

**SCHWARTZ  
PAGE &  
HARDING**

September 10, 2024

*Via Federal Express and E-Mail*

James Greene  
City Secretary  
City of Montgomery, Texas  
101 Old Plantersville Road  
Montgomery, TX 77316

RE: Petition for Release from Extraterritorial Jurisdiction

Dear Mr. Greene:

In accordance with Section 42.102(b), Texas Local Government Code, as amended, please find enclosed a Petition for Release of Area from Extraterritorial Jurisdiction. Should you have any questions concerning the Petition or require any additional documentation concerning same, please do not hesitate to contact me.

Sincerely,

SCHWARTZ, PAGE & HARDING, L.L.P.

By:   
Christopher T. Skinner

Enclosure

742668\_1

PETITION FOR RELEASE OF AREA FROM EXTRATERRITORIAL JURISDICTION

THE STATE OF TEXAS           §  
  §  
COUNTY OF MONTGOMERY   §

TO THE HONORABLE MAYOR AND  
CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS:

The undersigned, hereinafter called "Petitioner" (whether one or more), being the holder of title to all and, therefore, a majority in value of the lands hereinafter described, as such values are indicated by the tax rolls of the central appraisal district of Montgomery County, Texas, acting pursuant to the provisions of Section 42.102(b), Texas Local Government Code, as amended, respectfully petitions for the release of the territory hereinafter described from the extraterritorial jurisdiction of the City of Montgomery, Texas (the "City").

I.

The property to be released is located wholly within the extraterritorial jurisdiction of the City in Montgomery County, Texas, and is described by metes and bounds on Exhibit "A" attached hereto and incorporated herein by reference for all purposes (the "Property"). A complete and accurate map showing the boundaries of the Property is shown as Tract 1 and Tract 2 on Exhibit "B" attached hereto and incorporated herein by reference for all purposes.

II.

Petitioner is the fee simple titleholder of the above-described Property.

III.

Petitioner warrants and represents that there are no holders of any liens on or against the Property.

IV.

No person(s) reside upon the Property.

WHEREFORE, Petitioner respectfully prays that this petition be granted in all respects and that the City immediately release the Property from the City's extraterritorial jurisdiction pursuant to the provisions of Section 42.105(c), Texas Local Government Code, as amended; and after this petition has been granted, that the Office of the City Secretary provide written notification of the release under Section 42.105(b), Texas Local Government Code, as amended, to the following address:

Scott 2012 Trust  
c/o Schwartz, Page & Harding, L.L.P.  
1300 Post Oak Boulevard, Suite 2400  
Houston, Texas 77056

*[SIGNATURE PAGE FOLLOWS]*

Dated this 5<sup>th</sup> day of Sept, 2024.

"PETITIONER"

Roger Scott  
ROGER SCOTT, CO-TRUSTEE OF THE  
SCOTT 2012 TRUST  
Date of birth: 1/25/42  
Residence Address:  
20944 W. FM 1097  
MONTGOMERY, TX 77356

THE STATE OF TEXAS       §  
  §  
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on this the 5 day of SEPTEMBER, 2024, by Roger Scott, as Co-Trustee of the Scott 2012 Trust, on behalf of said trust.



Brandy Hopkins  
Notary Public in and for the  
State of T E X A S

Leigh Scott  
LEIGH SCOTT, CO-TRUSTEE OF THE  
SCOTT 2012 TRUST  
Date of birth: 10/04/1946  
Residence Address:  
20944 W FM 1097  
MONTGOMERY, TX 77356

THE STATE OF TEXAS       §  
  §  
COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on this the 5<sup>th</sup> day of September, 2024, by Leigh Scott, as Co-Trustee of the Scott 2012 Trust, on behalf of said trust.



Brandy Hopkins  
Notary Public in and for the  
State of T E X A S

**EXHIBIT "A"**





# WINDROSE

LAND SURVEYING | PLATTING

## DESCRIPTION OF 5.337 ACRES

A TRACT OR PARCEL CONTAINING 5.337 ACRES OF LAND SITUATED IN THE OWEN SHANNON SURVEY, ABSTRACT NO. 36, MONTGOMERY COUNTY, TEXAS, BEING A PORTION OF A CALLED 337.702 ACRE TRACT OF LAND CONVEYED TO SCOTT 2012 TRUST AS RECORDED UNDER MONTGOMERY COUNTY CLERKS FILE (M.C.C.F.) NO. 2013001327 AND ALL OF A CALLED 1.319 ACRE TRACT OF LAND CONVEYED TO SCOTT 2012 TRUST AS RECORDED UNDER M.C.C.F. NO. 2018112224, WITH SAID 5.337 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (NAD 83):

**BEGINNING** AT A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON THE NORTHWESTERLY RIGHT-OF-WAY (R.O.W.) LINE OF F.M. HIGHWAY NO. 1097 (CALLED 80' WIDTH) RECORDED UNDER VOLUME (VOL.) 283, PAGE (PG.) 604 AND VOL. 291, PG. 280 OF THE MONTGOMERY COUNTY DEED RECORDS (M.C.D.R.) MARKING THE SOUTHERLY CORNER OF SAID 1.319 ACRE TRACT AND THE HEREIN DESCRIBED TRACT, FROM WHICH A CAPPED 5/8 INCH IRON ROD STAMPED "GLEZMAN" FOUND ON SAID NORTHWESTERLY R.O.W. LINE OF F.M. HIGHWAY NO. 1097 BEARS SOUTH 27 DEG. 04 MIN. 17 SEC. WEST - 44.03 AND WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 914.93 FEET, A CENTRAL ANGLE OF 24 DEG. 54 MIN. 43 SEC., AN ARC LENGTH OF 397.81 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 39 DEG. 31 MIN. 38 SEC. WEST, - 394.68 FEET;

**THENCE**, NORTH 02 DEG. 21 MIN. 06 SEC. WEST WITH THE WESTERLY LINE OF SAID 1.319 ACRE TRACT PASSING AT A DISTANCE OF 354.50 FEET A CAPPED 1/2 INCH IRON ROD (ILLEGIBLE) FOUND MARKING THE COMMON WESTERLY CORNER OF SAID 1.319 ACRE TRACT AND SAID 337.702 ACRE TRACT, CONTINUING WITH A WESTERLY LINE OF SAID 337.702 ACRE TRACT FOR A TOTAL DISTANCE OF 816.61 FEET TO A POINT FOR THE NORTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A 1/2 INCH IRON PIPE FOUND (DISTURBED) MARKING AN INTERIOR CORNER OF SAID 337.702 ACRE TRACT BEARS NORTH 02 DEG. 21 MIN. 06 SEC. WEST - 427.07 FEET;

**THENCE**, NORTH 90 DEG. 00 MIN. 00 SEC. EAST OVER AND ACROSS SAID 337.702 ACRE TRACT, A DISTANCE OF 416.41 FEET TO A POINT ON THE COMMON LINE OF SAID 337.702 ACRE TRACT AND A CALLED 31.666 ACRE TRACT OF LAND CONVEYED TO D & b FARMS, LLC AS RECORDED UNDER M.C.C.F. NO. 2019119278, FOR THE NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET MARKING THE COMMON NORTHERLY CORNER OF SAID 337.702 ACRE TRACT AND SAID 31.666 ACRE TRACT BEARS NORTH 01 DEG. 56 MIN. 16 SEC. WEST - 1,067.94 FEET;

**THENCE**, SOUTH 01 DEG. 56 MIN. 16 SEC. EAST WITH THE COMMON LINE OF SAID 337.702 ACRE TRACT AND SAID 31.666 ACRE TRACT, A DISTANCE OF 367.85 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON SAID NORTHWESTERLY R.O.W. LINE OF F.M. HIGHWAY NO. 1097, FOR THE SOUTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A 1/2 INCH IRON PIPE FOUND FOR REFERENCE BEARS NORTH 01 DEG. 56 MIN. 16 SEC. WEST - 1.60 FEET AND A CAPPED 5/8 INCH IRON ROD STAMPED "JEFF MOON" FOUND ON SAID NORTHWESTERLY R.O.W. LINE OF F.M. HIGHWAY NO. 1097 BEARS NORTH 48 DEG. 36 MIN. 17 SEC. EAST - 154.93 FEET;

**THENCE**, WITH SAID NORTHWESTERLY R.O.W. LINE OF F.M. HIGHWAY NO. 1097, THE FOLLOWING THREE (3) COURSES AND DISTANCES:

SOUTH 48 DEG. 36 MIN. 17 SEC. WEST, A DISTANCE OF 214.07 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET MARKING A POINT OF CURVATURE;

ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 994.93 FEET, A CENTRAL ANGLE OF 21 DEG. 32 MIN. 00 SEC., AN ARC LENGTH OF 373.92 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 37 DEG. 50 MIN. 17 SEC. WEST, - 371.73 FEET TO A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET MARKING A POINT OF TANGENCY;

SOUTH 27 DEG. 04 MIN. 17 SEC. WEST, A DISTANCE OF 14.77 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 5.337 ACRES OF LAND, AS SHOWN ON JOB NO. 59658-MONTGOMERY-ETJ, PREPARED BY WINDROSE.



ROBERT KNESS  
R.P.L.S. NO. 6486  
STATE OF TEXAS  
FIRM REGISTRATION NO. 10108800



06-26-2024  
DATE:





# WINDROSE

LAND SURVEYING | PLATTING

## DESCRIPTION OF 6.785 ACRES

A TRACT OR PARCEL CONTAINING 6.785 ACRES OF LAND SITUATED IN THE OWEN SHANNON SURVEY, ABSTRACT NO. 36, MONTGOMERY COUNTY, TEXAS, BEING A PORTION OF A CALLED 337.702 ACRE TRACT OF LAND CONVEYED TO SCOTT 2012 TRUST AS RECORDED UNDER MONTGOMERY COUNTY CLERKS FILE (M.C.C.F.) NO. 2013001327, WITH SAID 6.785 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, WITH ALL BEARINGS BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (NAD 83):

**COMMENCING** AT A CAPPED 5/8 INCH IRON ROD STAMPED "WINDROSE" SET ON THE NORTHWESTERLY RIGHT-OF-WAY (R.O.W.) LINE OF F.M. HIGHWAY NO. 1097 (CALLED 80' WIDTH) RECORDED UNDER VOLUME (VOL.) 283, PAGE (PG.) 604 AND VOL. 291, PG. 280 OF THE MONTGOMERY COUNTY DEED RECORDS (M.C.D.R.) MARKING THE SOUTHERLY CORNER OF A CALLED 1.319 ACRE TRACT OF LAND CONVEYED TO SCOTT 2012 TRUST AS RECORDED UNDER M.C.C.F. NO. 2018112224, FROM WHICH A CAPPED 5/8 INCH IRON ROD STAMPED "GLEZMAN" FOUND ON SAID NORTHWESTERLY R.O.W. LINE OF F.M. HIGHWAY NO. 1097 BEARS SOUTH 27 DEG. 04 MIN. 17 SEC. WEST - 44.03 AND WITH A CURVE TO THE RIGHT, HAVING A RADIUS OF 914.93 FEET, A CENTRAL ANGLE OF 24 DEG. 54 MIN. 43 SEC., AN ARC LENGTH OF 397.81 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 39 DEG. 31 MIN. 38 SEC. WEST, - 394.68 FEET;

**THENCE**, NORTH 02 DEG. 21 MIN. 06 SEC. WEST WITH THE WESTERLY LINE OF SAID 1.319 ACRE TRACT PASSING AT A DISTANCE OF 354.50 FEET A CAPPED 1/2 INCH IRON ROD (ILLEGIBLE) FOUND MARKING THE COMMON WESTERLY CORNER OF SAID 1.319 ACRE TRACT AND SAID 337.702 ACRE TRACT, CONTINUING WITH A WESTERLY LINE OF SAID 337.702 ACRE TRACT FOR A TOTAL DISTANCE OF 1,243.68 FEET TO A 1/2 INCH IRON PIPE FOUND (DISTURBED) MARKING AN INTERIOR CORNER OF SAID 337.702 ACRE TRACT;

**THENCE**, WITH A SOUTHERLY LINE OF SAID 337.702 ACRE TRACT, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

SOUTH 87 DEG. 43 MIN. 04 SEC. WEST, A DISTANCE OF 233.50 FEET TO A 1/2 INCH IRON PIPE FOUND MARKING AN ANGLE POINT;

SOUTH 87 DEG. 42 MIN. 42 SEC. WEST, A DISTANCE OF 187.87 FEET TO 2 INCH IRON STEEL BAR (DISTURBED) FOUND MARKING THE COMMON EASTERLY CORNER OF SAID 337.702 ACRE TRACT AND A CALLED 89.129 ACRE TRACT OF LAND CONVEYED TO OGORCHOCK ATH, LLC AS RECORDED UNDER M.C.C.F. NO. 2014034915;

**THENCE**, SOUTH 87 DEG. 37 MIN. 51 SEC. WEST WITH THE COMMON LINE OF SAID 337.702 ACRE TRACT AND SAID 89.129 ACRE TRACT, A DISTANCE OF 555.85 FEET TO A CONCRETE MONUMENT FOUND MARKING THE COMMON SOUTHERLY CORNER OF SAID 337.702 ACRE TRACT AND A CALLED 6.43 ACRE TRACT OF LAND CONVEYED TO DANA LYNN SPRAYBERRY, TRUSTEE AS RECORDED UNDER M.C.C.F. NO. 2000072046;

**THENCE**, NORTH 03 DEG. 02 MIN. 20 SEC. WEST WITH THE COMMON LINE OF SAID 337.702 ACRE TRACT AND SAID 6.43 ACRE TRACT, A DISTANCE OF 202.00 FEET TO THE **POINT OF BEGINNING** AND THE SOUTHERLY CORNER OF THE HEREIN DESCRIBED TRACT;

**THENCE**, NORTH 03 DEG. 02 MIN. 20 SEC. WEST CONTINUING WITH THE COMMON LINE OF SAID 337.702 ACRE TRACT AND SAID 6.43 ACRE TRACT, A DISTANCE OF 552.22 FEET TO A CONCRETE MONUMENT FOUND MARKING THE COMMON CORNER OF SAID 337.702 ACRE TRACT, SAID 6.43 ACRE TRACT AND A CALLED 41.655 ACRE TRACT OF LAND CONVEYED TO PAULA COATS AND ALFRED COATS, JR. AS RECORDED UNDER M.C.C.F. NO. 2021039109;



**THENCE**, NORTH 03 DEG. 03 MIN. 31 SEC. WEST WITH THE COMMON LINE OF SAID 337.702 ACRE TRACT AND SAID 41.655 ACRE TRACT, A DISTANCE OF 329.52 FEET TO A POINT FOR THE NORTHWESTERLY CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A CONCRETE MONUMENT FOUND MARKING THE COMMON NORTHERLY CORNER OF SAID 337.702 ACRE TRACT AND SAID 41.655 ACRE TRACT BEARS NORTH 03 DEG. 03 MIN. 31 SEC. WEST 1,736.70 FEET;

**THENCE**, OVER AND ACROSS SAID 337.702 ACRE TRACT, THE FOLLOWING THREE (3) COURSES AND DISTANCES:

WITH A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 2,629.59 FEET, A CENTRAL ANGLE OF 15 DEG. 38 MIN. 25 SEC., AN ARC LENGTH OF 717.81 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 74 DEG. 23 MIN. 37 SEC. EAST, - 715.58 FEET TO A POINT FOR THE NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED TRACT,

SOUTH 32 DEG. 58 MIN. 10 SEC. WEST, A DISTANCE OF 1,066.84 FEET TO AN ANGLE POINT;

SOUTH 19 DEG. 08 MIN. 34 SEC. WEST, A DISTANCE OF 188.38 FEET TO THE **POINT OF BEGINNING** AND CONTAINING 6.785 ACRES OF LAND, AS SHOWN ON JOB NO. 59658-MONTGOMERY-ETJ, PREPARED BY WINDROSE.



ROBERT KNESS  
R.P.L.S. NO. 6486  
STATE OF TEXAS  
FIRM REGISTRATION NO. 10108800



06-26-2024  
DATE:

**EXHIBIT "B"**



NORTH



- LEGEND**
- NAME OF TRACT EXEMPTS MAY BE USED ON THIS MAP
- 1. TRACT
  - 2. BOUNDARY
  - 3. ADJACENT TRACT
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**GENERAL NOTES**

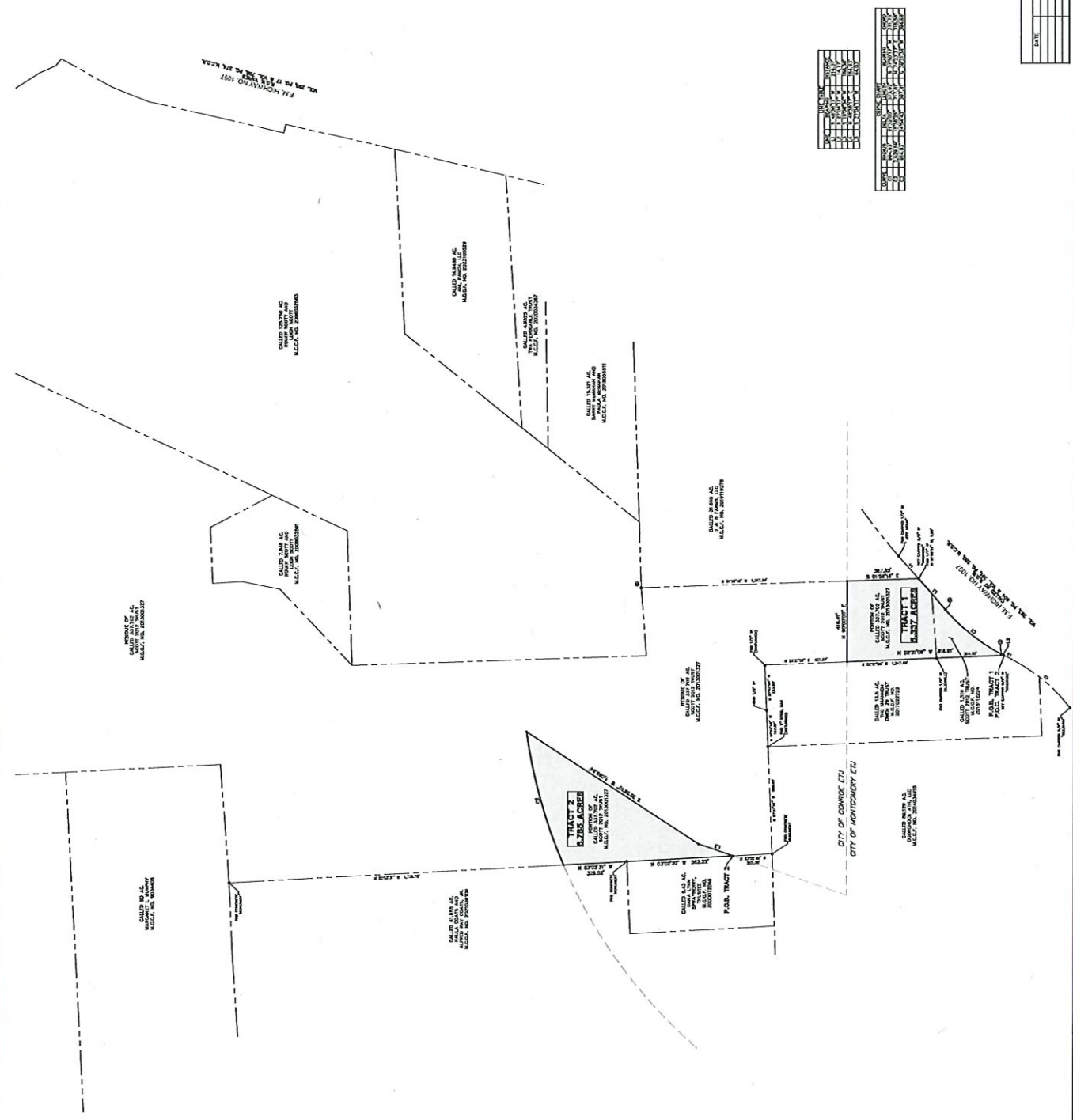
1. THIS PLAN IS THE PROPERTY OF WINDROSE LAND SURVEYING & PLANNING, INC. IT IS TO BE USED ONLY FOR THE PURPOSES SPECIFIED HEREIN AND IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.
2. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE SURVEYING AND PLANNING WORK SHOWN ON THIS PLAN. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY ANY OTHER PARTY.
3. THE ENGINEER IS NOT RESPONSIBLE FOR ANY DELAYS OR DISRUPTIONS CAUSED BY ANY OTHER PARTY.
4. THE ENGINEER IS NOT RESPONSIBLE FOR ANY DAMAGES OR INJURIES CAUSED BY ANY OTHER PARTY.



**WINDROSE**  
LAND SURVEYING & PLANNING  
1000 W. WINDROSE DRIVE, SUITE 100  
MONTGOMERY, TEXAS 75143

EXHIBIT OF  
TRACT 1 - 5.337 ACRES  
TRACT 2 - 1.111 ACRES  
SITUATED IN THE  
OWEN SHANNON SURVEY, ABSTRACT NO. 34  
MONTGOMERY COUNTY, TEXAS

DATE	REVISIONS



DATE: 06-20-2024  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
JOB NO.: [Number]  
SHEET NO.: 1 OF 1