

**SCHWARTZ  
PAGE &  
HARDING**

September 26, 2024

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
**9589 0710 5270 1803 3150 77**

VIA FEDEX  
**778846759527**

City Secretary & Director of Administrative Services  
City of Montgomery, Texas  
101 Old Plantersville Road  
Montgomery, Texas 77316

Re: Petition for Release from Extraterritorial Jurisdiction

To Whom It May Concern:

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:   
Bryan T. Yeates

Enclosures

Via Electronic Mail  
cc: Mr. Gary Palmer ([gpalmer@ci.montgomery.tx.us](mailto:gpalmer@ci.montgomery.tx.us))  
City Administrator, City of Montgomery

744140\_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:

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 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.

No person resides 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:

Homeplace Lands, LLC  
c/o Schwartz, Page & Harding, L.L.P.  
1300 Post Oak Boulevard, Suite 2400  
Houston, Texas 77056

Dated this 23 day of September, 2024.

HOMEPLACE LANDS, LLC  
a Texas limited liability company

By: Risher Randall

Name: Risher Randall

Title: President, Treasurer and Manager

Date of Birth: 6-6-29

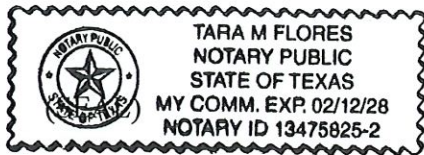
Residence Address:

3249 Chevy Chase Dr.  
Houston, Tx 77019

"PETITIONER"

THE STATE OF TEXAS   §  
  §  
COUNTY OF Harris   §

This instrument was acknowledged before me on this the 23 day of September, 2024, by Risher Randall, President, Treasurer and Manager of Homeplace Lands, LLC, a Texas limited liability company, on behalf of said company.



Tara M Flores  
Notary Public in and for  
the State of TEXAS

LEGAL DESCRIPTION OF THE  
MONTGOMERY ETJ MUD  
MONTGOMERY COUNTY, TEXAS

Being 561.9 acres of land, more or less, located in the John Corner Survey, Abstract 8, Thomas Chatham Survey, Abstract 127, and the Raleigh Rogers Survey, Abstract 33, C. B. Stewart Survey, Abstract 479, and the William W. Shepperd Survey, Abstract 480, Montgomery County, Texas, out of land conveyed to Homeplace Lands, LLC, as recorded under Clerk's File No. 2012125424 of the Official Public Records of Real Property, Montgomery County, Texas, (O.P.R.M.C.), being comprised of three (3) tracts as described below; said 561.9 acres, more or less, being more particularly described as follows, with all bearings referenced to the Texas Coordinate System, Central Zone, NAD83 (NA2011) Epoch 2010.00:

**TRACT 1**  
**11.9 Acres**

BEGINNING at a westerly corner of Hilltop Ranch, Section 1, a plat as recorded in Cabinet "O", Sheet 138, of the Montgomery County Map Records (M.C.M.R.), lying in an easterly right-of-way line of FM 2854 (width varies), and a northerly line of land conveyed to Homeplace Lands, LLC, as recorded under Clerk's File No. 2012125424, of the O.P.R.M.C.;

THENCE EASTERLY approximately 498 feet, more or less, with and adjoining a westerly line of said Hilltop Ranch, Section 1, to the northeast corner of the herein described tract;

THENCE SOUTHERLY approximately 1,208 feet, more or less, with and adjoining said westerly line of said Hilltop Ranch, Section 1, to the southeast corner of the herein described tract, lying in the common Extra Territorial Jurisdiction (ETJ) line of the City of Conroe and the City of Montgomery, Texas;

THENCE SOUTHWESTERLY approximately 201 feet, more or less, along a curve to the right, with and adjoining said common City of Conroe and City of Montgomery ETJ line, to the southwest corner of the herein described tract, lying in said easterly line of FM 2854;

THENCE NORTHERLY approximately 1,333 feet, more or less, with and adjoining said easterly right-of-way line of F.M. 2854, to the POINT OF BEGINNING, and containing approximately 11.9 acres of land. This document was prepared under 22 Texas Administrative Code §138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

**TRACT 2**  
**370 Acres**

Being 370 acres of land out of the John Corner Survey, Abstract 8, William W. Shepperd Survey, A-480, C. B. Stewart Survey, Abstract 479, Thomas Chatham Survey, A-127, and the Raleigh Rogers Survey, A-33, Montgomery County, Texas:

Beginning at the northwest corner of a 60 foot by 60 foot cemetery, as defined under Clerk's File No. 2011113416 of the Official Public Records Montgomery County, Texas (O.P.R.M.C.), lying in an easterly right-of-way line of FM 149, and being a westerly corner of land described under Clerks File No. 2012125424 of the O.P.R.M.C.;

THENCE NORTHERLY approximately 492 feet, more or less, with and adjoining said easterly right-of-way line of F.M. 149, to the northwest corner of the herein described tract, lying in a southerly City of Montgomery, City Limit line;

THENCE EASTERLY approximately 2,028 feet, more or less, with and adjoining a said southerly City Limit line, to a southerly line of a 14.755 acre tract as defined under Clerk's File No. 2018119879 of the O.P.R.M.C., for a northerly corner of the herein described tract;

THENCE SOUTHEASTERLY approximately 151 feet, more or less, with and adjoining said southerly line of the 14.755 acre tract, to a northerly corner of the herein described tract;

THENCE NORTHEASTERLY approximately 50 feet, more or less, with and adjoining said southerly line of the 14.755 acre tract, to a northerly corner of the herein described tract, lying in said southerly City Limit line;

THENCE EASTERLY approximately 3,448 feet, more or less, with and adjoining said southerly City Limit line, to a northerly corner of the herein described tract;

THENCE NORTHERLY approximately 3,346 feet, more or less, with and adjoining said southerly City Limit line, to a northerly corner of the herein described tract;

THENCE EASTERLY approximately 806 feet, more or less, with and adjoining said southerly City Limit line, to the northeast corner of the herein described tract, lying in a westerly right-of-way line of FM 2854;

THENCE SOUTHERLY approximately 5,500 feet, more or less, with and adjoining said westerly right-of-way line of FM 2854, to the southeast corner of the herein described tract, also being the northeast corner of a 22.178 acre tract as recorded under Clerk's File No. 2018119879 of the O.P.R.M.C.;

THENCE WESTERLY approximately 1,148 feet, more or less, with and adjoining the northerly line of said 22.178 acre tract, to a southerly corner of the herein described tract;

THENCE SOUTHERLY approximately 662 feet, more or less, with and adjoining the westerly line of said 22.178 acre tract, to a southerly corner of the herein described tract, lying in a common Extra Territorial Jurisdiction (ETJ) line of the City of Conroe and the City of Montgomery, Texas;

THENCE WESTERLY approximately 2,377 feet, more or less, with and adjoining said common ETJ line, to a southerly corner of the herein described tract;

THENCE SOUTHERLY approximately 2,551 feet, more or less, with and adjoining said common ETJ line, to the most southerly corner of the herein described tract, lying in the north easterly right-of-way line of the BN & SF Railroad;

THENCE NORTHWESTERLY approximately 1,034 feet, more or less, with and adjoining said northeasterly right-of-way line of the BN & SF Railroad, to a westerly corner of the herein described tract;

THENCE NORTHWESTERLY approximately 71 feet, more or less to a southerly corner of Shannon Place, a plat as recorded in Cabinet "D", Sheet 160-A, of the Montgomery County Map Records (M.C.M.R.);

THENCE NORTHERLY approximately 4,046 feet, more or less, with and adjoining the easterly line of said Shannon Place, to the northeast corner of said plat, lying in a southerly line of the C. B. Stewart Survey, A-479, as shown on said plat;

THENCE WESTERLY approximately 1,628 feet, more or less, with and adjoining the northerly line of said Shannon Place, to a westerly corner of the herein described tract;

THENCE NORTHERLY approximately 1,120 feet, more or less, with and adjoining a northerly line of said Shannon Place and an easterly line of a 10.59 acre tract as recorded under Clerk's File No. 2011113416 of the O.P.R.M.C., to a westerly corner of the herein described tract;

THENCE WESTERLY approximately 438 feet, more or less, with and adjoining the northerly line of said 10.59 acre tract and said cemetery tract, to the POINT OF BEGINNING, and containing approximately 370 acres of land. This document was prepared under 22 Texas Administrative Code §138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

**TRACT 3**  
**180 Acres**

Being 180 acres of land out of the Raleigh Rogers Survey, A-33, Montgomery County, Texas:

BEGINNING at a southwest corner of a 23.362 acre tract, as described in a deed recorded under Clerk's File No. 2006-104958 of the Official Public Records of Real Property Montgomery County, Texas (O.P.R.R.P.M.C.), lying in the easterly right-of-way line of F.M. 149, and being a westerly corner of land described under Clerks File No. 2012125424 of the Official Public Records Montgomery County, Texas (O.P.R.M.C.);

THENCE EASTERLY approximately 1,669 feet, more or less, with and adjoining a southerly line of said 23.362 acre tract, also being a southerly line of the Montgomery 149, LLC tract as recorded under Clerk's File No. 2018058916 of the O.P.R.M.C., to a westerly interior corner of the herein described tract;

THENCE NORTHERLY approximately 2,151 feet, more or less, with and adjoining the easterly line of said Montgomery 149, LLC tract to an easterly interior corner of said Montgomery 149, LLC tract, also being a northerly corner of the herein described tract;

THENCE EASTERLY approximately 302 feet, more or less, with and adjoining said Montgomery 149, LLC tract, to the northeast corner of the herein described tract, lying in a southwesterly right-of-way line of the BN & SF Railroad;

THENCE SOUTHEASTERLY approximately 918 feet, more or less, with and adjoining a southwesterly right-of-way line of the BN & SF Railroad, to an easterly corner of the herein described tract, lying in the common Extra Territorial Jurisdiction (ETJ) line of the City of Conroe and the City of Montgomery, Texas;

THENCE SOUTHERLY approximately 3,811 feet, more or less, with and adjoining said common ETJ line, to the southeast corner of the herein described tract, lying in a northerly line of land as described in a warranty deed to Earle T. McCants and Edward W. McCants as recorded under Clerk's File No. 99002183 of the O.P.R.R.P.M.C.;

THENCE WESTERLY approximately 2,561 feet, more or less, with and adjoining said northerly line of Earle T. McCants and Edward W. McCants tract, to the southwest corner of the herein described tract, lying in said easterly right-of-way line of FM 149;

THENCE NORTHERLY approximately 2,391 feet, more or less, with and adjoining said easterly right-of-way line of FM 149, to the POINT OF BEGINNING, and containing approximately 180 acres. This document was prepared under 22 Texas Administrative Code §138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.

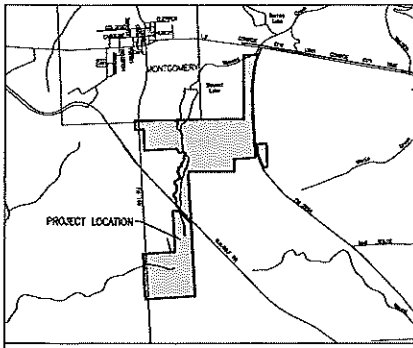
Tract 1            11.9 Acres  
Tract 2            370 Acres  
Tract 3            180 Acres  
                      561.9 Acres



LJA Surveying  
LJAS001-5555-2201  
Montgomery ETJ MUD



# EXHIBIT B



TRACT	ACRES
TRACT 1	11.9
TRACT 2	370
TRACT 3	180
<b>TOTAL ACREAGE</b>	<b>561.9</b>

HOWPLAZE LANDS, LLC  
TRACT 1  
SAVE & CREEP 7 TRACTS  
DOC. NO. 201118979  
D.P.A.M.C.  
SEE CASE 17-792  
DISTRICT CLERK

HOWPLAZE LANDS, LLC  
TRACT 2  
SAVE & CREEP 7 TRACTS  
DOC. NO. 201118979  
D.P.A.M.C.  
SEE CASE 17-792  
DISTRICT CLERK

JOHN CORNER SURVEY  
A-8  
CHARLES B STEWART  
SURVEY A-474

LORETT L. BOSS AND WILLIAM ROGER BOSS, JR.  
PLATERS OF DE. A. & R. 1182 TRACT  
CALLED "TRACT 3"  
FILE NO. 84201-1411  
D.P.A.M.C.

CHARLES B STEWART  
SURVEY A-474  
THOMAS CHATHAM SURVEY  
A-127

SHAYKIN PLACE  
C&G S. 217-134  
B&E.C.

THOMAS CHATHAM  
SURVEY A-127  
RALEIGH ROGER  
SURVEY A-33

MC R & L, L.L.C.  
CALLED 32302 ACRES  
FILE NO. 84201-1411  
D.P.A.M.C.

**TRACT 3  
180 ACRES**

HOWPLAZE LANDS, LLC  
TRACT 3  
CALLED 32302 ACRES  
DOC. NO. 201125241  
D.P.A.M.C.  
REGISTERED IN  
FILE NO. 84201-1411  
D.P.A.M.C.

FRANK L. & EDWARD R. MOON'S  
TRACT 22.8 ACRES  
FILE NO. 8201143  
D.P.A.M.C.

HOWPLAZE LANDS, LLC  
TRACT 1  
SAVE & CREEP 7 TRACTS  
DOC. NO. 201118979  
D.P.A.M.C.  
SEE CASE 17-792  
DISTRICT CLERK

**TRACT 2  
370 ACRES**

JOHN CORNER SURVEY  
A-8  
WILLIAM W. SHEPPARD  
SURVEY A-480

HOWPLAZE LANDS, LLC  
TRACT 1  
SAVE & CREEP 7 TRACTS  
DOC. NO. 201118979  
D.P.A.M.C.  
SEE CASE 17-792  
DISTRICT CLERK

WILLIAM W. SHEPPARD  
SURVEY A-480  
THOMAS CHATHAM SURVEY  
A-127

**TRACT 1  
11.9 ACRES**

HOWPLAZE LANDS, LLC  
TRACT 1  
SAVE & CREEP 7 TRACTS  
DOC. NO. 201118979  
D.P.A.M.C.  
SEE CASE 17-792  
DISTRICT CLERK

SAVE & CREEP  
CALLED TRACT "N"  
CALLED 12,178 ACRES  
DOC. NO. 201118979  
D.P.A.M.C.

HOWPLAZE LANDS, LLC  
TRACT 1  
CALLED 12,178 ACRES  
FILE NO. 84201-1411  
D.P.A.M.C.

HULLISH RANCH  
SECTION  
C&G S. 217-134  
B&E.C.

HOWPLAZE LANDS, LLC  
TRACT 1  
CALLED 12,178 ACRES  
DOC. NO. 201118979  
D.P.A.M.C.  
REGISTERED IN  
VOL. 208, PG. 113  
B&E.C.

HOWPLAZE LANDS, LLC  
TRACT 1  
CALLED 12,178 ACRES  
FILE NO. 84201-1411  
D.P.A.M.C.

HOWPLAZE LANDS, LLC  
TRACT 2  
CALLED 300,887 ACRES  
DOC. NO. 201129474  
D.P.A.M.C.  
REGISTERED IN  
TRACT 2  
FILE NO. 84201-1411  
D.P.A.M.C.

### LEGEND

D.P.A.M.C.	OFFICIAL PUBLIC RECORDS OF MONTGOMERY COUNTY, TEXAS
D.P.R./P.M.C.	OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF MONTGOMERY COUNTY, TEXAS
D.M.C.	DISTRICT MAP RECORDS OF MONTGOMERY COUNTY, TEXAS
M.R.M.C.	MAP RECORDS OF MONTGOMERY COUNTY, TEXAS
DOC. NO.	DOCUMENT NUMBER
FILE NO.	FILE NUMBER
VOL. / PG.	VOLUME / PAGE
R.O.R.	RIGHT OF WAY

NOTES:  
1. THIS DOCUMENT WAS PREPARED UNDER 22 TEXAS ADMINISTRATIVE CODE §138.65, DOES NOT REFLECT THE RESULTS OF AN ON-THE-GROUND SURVEY, AND IS NOT TO BE USED TO CONVEY OR ESTABLISH INTERESTS IN REAL PROPERTY EXCEPT THOSE RIGHTS AND INTERESTS IMPLIED OR ESTABLISHED BY THE CREATION OR RECONFIGURATION OF THE BOUNDARY OF THE POLITICAL SUBDIVISION FOR WHICH IT WAS PREPARED.

**EXHIBIT OF  
MONTGOMERY ETJ  
MUNICIPAL UTILITY DISTRICT  
IN THE  
JOHN CORNER SURVEY, A-8  
RALEIGH ROGER SURVEY, A-33  
WILLIAM W. SHEPPARD SURVEY, A-480  
THOMAS CHATHAM SURVEY, A-127  
MONTGOMERY COUNTY,  
TEXAS**

NOVEMBER 2022 JOB NO. LJA5001-5555-2202

**LJA Surveying, Inc.**  
2014 Airport Road  
Building A  
Conroe, Texas 77301  
Phone 936.777.6797  
Fax 936.827.5028  
TPELS Form No. 10194332

