepared from an on the ground survey performed under my supervision on the 22<sup>nd</sup> day of March 2021. Witness my hand and seal this the 14<sup>th</sup> day of April, 2021.



  
John A. Ables R.P.L.S. #6102  
P. O. Box 74, Llano, TX 78643

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS



*Dana DeBeauvoir*

Dana DeBeauvoir, County Clerk  
Travis County, Texas

Jul 22, 2021 02:52 PM Fee: \$38.00

2021163741

\*Electronically Recorded\*

15/ITC/ALI/ 213996 -WIM

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.

**GENERAL WARRANTY DEED WITH VENDOR'S LIEN**

**Date:** July 19, 2021

**Grantor:** Clide R. Nichols a/k/a Clide Ray Nichols

**Grantor's Mailing Address (including county):**

415 Honeycomb Circle  
Driftwood, Texas 78619  
Hays County

**Grantee:** Platinum 973, LLC, a Texas limited liability company

**Grantee's Mailing Address (including County):**

8868 Research Blvd. #308  
Austin, Texas 78759  
Travis County

**Consideration:** TEN AND NO/100 DOLLARS and other good and valuable consideration and the further consideration of a note of even date that is in the principal amount of THREE HUNDRED NINETY THOUSAND AND 00/100 (\$390,000.00) DOLLARS and is executed by Grantee, payable to the order of FIRST NATIONAL BANK OF BASTROP. The note is secured by a vendor's lien retained in favor of FIRST NATIONAL BANK OF BASTROP in this deed and by a deed of trust of even date, from Grantee to John N. Gambrell, Trustee.

FIRST NATIONAL BANK OF BASTROP at Grantee's request, having paid in cash to Grantor that portion of the purchase price of the property that is evidenced by the note described, the vendor's lien and superior title to the property are retained for the benefit of FIRST NATIONAL BANK OF BASTROP and are transferred to FIRST NATIONAL BANK OF BASTROP without recourse on Grantor.

**Property (including any improvements):**

Being a 3.398 acre tract of land, situated in Travis County, Texas, out of the GREENBURY GATES SURVEY NO. 63, ABSTRACT NO. 315; out of that certain tract of land called 15.00 acres in deed to Clide R. Nichols of record in Document No. 2000046322, Official Public Records, Travis County, Texas; and being that same tract of land described as Tract One, 3.404

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acres in Document No. 2005010269, Official Public Records, Travis County, Texas. Said 3.398 acres, more or less, being more particularly described by metes and bounds in Exhibit "A" attached hereto.

**Reservations From and Exceptions to Conveyance and Warranty:**


This conveyance is made and accepted subject to any and all restrictions, covenants, reservations, and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State.

Current ad valorem taxes on said property having been prorated, the payment thereof is assumed by Grantee.

Grantor, for the consideration, receipt of which is acknowledged, and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executor, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators and successors are hereby bound to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

When the context requires, singular nouns and pronouns include the plural.

  
Clide R. Nichols

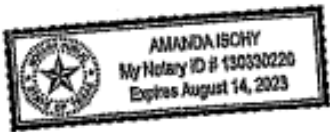
2021163741 Page 3 of 4

ACKNOWLEDGMENT

STATE OF TEXAS

COUNTY OF HAYS

This instrument was acknowledged before me on this 19<sup>th</sup> <sup>20~~21~~</sup> day of July 2021 by Clide R. Nichols.



*A Ischy*  
Notary Public, State of Texas



EXHIBIT A

LLANO SURVEYING & MAPPING, L.L.C.
FRED L. THOMPSON & ASSOCIATES
P. O. BOX 74 LLANO, TEXAS 78643-0074
325-247-6500 info@llanosurvey.com
TARRANT Registration #: 100785-01

(Page 2 of 2)

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I, John A. Ables, Registered Professional Land Surveyor #6102 do hereby certify that this description was prepared from an on the ground survey performed under my supervision on the 22nd day of March, 2021. Witness my hand and seal this the 14th day of April, 2021.



Handwritten signature of John A. Ables.
John A. Ables R.P.L.S. #6102
P. O. Box 74, Llano, TX 78643

**Exhibit "B"**

**AGREEMENT REGARDING POST-ANNEXATION PROVISION OF SERVICES  
FOR PROPERTY TO BE ANNEXED INTO THE CITY OF MANOR**